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Planning Commission
Staff Report
September 17, 2026

This report incorporates revisions to the Land Development Code Text Amendment for Neighborhood Housing presented to the Planning Commission on September 3, 2026. Included in the revised text amendment are notification procedures and an acknowledgement that deed restrictions may be present that would not allow for the proposed use. Revisions are reflected by a double underline.

Location: Louisville Metro
Applicant: Louisville Metro
Jurisdiction: Louisville Metro
Council District: All Districts
Case Managers: Joel Dock, AICP, Planning Manager
Joe Haberman, AICP, Planning Manager
Rachel Casey, AICP, Planning Supervisor

REQUEST

Text Amendment to the Louisville Metro Land Development Code (LDC)

RECOMMENDED ACTION

The proposed text amendment advances the goals, objectives, and policies of *Plan 2040*; therefore, the Planning Commission should **RECOMMEND** to the Louisville Metro Council and those legislative bodies having zoning authority that the text amendment be **APPROVED**.

SUMMARY OF TEXT AMENDMENT

Louisville Metro Council *Resolution 82, Series 2020* set into motion a comprehensive review of the LDC and guided the Planning Commission to make recommendations for changes for more equitable and inclusive development. The resolution and text amendment proposed in this report are further guided by the five overarching principles that drive the goals, objectives, and policies of the Comprehensive Plan, *Plan 2040*, known as the *CHASE* principles – **C**onconnected, **H**ealthy, **A**uthentic, **S**ustainable, and **E**quitable. These amendments represent the evolution of continuous work to update the zoning rules to create new housing opportunities that fit more people's needs and create a stronger, more vibrant Louisville. They build upon many years of outreach and engagement with the community, respond to feedback, and incorporate best practices, research, and data. These amendments follow changes that have already been made to advance the Council Resolution and *Plan 2040*, including accessory dwelling units, factory built housing, child care, and urban agriculture.

The current proposal included in full as an attachment to this report is a package of changes focused on enhancing housing choices and streamlining procedures on and around commercial corridors and within the urban core, prioritizing areas with existing infrastructure like a complete street and pedestrian



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network, transit services, and sewers and drainage systems. The amendments fall into three (3) main categories, which have been presented to the community and posted on the Office of Planning's website. These categories include Neighborhood Housing; Housing & Mixed-Use Corridors; and Urban Center Neighborhood Form District.

Neighborhood Housing

Neighborhood Housing is used to describe a range of housing choices that fall between single-family homes and larger apartments, such as duplexes, townhouses, and cottage courts. The focus is on allowing new homes that fit the size and design of existing neighborhoods and work for everyone – first-time homebuyers, retirees, and families looking for a more affordable home. Neighborhood Housing building types are proposed to be allowed in the following locations:

- Traditional Form Districts
- Areas within a quarter (1/4) mile of a Suburban Marketplace Corridor, Regional Center, or Town Center Form District
- As a component of new development within a proposed major preliminary subdivision of three (3) acres or more

The construction of new Neighborhood Housing buildings and development must meet the specific design standards for each building or development type, or the construction will not be allowed. The standards respect existing patterns of development, allowing buildings that are similar in size to a typical single-family home found across the distinct neighborhoods of Louisville. Some notable building design and development standards include:

- Must be located on a public street
- Maximum height is two (2) to two and one-half (2.5) stories depending on location and type
- Individual dwellings may be on the same or separate lots to create new homeownership options
- The width and depth of buildings and required setbacks are similar to single-family homes
- Parking is prohibited in front of buildings and must be at the rear of the home
- Single-family homeownership and building diversity are encouraged - No more than fifty percent (50%) of the lots along a block face may be utilized for Neighborhood Housing
- Clustering is limited to no more than three (3) of the same type of building in a row
- No blank walls or exterior staircases may face a public street
- Sidewalks are required or must be built to serve the development
- Single-family demolition to build Neighborhood Housing is restricted
- Neighborhood Housing may be developed alongside single-family detached housing in a proposed major preliminary subdivision subject to the gross density of the property



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All proposals for Neighborhood Housing will require an application to be submitted to the Office of Planning. If that proposal meets all the adopted standards, it will be approved. If it does not, no relief is available and the proposal will be denied.

Housing & Mixed-Use Corridors

The proposed amendments falling within this category are intended to create more opportunities for housing & mixed-use development along commercial corridors and within areas of existing activity. These changes are based on the feedback received over multiple years of outreach, recommendations from the *Housing and Mixed-Use Development Study* initiated in 2023, which was a partnership between Louisville Metro and national planning and urban design firm Opticos Design, and research on national best practices. The changes proposed allow for design flexibility and a simplified review process for development that is in full compliance with the LDC. The changes focus on areas with existing infrastructure and services, while maintaining consistency with the form of the area. The changes have been summarized below:

- Building height will be measured in stories instead of feet to reflect modern building trends.
- The density within commercial zoning districts has been adjusted and calculations simplified to focus on redevelopment and utilization of existing infrastructure.
- Floor Area Ratio (FAR) requirements in the Commercial and Office/Residential Zoning Districts, which limit mixed-use development, will be deleted. FAR was deleted in residential zoning districts in 2021. Setbacks, landscape buffers, and height requirements remain.
- Minimum lot size requirements in the Neighborhood and Traditional Neighborhood Form Districts are reduced to encourage homeownership and responsiveness to consumer demands, but the overall density will remain similar to existing levels.
- Infill development standards in all Form Districts, except for Traditional Neighborhood, are eliminated
- Form District transition standards, which currently restricts development capacity along commercial corridors and activity centers, are eliminated.
- To streamline the process and encourage greater compliance with the LDC, development proposals that fully comply with the LDC will be approved by Planning staff.

Urban Center Neighborhood Form District

Plan 2040 guides the shape, scale and character of development to promote the *CHASE* principles. To achieve these principles, *Plan 2040* maintains a hybrid form of zoning that blends traditional zoning districts with form districts to encourage redevelopment while promoting land use flexibility. In this plan, a vision for a new form district called the Urban Center Neighborhood District is described:

Urban Center Neighborhoods typically adjoin Louisville's Central Business District and serve as a transition from Downtown Louisville to the surrounding neighborhoods and commercial corridors. These



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areas consist of higher intensity uses and higher density mixed-use buildings that accommodate retail, offices, rowhouses and apartments. This form should have a tight network of streets, with wide sidewalks, street trees and buildings set close to the sidewalks. Pedestrians, bicyclists and transit users should be prioritized in Urban Center Neighborhoods. To support street life and promote alternative forms of transportation, consider reducing or eliminating parking minimums in these areas.

To realize this vision, regulations defining the pattern of development must be adopted. This new form district will serve as a transition from the Downtown Form District into the surrounding neighborhoods and commercial areas. Its purpose is to step down the scale and bulk of development and promote a tight street network with wide sidewalks, street trees, and buildings set close to the right-of-way with high-quality design to enhance the pedestrian experience. There will be no minimum lot size, depth, or width requirements and the minimum building height is 3 stories with a maximum of 8 stories.

STAFF ANALYSIS FOR TEXT AMENDMENT

It is well documented that the majority of land in Louisville Metro is zoned exclusively for single-family residential use. The continuation of this pattern of development not only limits the delivery of safe, affordable, quality housing, but also exacerbates historical patterns of socio-economic and racial segregation. Land is also finite and the land available must be sensitively and sustainably used. By updating the LDC, new housing opportunities to fit more people's needs can be created, housing shortages and affordability challenges addressed, and Louisville will continue growing into the thriving, vibrant city imagined by *Plan 2040* and the goals set forth in *My Louisville Home* may be achieved.

The proposed amendments focus on the form of neighborhoods, building types, and design compatibility rather than outdated zoning rules that are unresponsive to current needs or future trends. The first goal for Community Form in *Plan 2040* encourages the use of form and design to respond to the distinctive physical, historic, and cultural qualities of Louisville neighborhoods. To achieve this goal, it calls on development to be guided and enhanced by the unique form, pattern, and design of neighborhoods, and to implement patterns of development to foster health and prosperity. It encourages the use of innovative development policies to promote resilience and respond to existing and future trends. The proposed amendments advance these goals and objectives by introducing an innovative method of rules for housing based on building types that are responsive to the pattern of existing neighborhoods, future trends, and community needs. The proposal ensures that as our population changes everyone has a place to live, including those that wish to age in place, employers and employees, individuals and families that desire more community cooperation and less individual maintenance responsibility or commute using alternative modes of transportation. The Urban Center Neighborhood Form is distinctly responsive to Community Form goals because it was created in direct response to the vision of the form imagined through the planning process of *Plan 2040* to support vibrant street life, alternative forms of transportation, and mixed-use development that radiates from the urban core.



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The Housing Needs Assessment updated in 2024 continues to show significant unmet needs for households making 30-50% of the area median income (AMI). While the proposed changes do not directly create affordable housing, they set the foundation for increasing the supply of housing that can more appropriately respond to housing needs and allow for affordability through design. Affordability through design results from the reduction in land needed to build a home, the increase in the number of homes that can be built on less land, and the cost of material being reduced through attached units. Affordability is also created by using existing infrastructure. When infrastructure is not available, like sewers or sidewalks, it must be built. That cost is transferred to the future resident. Further, the proposed amendments provide greater flexibility for affordable ownership by reducing the minimum lot size and increasing locations where duplexes, townhouses, and cottage courts can be built. These models of housing also lend themselves to community ownership methods, like land trusts or limited equity cooperatives.

Plan 2040 encourages the expansion of a diverse range of housing choices and densities, including detached and attached single family, multi-family, mixed use, zero lot line, average lot, cluster, and co-housing that preserve the unique character of neighborhoods. It calls for housing options and environments that support aging in place, an adequate supply of affordable and physically accessible housing, and inclusive communities to overcome disparities in access to Louisville Metro assets and affirmatively further fair and affordable housing. Neighborhood Housing achieves these desired outcomes. The standards recognize that design must be compatible while also delivering housing choices to overcome disparities in access. By incorporating a diverse range of housing and encouraging mixed-use buildings in areas with existing infrastructure and access to services and assets, such as parks, groceries, and retail, disparities are overcome while respecting the building characteristics of a community.

The amendments proposed support the Mobility goals of *Plan 2040*, walkable communities, and multi-modal transportation networks through the advancement of regulations that encourage connection between people, jobs, education, and services, while also using the land more efficiently. The changes are focused on existing areas of activity, utilization of existing infrastructure, and the promotion of traditionally well-connected neighborhoods around the urban core and commercial corridors radiating from the center.

By focusing these amendments on areas with existing infrastructure, like sewers, water, streets, and sidewalks, the natural environment can be protected, and the Livability goals of *Plan 2040* can be realized. The Livability goals also call for equitable access to land use planning and policy making decisions. These amendments are being proposed following multiple years of outreach and engagement, which has been detailed in this report and remains accessible online. An agreed upon set of rules that carry out the vision of the Comprehensive Plan and also follow an extensive outreach and engagement period in the community allows for a greater understanding of the existing and proposed rules, limitations of planners, boards, and commissions in regulating land and making decisions, as well as the review procedures that guide development and decision making.



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The text amendment supports the economic development of Louisville. Economic Development Goal 1 states, "Provide an economic climate that improves growth, innovation, investment and opportunity for all." The amendment furthers this goal because an increase in housing choice provides a greater range of accommodations for all income levels to support economic activity, growth, innovation, and investment across all sectors – manufacturing, construction, retail, education, healthcare, hospitality, etc. Consistent with Economic Development Goal 2, the proposed amendment creates housing options and encourages mixed-use development that cultivates a vibrant, unique city that can attract, retain, and develop a highly skilled workforce where quality of life is enhanced. Current land use patterns and procedures limit housing availability and separates Louisvillians from activity and each other. The proposed amendment advances the economic development goals of Louisville by ensuring that a range of housing options may be offered and connecting households to businesses, amenities, places of employment, and services.

PUBLIC OUTREACH & ENGAGEMENT

Outreach and engagement on changes to the LDC to increase housing choices and home ownership has been underway for many years. The building types currently proposed as Neighborhood Housing were initially pursued under the umbrella of the Land Development Code Reform, which started in 2020 after adoption of Louisville Metro Council *Resolution 82, Series 2020*. Initially branded as Middle Housing, a draft of these changes was released by the Office of Planning in 2024. Shortly thereafter, a one-year legislative pause on changes to the LDC was enacted by the Kentucky General Assembly.

The first community event arranged around this broad topic of housing, often referred to nationally as *Missing Middle Housing*, was hosted in December of 2021 in partnership with AARP and Opticos Design. The Office of Planning followed up with walking tours across Louisville in 2022. These tours were used to show and discuss the range of housing types that could be possible if the zoning rules were reconsidered. Tours have been provided in Spanish, to members of AARP, and the general public. Also in 2022, an annual series of conversations at the Louisville Free Public Library called *Zoning Matters: Conversations with a City Planner* began and has since been attended by hundreds of Louisvillians, putting planning staff and community members at the same table for intimate discussions about planning and zoning.

In the fall of 2022, the Office of Planning conducted multiple workshops allowing community members to build their own neighborhoods using LEGO bricks to represent a diverse range of housing choices. Results were analyzed and remain available online. The resulting neighborhoods and discussion, like other forms of engagement, were used to inform the current draft of Neighborhood Housing. In 2023, a professional design charrette was coordinated between the Kentucky chapters of the professional organizations for Planners, Architects, and Landscape Architects to reimagine the possibilities for development if zoning rules allowed more housing opportunities. Those results also remain available online.



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In 2024, the initial draft of changes to the LDC to incorporate new housing types was released, a comment form was made available online, and four (4) open house events were held across Louisville Metro. All comments received concerning the initial draft, information on the open houses, and other resources and information remain available online. Also in 2024, open house events were held to discuss the study on mixed-use and housing development drafted by Opticos Design. Media coverage and a summary of this study are also available online.

Conversations with the community on the Urban Center Neighborhood Form District began in the summer of 2022 with a virtual information session. These conversations were followed up with a visioning session in July, a work group meeting in October, and a community meeting in December of 2022. A survey on the draft of regulations for Urban Center Neighborhood Form District was also conducted, and a comment form remains available online.

After careful consideration of all the outreach, results of engagement activities, and feedback on amendments to the LDC since 2021, the current draft of changes contained in this report were published on July 1, 2026. A dedicated webpage was created, notification to the community took place via all available channels (i.e. online notification), informational material produced, and community information sessions began in July at the Parkland Library. A total of five (5) informational meetings were hosted across the community to present the proposed changes, discuss procedures for adoption, and engage with residents on issues.

INTERESTED PARTY COMMENTS

All comments received at the time of publication of this report have been provided to the Planning Commission in advance of the Public Hearing. Any comments received after publication and available prior to the start of the Public Hearing will be provided to the Commission at the hearing.

NOTIFICATION

Notification of the Planning Commission's Public Hearing was provided in accordance with KRS 100. In addition, staff provided electronic notice to registered neighborhood groups and all individuals on the list for electronic notification of development proposals in all Metro Council Districts (GovDelivery). Staff also provided electronic notices to individuals who have participated in activities outlined in the Public Outreach and Engagement section of this report that also provided a contact email address. This list now includes nearly seven hundred (700) individual participants.

ATTACHMENTS

1. Proposed Text Amendment to the LDC
2. Proposed Findings for Planning Commission



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1. PROPOSED TEXT AMENDMENT TO THE LDC

The Planning Commission must make a recommendation to the Louisville 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 in this report.

Louisville Metro Land Development Code

Chapter 1 Part 1 Definitions

Court Access Drive – A legally created way for vehicular access to lots or buildings within a walking or cottage court that is privately owned and maintained, either by a single entity or in common by the owners of individual lots.

Court, Primary – The part of a **cottage court** that serves as the principal **open space** for residents. Primary Courts must have buildings on at least two sides of the court and may contain features such as pedestrian paths, seating areas, and communal green spaces or gardens.

Dwelling, Attached – A dwelling which has at least its own front yard and is attached to abutting dwellings by approved masonry party or partition walls, thus creating distinct and non-communicating one- and two-family dwellings. ~~This term includes such terms as townhouse, row house, maisonette, etc. Within single-family zoning districts each unit shall be on its own lot.~~

Dwelling, Multi-family – Any group of three (3) or more dwelling units occupying a single lot, whether composed of one or more than one principal building. ~~However, this term shall not include attached dwellings. This term shall not include attached dwellings or building types defined and regulated as Neighborhood Housing in accordance with Chapter 4, Part 3 of this code. This term shall include the following:~~

- ~~A. Efficiency Apartment – A dwelling unit consisting of not more than one habitable room together with kitchenette and sanitary facilities.~~
- ~~B. Studio Apartment – A dwelling unit consisting of not more than one habitable room together with kitchenette and sanitary facilities, but having a partial separation within the room for the sleeping area.~~

Dwelling, Two Family (or Duplex) – Any group of two (2) dwelling units occupying a single lot or building site, ~~whether composed of one or more than one principal building, or a single building~~ containing two-dwellings that does not meet the **Neighborhood Housing Development Standards of**



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Chapter 4, Part 3 of this code. This term includes Conventional, Average Lot, Clustered and Zero-Lot-Line two family dwellings.

Mixed Use – Two (2) or more uses on the same lot or the within the same building, where at least one (1) of the uses is residential. The residential use shall be at least 20% of the total building area.

Neighborhood Housing – Neighborhood Housing is a term used to regulate certain building types or developments and shall be limited to the following, which are further regulated by Chapter 4, Part 3 of this code:

- A. **Duplex** – Two (2) dwelling units within a single principal structure.
- B. **Triplex** – Three (3) dwelling units within a single principal structure.
- C. **Fourplex** – Four (4) dwelling units within a single principal structure.
- D. **Multiplex** – five (5) or more dwelling units within a single principal structure, not to exceed twelve (12)
- E. **Cottage Court** – A group of at least three (3) buildings, with each primary entrance serving a maximum of two dwelling units, arranged around a shared court, with pedestrian access that connects to at least one adjacent street and terminates within the development site. Cottage courts have buildings with primary entrances oriented towards the public street or court, internal pedestrian access to buildings and amenities, and off-street parking areas at the rear of buildings or the development site.
- F. **Walking Court** – A group of at least four (4) buildings, with each building on its own lot and containing either a single-dwelling or two-dwelling units, arranged around a pedestrian way. The pedestrian way bisects the development site, is generally centered between opposing buildings, and connects with at least two adjacent streets, or provides connection to at least one street and a second connection is provided to an alley, community or common facility, or common or public open space. Pedestrian courts have buildings with primary entrances oriented towards the public street or pedestrian way, pedestrian connections to buildings and amenities from the pedestrian way, and off-street parking areas are located to the rear of buildings opposite the pedestrian way.
- G. **Townhouse** – A townhouse is the individual building component of a Townhouse Development, which must be attached by at least one (1) side wall but no more than two (2) side walls with another townhouse. A townhouse may occupy a single parcel, or multiple townhouses may be part of a development on a single parcel.
- H. **Townhouse Development** – A group of three (3) or more attached townhouses, with shared side walls, arranged in a row and having their primary facades oriented towards the primary street. Townhouse Developments can be located on a single parcel, or each individual townhouse may occupy its own parcel



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Open Space, Common – Open space that is (1) owned in common and maintained by the owners of lots in a subdivision (i.e. a homeowners association), or (2) owned by a private individual or entity but managed and maintained for common use by residents, occupants or customers of the development. Common open space shall be preserved by either a conservation easement or deed of restriction, deed, or other legally created means approved by the Jefferson County Attorney's Office.

Pedestrian Access – An improved surface, such as a sidewalk, which connects the public right-of-way with private property or a building entrance. Gravel, rock, mulch or similar materials shall not be used to provide pedestrian access.

Pedestrian Way – A right-of-way, dedicated to or ~~set aside~~ allowing for public use, which ~~cuts across a block to facilitate~~ provides pedestrian access to adjacent streets, and properties, or dwellings with frontage along the way

Public Art - Includes, but is not limited to, that form of sculpture, mural or painting, water element, lighting, or other form of creative expression designed by and executed under the supervision of an artist which is viewable within an open space, upon a building or within a public right-of-way, ~~subject to the approval of the Downtown Development Review Overlay District Committee (DDRO).~~

Story – The part of a building between the upper surface of the floor and the ceiling immediately above. This does not include basements, unfinished attics, or cellars that extend less than 3 feet above grade.

Story, Half – An uppermost story or finished attic, lying under a sloping roof, having an area of at least two hundred (200) square feet, with a clear height between the floor or ceiling of seven (7) feet but not more than nine (9) feet.

Traditional Mixed-Use Building – A building containing a non-residential use on the first floor, which is located at intersecting public streets (i.e., corner), and residential uses to the side and/or rear and on any upper floors

Traditional Form Districts - The following form districts shall be considered traditional form districts: Town Center Form District, Traditional Neighborhood Form District, Traditional Marketplace Corridor Form District, Traditional Workplace Form District, and Village Form District "Center".

Urban Core/Center Form Districts – The following form districts shall be considered Urban Core/Center form districts: Downtown Form District and Urban Center Neighborhood Form District

Zoning and Form District Map - The map setting forth the boundaries of the zoning and form districts of Louisville Metro.



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Chapter 2, Part 2 Residential Zoning Districts

2.2.6 R-4 Residential Single Family District

A. Permitted Uses

All uses permitted in the R-1 Residential Single Family District

Neighborhood Housing (subject to Chapter 4, Part 3)

Traditional Mixed-Use Building (Subject to Chapter 4, Part 3)

E. Maximum Density: ~~4.84 dwellings per acre~~

Traditional Form Districts:

Residential Single Family, Neighborhood Housing, and Traditional Mixed-Use Buildings shall have no maximum density. Lot size for single-family residential use shall be regulated by Chapter 5, Part 2. Neighborhood Housing and Traditional Mixed-Use Buildings shall be regulated by Chapter 4, Part 3 of this code.

Suburban Form Districts:

The maximum density for a major subdivision creating lots for detached, single-family residential use shall not exceed a gross density of 4.84 dwellings per acre. The minimum lot size for single-family residential use shall be regulated by Chapter 5, Part 3. Neighborhood Housing shall have no maximum density, except that a major subdivision including Neighborhood Housing shall be subject to a maximum gross density of 4.84 dwellings per acre, and shall be further regulated by Chapter 4, Part 3 of this code.

Additional density up to 6.05 dwellings per acre may be achieved using the Mixed Residential Development Incentive (MRDI) Option. See Section 4.3.20.

2.2.7 R-5 Residential Single family District

A. Permitted Uses

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

Dwellings, semi-detached, on lots recorded before June 17, 1954, where each dwelling unit is constructed on its own lot and meets all other requirements of this zoning district

Neighborhood Housing (subject to Chapter 4, Part 3)

Traditional Mixed-Use Building (Subject to Chapter 4, Part 3;)



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E. Maximum Density: ~~7.26 dwellings per acre~~

Traditional Form Districts:

Residential Single Family, Neighborhood Housing, and Traditional Mixed-Use Buildings shall have no maximum density. Lot size for single-family residential use shall be regulated by Chapter 5, Part 2. Neighborhood Housing and Traditional Mixed-Use Buildings shall be regulated by Chapter 4, Part 3 of this code.

Suburban Form Districts:

The maximum density for a major subdivision creating lots for detached, single-family residential use shall not exceed a gross density of 7.26 dwellings per acre. The minimum lot size for single-family residential use shall be regulated by Chapter 5, Part 3. Neighborhood Housing shall have no maximum density, except that a major subdivision including Neighborhood Housing shall be subject to a maximum gross density of 7.26 dwellings per acre and shall be further regulated by Chapter 4, Part 3 of this code.

Additional density up to 9.07 dwellings per acre may be achieved using the Mixed Residential Development Incentive (MRDI) Option. See Section 4.3.20.

2.2.8 U-N Urban Neighborhood District

A. Permitted Uses

Dwellings, semi-detached, where each dwelling unit is constructed on its own lot with one zero lot line and meets all other requirements of this district. (Existing lots are not subject to ~~paragraph E~~ maximum density)

Dwellings, Single-family (Existing lots are not subject to ~~paragraph E~~ maximum density)

Neighborhood Housing (subject to Chapter 4, Part 3; Not subject to maximum density)

Traditional Mixed-Use Building (Subject to Chapter 4, Part 3; Not subject to maximum density)

E. Maximum Density:

1. Maximum Density:

One (1) dwelling per lot, or as further specified below

Planned Development Option: 58.08 dwelling units per acre

2.2.9 R-5A Residential Multi-Family District



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A. Permitted Uses

Dwellings, Single-family attached and detached (Not subject to ~~paragraph E~~ maximum density)

Dwellings, Two-family (Not subject to ~~paragraph E~~ maximum density)

Neighborhood Housing (subject to Chapter 4, Part 3; Not Subject to Maximum Density)

Traditional Mixed-Use Building (Subject to Chapter 4, Part 3; Not Subject to Maximum Density)

E. Maximum Density: 12.01 dwellings per acre

2.2.10 R-5B Residential Two-Family District

A. Permitted Uses

Neighborhood Housing (subject to Chapter 4, Part 3; Not Subject to Maximum Density)

Traditional Mixed-Use Building (Subject to Chapter 4, Part 3; Not Subject to Maximum Density)

E. Maximum Density: Two (2) dwellings per lot

2.2.11 R-6 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):*

*Dwellings, Single-family (not subject to maximum density)

Neighborhood Housing (subject to Chapter 4, Part 3; Not Subject to Maximum Density)

Traditional Mixed-Use Building (Subject to Chapter 4, Part 3; Not Subject to Maximum Density)



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E. Maximum Density: 17.42 dwellings per lot

2.2.12 R-7 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):*

*Dwellings, Single-family (not subject to maximum density)

Neighborhood Housing (subject to Chapter 4, Part 3; Not Subject to Maximum Density)

Traditional Mixed-Use Building (Subject to Chapter 4, Part 3; Not Subject to Maximum Density)

E. Maximum Density: 34.8 dwellings per lot

2.2.13 R-8A 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):*

*Dwellings, Single-family (not subject to maximum density)

Neighborhood Housing (subject to Chapter 4, Part 3; Not Subject to Maximum Density)

Traditional Mixed-Use Building (Subject to Chapter 4, Part 3; Not Subject to Maximum Density)

E. Maximum Density: 58.08 dwellings per acre

Chapter 2 Part 3 Office/Residential Zoning Districts

2.3.1 OR Office/Residential District ****



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A. Permitted Uses

Dwellings, Single-family (not subject to ~~paragraph E~~ maximum density)

Dwellings, Two-Family (Not subject to ~~paragraph E~~ maximum density)

Neighborhood Housing (subject to Chapter 4, Part 3; Not Subject to Maximum Density)

Traditional Mixed-Use Building (Subject to Chapter 4, Part 3; Not Subject to Maximum Density)

E. Maximum Density: ~~and FAR~~

1. ~~Maximum Floor Area Ratio:.....0.35~~

2. ~~Maximum Density:12.01 dwellings per acre~~

2.3.2 OR-1 Office/Residential District

E. Maximum Density: ~~and FAR~~

1. ~~Maximum Floor Area Ratio:1.0~~

2. ~~Maximum Density:34.84 dwellings per acre~~

2.3.3 OR-2 Office/Residential District

E. Maximum Density: ~~and FAR~~

1. ~~Maximum Floor Area Ratio:3.0~~

2. ~~Maximum Density:58.08 dwellings per acre~~

2.3.4 OR-3 Office/Residential District

E. Maximum Density: 217 dwellings per acre ~~and FAR~~

1. ~~Maximum Floor Area Ratio:4.0~~

2. ~~Maximum Density:~~

a. ~~For 0 bedroom dwelling units only.....435 dwellings per acre~~

b. ~~For 1 bedroom dwelling units only.....217 dwellings per acre~~

c. ~~For 2 or more bedroom dwelling units only...145 dwellings per acre~~



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3. ~~Mixed Use Incentive: When authorized by the form district regulations, the amount of office and residential uses situated above ground level uses specified in the applicable part of Chapter 5 shall be excluded from calculation of the site's permissible floor area ratio. When specifically authorized by the form district regulations, calculation of permissible residential density shall be based on the net site area, regardless of the amount of non-residential floor area constructed on the site. See Section 5.5.3 Mixed Use Development.~~

2.3.5 OTF Office/Tourist Facility District

E. Maximum Density: 217 dwellings per acre and FAR

1. ~~Maximum Floor Area Ratio4.0~~
2. ~~Maximum Density:~~
 - a. ~~For 0 bedroom dwelling units only135 dwellings per acre~~
 - b. ~~For 1 bedroom dwelling units only217 dwellings per acre~~
 - c. ~~For 2 or more bedroom dwelling units only...145 dwellings per acre~~
3. ~~Mixed Use Incentive: When authorized by the form district regulations, the amount of office and residential uses situated above ground level uses specified in the applicable part of Chapter 5 shall be excluded from calculation of the site's permissible floor area ratio. When specifically authorized by the form district regulations, calculation of permissible residential density shall be based on the net site area, regardless of the amount of non-residential floor area constructed on the site. See Section 5.5.3 Mixed Use Development.~~

Chapter 2 Part 4 Commercial Zoning Districts

2.4.1 C-N Neighborhood Commercial District

A. Permitted Uses

Dwellings, Single-family (Not subject to maximum density)

Dwellings, Two-Family (Not subject to maximum density)

Neighborhood Housing (subject to Chapter 4, Part 3; Not Subject to Maximum Density)

Traditional Mixed-Use Building (Subject to Chapter 4, Part 3; Not Subject to Maximum Density)

E. Maximum Density: and Far

1. ~~Maximum Floor Area Ratio:0.5~~



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2. ~~Maximum Density:~~17.42 dwellings per acre

2.4.2 C-R Commercial Residential District

A. Permitted Uses

Neighborhood Housing (subject to Chapter 4, Part 3; Not Subject to Maximum Density)

Traditional Mixed-Use Building (Subject to Chapter 4, Part 3; Not Subject to Maximum Density)

E. Maximum Density: ~~and Far~~

1. ~~Maximum Floor Area Ratio:~~ 3.0

2. ~~Maximum Density:~~34.8 dwellings per acre

2.4.3 C-1 Commercial District

A. Permitted Uses

Dwellings, Single-family (Not subject to maximum density)

Dwellings, Two-Family (Not subject to maximum density)

Neighborhood Housing (subject to Chapter 4, Part 3; Not Subject to Maximum Density)

Traditional Mixed-Use Building (Subject to Chapter 4, Part 3; Not Subject to Maximum Density)

E. Maximum Density: 58.08 dwellings per acre and Far

1. ~~Maximum Floor Area Ratio:~~1.0

2. ~~Maximum Density:~~34.84 dwellings per acre

3. ~~Use Mix — Office and Residential Uses — When authorized by the form district regulations, a specified percentage of any development site may be allocated to residential development without any corresponding decrease in the maximum allowable square footage or intensity of non-residential uses allowed in the underlying zone district, provided that all other development standards set forth in this code are complied with. In addition, when authorized by the form district regulations, office and residential uses situated above ground level retail uses are~~



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~~permitted and shall be excluded from calculation of the site's permissible floor area ratio. When specifically authorized by the form district regulations, calculation of permissible residential density shall be based on the net site area, regardless of the amount of non-residential floor area constructed on the site.~~

2.4.4 C-2 Commercial District

E. Maximum Density: 435 dwellings per acre and FAR

~~1. Maximum Floor Area Ratio:5.0~~

~~2. Maximum Density:~~

~~a. For 0 bedroom dwelling units only.....435 dwellings per acre~~

~~b. For 1 bedroom dwelling units only.....217 dwellings per acre~~

~~c. For 2 or more bedroom dwelling units only145 dwellings per acre~~

~~Use Mix—Office and Residential Uses—When authorized by the form district regulations, a specified percentage of any development site may be allocated to residential development without any corresponding decrease in the maximum allowable square footage or intensity of non-residential uses allowed in the underlying zone district, provided that all other development standards set forth in this code are complied with. In addition, when authorized by the form district regulations, office and residential uses situated above ground level retail uses are permitted and shall be excluded from calculation of the site's permissible floor area ratio. When specifically authorized by the form district regulations, calculation of permissible residential density shall be based on the net site area, regardless of the amount of non-residential floor area constructed on the site.~~

2.4.6 C-M Commercial Manufacturing District

E. Maximum Density: None and FAR

~~1. Maximum Floor Area Ratio—5.0~~

~~2. Maximum Density None~~

~~3. Use Mix: When authorized by the form district regulations, the amount of office and residential uses situated above ground level uses specified in the applicable part of Chapter 5 shall be excluded from calculation of the site's permissible floor area ratio. When specifically authorized by the form district regulations, calculation of permissible residential density shall be based on the net site area, regardless of the amount of non-residential floor area constructed on the site.~~

Chapter 2 Part 6 Special Purpose Zoning Districts

2.6.1 EZ-1 Enterprise Zone



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E. Maximum Density: None and FAR

1. ~~Maximum Floor Area Ratio:~~ 5.0

2. ~~Maximum Density:~~ None

Chapter 4 Part 1 General Compatibility Standards

4.1.3 Lighting

B. Regulations

1. All public and private outdoor lighting shall be in conformance with the requirements established by this Regulation.
2. Control of Glare – Luminaire Design Factors
 - a. All luminaires shall be aimed, directed, or focused such as to not cause direct light from the luminaire to be directed toward residential uses or protected open spaces (i.e., conservation easements, greenways, parkways) on adjacent or nearby parcels, or to create glare perceptible to persons operating motor vehicles on public streets and right-of-way.
 - b. The following items shall apply to the mounting height of luminaires:
 - i. Within the Suburban Workplace, Suburban Marketplace Corridor, Regional Center, Campus, Village-Outlying, or Village form district ~~or within a form district transition zone related to a such form districts~~, any luminaire with a lamp or lamps that emit more than 1800 lumens, and all flood or spot luminaires with a lamp or lamps rated at a total of more than 900 lumens shall be mounted at a height equal to or less than thirty (30) feet unless otherwise approved by the Planning Commission.
 - ii. Within the Neighborhood, Traditional Neighborhood, Traditional Workplace, Town Center, Downtown, ~~or Traditional Marketplace Corridor, or Urban Center Neighborhood form district or within a form district transition zone related to such form districts~~, any luminaire with a lamp or lamps that emit more than 1800 lumens, and all flood or spot luminaires with a lamp or lamps rated at a total of more than 900 lumens shall be mounted at a height equal to or less than twenty (20) feet unless otherwise approved by the Planning Commission.
 - iii. Luminaires mounted on residential structures shall be exempt from items (i.) and (ii.) above.



Chapter 4 Part 2 Conditional Use

4.2.2 General Provisions

- E. Compatibility - Conditional Uses shall comply with all applicable standards of the Land Development Code, including the form district regulations, ~~form district transition standards~~, and landscaping. Additional standards may be included in the listed requirements for a particular use.

4.2.39 Off-Street Parking Areas

An Off-Street Parking Area may be permitted in a district where it is ordinarily prohibited, provided it serves a use in a building for which insufficient off-street parking space is provided, and where the provision of such parking space will materially relieve traffic congestion on the streets and when developed in compliance with the following listed requirements.

- H. Off-street parking areas with surface parking spaces are prohibited in the Downtown and Urban Center Neighborhood Form Districts. An off-site parking area may be located in a parking garage or structure. Further, notwithstanding the introduction to this section, within these form districts, an off-street parking area within a parking garage or structure is not limited to serving a building for which insufficient off-street parking space is provided. Such an off-street parking area within a parking garage or structure may serve an area that has a demonstrated parking need.

4.2.51 Storage Yard and Contractor's Yard

Storage Yard and Contractor's Yard may be allowed in a C-2, M-1 and C-M District upon the granting of a Conditional Use Permit and compliance with the following listed requirements, except that such a conditional use shall not be permitted within the Downtown, Traditional Marketplace Corridor, Traditional Neighborhood, or Traditional Marketplace Corridor Urban Center Neighborhood Form Districts.

- ~~A. Outdoor storage areas are prohibited within any form district transition zone.~~

- AB. Stacked materials and equipment shall not exceed a height of five feet.

- BC. Outdoor storage areas shall be screened from adjacent streets and properties.

- CD. Storage of combustible materials shall conform to the requirements of NFPA Pamphlet 30 (information on NFPA pamphlet 30 may be obtained from local fire department).



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DE. Medium trucks may be appropriately parked in compliant parking spaces or loading areas.

EE. Heavy truck storage is permitted in the M-1 and C-M districts.

4.2.62 Duplex Dwelling Units

Two dwelling units in an existing building, each of which have (i) a separate entrance from the exterior, or (ii) a separate entrance from a common foyer having access from the exterior, may be allowed in the R-R, R-E, R-1, R-2, R-3, R-4, R-5, and U-N districts upon the granting of a conditional use permit and compliance with the listed requirements provided that (a) a qualified design professional has verified that the building was constructed as a duplex, and (b) use of the building as a duplex was permitted in the zoning district at the time of construction. Upon receiving a conditional use permit, the building may be owned by a non-resident of the building.

A. Sites having duplex dwelling units shall provide off-street parking as follows:

1. Neighborhood Form District - at least three off-street spaces provided on the lot, nor more than two spaces outdoors.
2. Traditional Neighborhood District - at least one off-street space provided on the lot.
3. ~~Other Form Districts - at least two off-street spaces provided on the lot; the Board may require additional parking spaces as appropriate.~~

4.2.63 Short Term Rental of a dwelling unit that is not the primary residence of the owner or the short term rental of a condominium unit that is the primary residence of the owner in a R-R, R-E, R-1, R-2, R-3, R-4, R-5, U-N, R-5A, R-5B, R-6, R-7 or R-8A district; Short Term Rental of a dwelling unit that is not the primary residence of the owner or a condominium unit that is the primary residence of the owner that is in a OR, OR-1, or OR-2 district and a ~~TN~~ Traditional Neighborhood or Urban Center Neighborhood form district; and Short Term Rental of any dwelling unit in a TNZD district

A short term rental of dwelling unit that is not the primary residence of the owner or the short term rental of a condominium unit that is the primary residence of the owner in a R-R, R-E, R-1, R-2, R-3, R-4, R-5, U-N, R-5A, R-5B, R-6, R-7 or R-8A district; Short Term Rental of a dwelling unit that is not the primary residence of the owner or a condominium unit that is the primary residence of the owner that is in a OR, OR-1, or OR-2 district and a ~~TN~~ Traditional Neighborhood or Urban Center Neighborhood form district; and Short Term Rental of any dwelling unit in a TNZD district. In addition to any conditions of approval, a short term rental and its host shall meet the following requirements:

D. The property on which the short term rental(s) is situated shall not be located closer than 600 feet (measured in a straight line from nearest property line to nearest property line) to any property (i) on



which another approved short term rental that required a conditional use permit is situated or (ii) located in an OR, OR-1 or OR-2 district and a ~~TN~~ Traditional Neighborhood or Urban Center Neighborhood form district which has an active registration and has maintained an active registration prior to the effective date of this provision (September 28, 2023 for Traditional Neighborhood and [TBD] for Urban Center Neighborhood) and it has not been conclusively proven to the Board that the holder of the registration is the owner of the property, and the property is the owner's primary residence. Relief to this provision may be provided by the Board on case-by-case basis for the following reasons; however relief may be denied upon consideration of other factors and the burden is on the applicant to demonstrate that the subject short term rental would not contribute to an overconcentration of short term rentals in the immediate area and/or adversely affect the affordable housing stock in the immediate area.

4.2.66 Heavy Truck Off-Street Parking and Storage (C-3 District)

Heavy Truck Off-Street Parking and Storage may be allowed in a C-3 district upon the granting of a Conditional Use Permit and compliance with the following listed requirements. This section does not apply to any parking or loading areas that may otherwise be required or allowed for by this Land Development Code.

- A. The conditional use shall not be permitted within any Downtown, Neighborhood, Traditional Marketplace Corridor, Traditional Neighborhood, ~~Neighborhood~~, Urban Center Neighborhood, or Village Form District. This provision shall not be waived.

- G. Truck parking and storage are prohibited within any required setback ~~and/or form district transition zone~~.

Chapter 4, Part 3 Permitted Uses with Special Standards

Chapter 4 Part 3 Permitted Uses with Special Standards

4.3.3 Dwellings in EZ-1 District - Single Family

Single family residential dwellings are permitted in the EZ-1 district provided they comply with the following standard: The property is located in the Traditional Neighborhood, Traditional Workplace, ~~or~~ Traditional Marketplace Corridor, or Urban Center Neighborhood Form District. If located in the Urban Center Neighborhood Form District, the single family residential dwelling shall be located in a mixed-use building.



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4.3.5 Dwellings in EZ-1 District – Multi-Family Residential

Multiple family residential dwellings are permitted in the EZ-1 district provided they comply with the following standards:

- A. The property is located within the ~~traditional neighborhood, traditional marketplace corridor, traditional workplace or downtown form districts~~ Downtown, Traditional Marketplace Corridor, Traditional Neighborhood, Traditional Workplace, or Urban Center Neighborhood Form District.
- B. ~~The maximum density as permitted in Section 4.3.4 paragraph C above.~~

Maximum Density: 435 Dwelling units per acre

4.3.13 Homeless Shelters

- F. In the 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~~ Urban Center Neighborhood 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.

4.3.14 Transitional Housing

- G. Signage for transitional housing within a R-R, R-E, R-1, R-2, R-3, R-4, R-5, U-N, R-5A, R-5B, R-6, R-7, or R-8A district shall be limited to a 12 square foot freestanding sign not to exceed six (6) feet in height unless within the ~~Downtown form district~~ Urban Center Neighborhood 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.

4.3.19 Live/Work Units

This use may be permitted outside a Planned Village Development or other special zoning district in accordance with the standards listed below. Regardless of the zoning district, Live/Work Units shall be considered a residential use.



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- A. The Live/Work Unit must be located in one of the following zoning districts: in Urban Core/Center and Traditional Form Districts only, R-4, R-5, R5-A, R5-B; in all Form Districts, R-6, R-7, R- 8A, OR, M-1, M-2, M-3, and EZ-1. Regardless of the zoning district, Live/Work Units shall be considered a residential use.

4.3.20 Mixed Residential Development Incentive (MRDI)

- B. The following point system will determine the allowable residential density bonus. All development proposals must obtain at least one point each from Category A: Multi-Family and Category B: Affordable Units.
6. Proposed site located within one mile of employment center. To qualify a property must be located within, or within one mile of, one of the following form districts: Campus, Downtown, Regional Center, Suburban Marketplace, Suburban Workplace, Traditional Marketplace Corridor, Traditional Workplace, and Urban Center Neighborhood ~~Suburban Marketplace, Regional Center, Suburban Workplace and Campus~~: 2 points.

4.3.23 Short Term Rentals

In a R-R, R-E, R-1, R-2, R-3, R-4, R-5, U-N, R-5A, R-5B, R-6, R-7 or R-8A district, a short term rental of dwelling unit that is the primary residence of the owner is permitted by the Planning Director with special standards set forth in this section. In a OR, OR-1, or OR-2 district and not within a ~~Traditional Neighborhood or Urban Center Neighborhood~~ form district, any short term rental is permitted by the Planning Director with special standards set forth in this section. In a OR, OR-1, or OR-2 district and within a ~~Traditional Neighborhood or Urban Center Neighborhood~~ form district, a short term rental of dwelling unit that is the primary residence of the owner is permitted by the Planning Director with special standards set forth in this section. In a OR-3, OTF, C-N, C-R, C-1, C-2, C-3, C-M, EZ-1, W-1, W-2, PVD, PTD or PRD district, any short term rental is permitted by the Planning Director with special standards set forth in this section.

- K. In a R-R, R-E, R-1, R-2, R-3, R-4, R-5, U-N, R-5A, R-5B, R-61 R-7 or R-8A district and a OR, OR-1, and OR-2 district within a ~~Traditional Neighborhood or Urban Center Neighborhood~~ form district, the short term rental shall be the owner's primary residence unless a conditional use permit allows otherwise. The owner shall have resided in the dwelling unit for at least six months prior to application. Each annual registration application shall include a.) a Kentucky-issued driver's license or identification card showing the host resides at the address and b.) at least one of the following other documents showing that the host resides at the address: Voter Registration Card, federal tax return, Kentucky tax return, and/or vehicle registration. If the aforementioned documentation cannot be provided, then a residency hearing shall be required pursuant to section 'J'.



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The specific numbering of this section within Chapter 4, Part 3 will be assigned depending on the date of adoption and any amendments to this section that occur in advance. The section used below was the next available at the time of publication.

4.3.35 Neighborhood Housing

A. Generally Applicable Development Standards

1. Neighborhood Housing meeting the requirements of this section (Section 4.3.35) shall be a permitted use in the following locations, except when located in a Traditional Neighborhood Zoning District (TNZD), RR, RE, R-1, R-2, R-3, PEC, PRO, W-1, W-2, W-3, C-M, M-1, M-2, M-3, or EZ-1 zoning district:
 - a. Traditional Form Districts; or
 - b. Within ¼ mile of the boundary of a Traditional or Suburban Marketplace Corridor, Town Center, or Regional Center Form District; or
 - c. As new development in conformance with lettered standard A.9 of this section.
2. Location, Streets, and Sidewalks:
 - a. Neighborhood Housing development shall be located with at least one (1) property frontage along a public street. Private streets and walks may be used to serve buildings within the development, including court access drives.
 - b. Neighborhood Housing Development, including the conversion of existing buildings, shall be subject to those regulations contained in Chapter 5, Part 8, Street and Roadside Design Standards – All developments shall provide sidewalks in the abutting right-of-way to serve the development site (same side of street).
3. Design and Appearance:
 - a. Neighborhood Housing design shall comply with the Design Standards (4.3.35.B) of this section.
 - b. Form district, site and building design: Neighborhood Housing shall not be subject to the form district, site design, or building design standards of Chapter 5, Parts 2, 3, 4, and 6.
 - c. There shall be no blank walls facing a public street or residential use, except where required to comply with applicable building or life safety standards.
 - d. There shall be no exterior stairs providing access to a second story or higher on a primary façade.



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- e. Porches or decks not exceeding 10 feet in depth, which may be roofed, but shall not be enclosed, including a second story deck or porch, are permitted, and shall not be considered when measuring the maximum building depth.
 4. Neighborhood Housing shall be subject to the following restrictions along each block face:
 - a. No more than 50% of the lots (new or existing) shall be developed for a Duplex, Triplex, Fourplex, or Multiplex building; and
 - b. There shall be no more than 3 of the same (Duplex, Triplex, Fourplex, or Multiplex) building types on abutting lots.
 5. Neighborhood Housing shall be subject to Infill Development Regulations for Front and Street Side Yard Setback only. All other Infill Development Regulations do not apply, unless otherwise specified in this section of the code.
 6. The maximum height of a story shall be 12 feet.
 - a. Basements are not considered a story when determining maximum height, provided that the above grade portion of the basement is not more than 4 feet.
 7. Demolition Restrictions for Residential Single Family Zoning Districts
 - a. A single family residential dwelling shall not be demolished with the intent to construct a new duplex, triplex, fourplex, or multiplex building unless approved by the Planning Commission or their designee at a public meeting or upon approval of a Major Preliminary Subdivision in accordance with this code, except in cases of emergency demolition in compliance with all applicable local ordinances. The Planning Commission or designee may approve new construction of Neighborhood Housing if it finds that:
 - i. The proposed Neighborhood Housing building complies with all applicable standards of this section; and
 - ii. The proposed construction is consistent with the scale and pattern of development within the form district; and
 - iii. The proposed demolition and new construction advance the goals, objectives, and policies of the Comprehensive Plan.
 8. Land may be subdivided exclusively for Neighborhood Housing Development in strict compliance with the Neighborhood Housing Development Standards and Chapter 7 (Metropolitan Subdivision Regulations) of this code. Preliminary plans and Record Subdivision Plats must indicate all lots being subdivided for Neighborhood Housing development.
 9. Neighborhood Housing shall be a permitted component of a Major Preliminary Subdivision in the Neighborhood and Village Form District. In addition to the lettered standards above, the following additional standards shall apply to the *new development* of Neighborhood Housing within a Proposed Major Preliminary Subdivision located within a Neighborhood Form District:



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- a. The development site shall be no less than 3 gross acres
 - b. Density Standards:
 - i. The gross density of the underlying zoning district across the whole of the development site/subdivision shall not be exceeded; and
 - ii. For sites developed in sections, the gross density of the whole of the major preliminary subdivision shall not be exceeded; and
 - iii. Neighborhood Housing development within the Major Subdivision, such as side-by-side duplexes, cottage courts, townhomes, or walking courts shall not be individually subjected to the maximum density limitations of the underlying zoning district (e.g., subdividing land to create individual lots for buildings within a walking court.); and
 - iv. Neighborhood Housing developed on separate lots shall be counted as a single dwelling for purposes of calculating the overall gross density.
 - c. Final preliminary plans must indicate all lots being subdivided for Neighborhood Housing development. Lots shown as Neighborhood Housing may be modified or the location of lots may be changed with approval from the Planning Director or designee
 - d. All other regulations applicable to major preliminary subdivisions contained in Chapter 7 of this code shall apply
10. Neighborhood Housing established by this part shall not be used for the Short Term Rental of a dwelling that is not the primary residence of the owner or as a Boarding House, Transitional Housing, or Rehabilitation Home.
11. Existing buildings containing dwellings that do not conform to this code upon enactment of this part may be reviewed for compliance to be considered conforming. All standards must be met. Buildings not containing dwellings at the time of enactment of this part may be used for Neighborhood Housing if compliant with all standards contained in this part and upon review by the Planning Director or designee.
12. To avoid any confusion, since there is no language to the contrary, this section does not override any deed restriction or homeowners' association declarations related to the use of land or buildings

Building and site design standards for neighborhood housing are continued on the next page



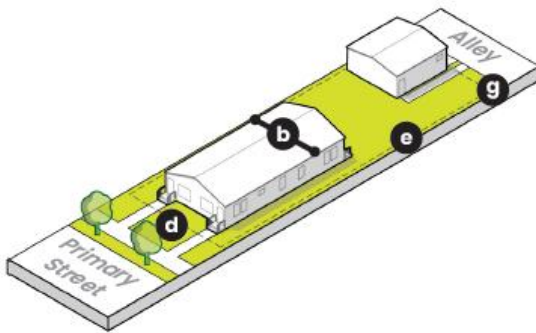
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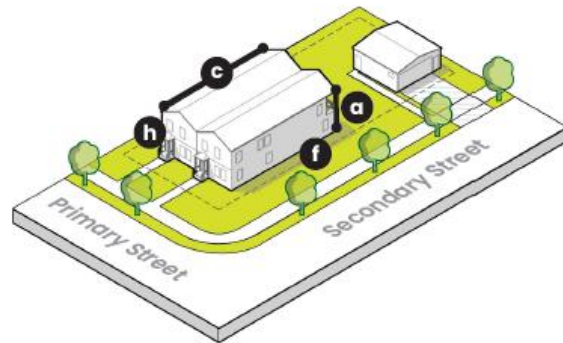
B. Building and Site Design Standards

1. Duplex, Triplex, Fourplex, and Multiplex

a. Duplex: Side-by-Side



Example of Traditional Neighborhood (TN)



Example of Neighborhood (N)

Duplex: Side-by-side consists of two (2) dwelling units beside each other in a single building, with a separate entrance for each unit.

1 • Number of Units/Buildings		
Units per Building	2 Units	
Duplexes per Lot	1 Duplex (Max) ^(a)	
<i>(a) Each dwelling may be on its own lot with a shared side wall.</i>		

2 • Lot Size		
Minimum	N/A	

3 • Building Size			
	TN/VC	N/V	
Height			
Maximum	2.5 Stories	2 Stories	a
Width			
Maximum	40 Ft.	60 Ft.	b
Depth			
Maximum	75 Ft.	60 Ft.	c

4 • Setbacks			
	TN/VC	N/V	
Front	15 Ft. ^(b)		d
Side	2 Ft.	5 Ft.	e
Street Side Yard	3 Ft. ^(b)	15 Ft. ^(b)	f
Rear	5 Ft.		g
(b) Infill shall apply.			

5 • Entry & Orientation	
Each unit shall have an entrance facing the primary street. On corner lots, an entrance may face each street.	h

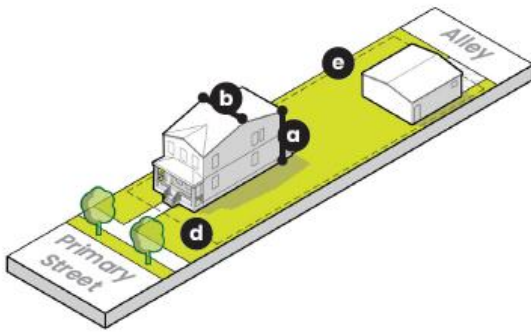
6 • Accessory Dwelling Unit	
A detached accessory dwelling conforming to the size, height, access and locational requirements of LDC Section 4.3.27 shall be permitted on any lot containing a duplex.	



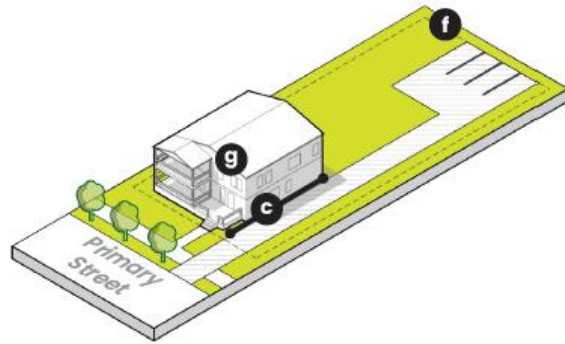
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b. Duplex: Stacked



Example of Traditional Neighborhood (TN)



Example of Neighborhood (N)

Duplex: Stacked consists of two (2) dwelling units, with one unit on the first story and one unit on the second story.

1 • Number of Units/Buildings		
Units per Building	2 Units	
Duplexes per Lot	1 Duplex (Max)	

2 • Lot Size		
Minimum	N/A	

3 • Building Size			
	TN/VC	N/V	
Height			
Maximum	2.5 Stories	2 Stories	a
Width			
Maximum	40 Ft.	60 Ft.	b
Depth			
Maximum	75 Ft.	50 Ft.	c

4 • Setbacks			
	TN/VC	N/V	
Front	15 Ft. ^(a)		d
Side	2 Ft.	5 Ft.	e
Street Side Yard	3 Ft. ^(a)	15 Ft. ^(a)	
Rear	5 Ft.		f
(a) Infill shall apply.			

5 • Entry & Orientation	
A shared entrance may be used. The primary entrance(s) must face the public street. If an entrance to each unit is included from the exterior, they shall each face the street. On corner lots, an entrance may face each street.	g

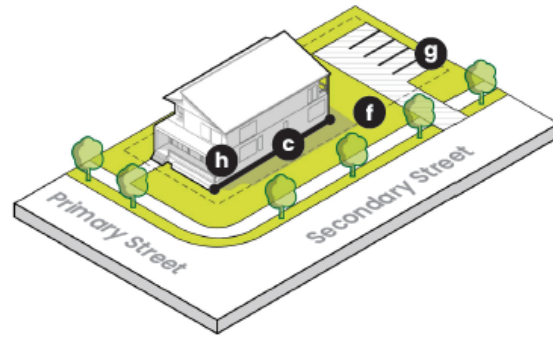
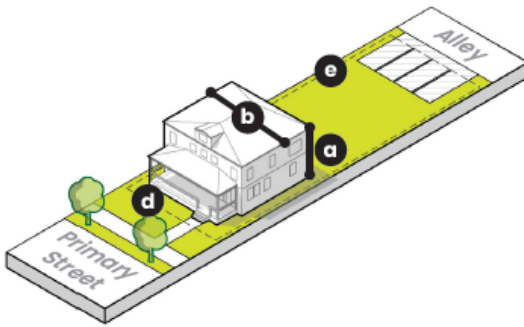
6 • Accessory Dwelling Unit
A detached accessory dwelling conforming to the size, height, access and locational requirements of LDC Section 4.3.27 shall be permitted on any lot containing a duplex.



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c. Triplex: 2-Story Stacked



Example of Traditional Neighborhood (TN)

Example of Neighborhood (N)

Triplex: 2-Story Stacked consists of three (3) dwelling units, with one unit on one story and two units on another story.

1 • Number of Units/Buildings			
Units per Building	3 Units		
Triplexes per Lot	1 Triplex (Max)		
2 • Lot Size			
Minimum	N/A		
3 • Building Size			
	TN/VC	N/V	
Height			
Maximum	2.5 Stories	2 Stories	a
Width			
Maximum	50 Ft.	70 Ft.	b
Depth			
Maximum	75 Ft.	60 Ft.	c

4 • Setbacks			
	TN/VC	N/V	
Front	15 Ft. ^(a)		d
Side	2 Ft.	5 Ft.	e
Street Side Yard	3 Ft. ^(a)	15 Ft. ^(a)	f
Rear	5 Ft.		g
(a) Infill shall apply.			

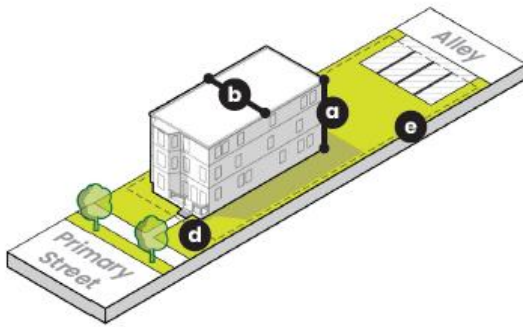
5 • Entry & Orientation	
A shared entrance may be used. The primary entrance(s) must face the public street. If an entrance to each unit is included from the exterior, they shall face the street. On corner lots, an entrance may face each street.	h



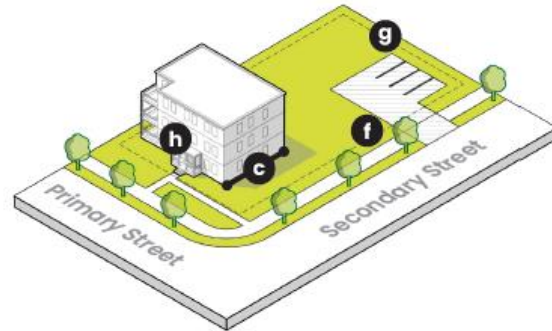
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d. Triplex: 3-Story Stacked



Example of Traditional Neighborhood (TN)



Example of Neighborhood (N)

1 • Location

Three-story stacked triplexes are only permitted when 1 or more of the adjacent principal structures on either side of the subject site along the block face is 2 or more stories, including half stories. Adjacent vacant lots shall not be considered, and the next nearest principal structure shall be considered adjacent for purposes of this regulation.

2 • Number of Units/Buildings

Units per Building	3 Units	
Triplexes per Lot	1 Triplex (Max)	

3 • Lot Size

Minimum	N/A	
---------	-----	--

4 • Building Size

	TN/VC	N/V	
Height			
Maximum	3 Stories (Max)		a
Width			
Maximum	50 Ft.	70 Ft.	b

5 • Building Size

	TN/VC	N/V	
Depth			
Maximum	75 Ft.	60 Ft.	c

6 • Setbacks

	TN/VC	N/V	
Front	15 Ft. ^(b)		d
Side	2 Ft.	5 Ft.	e
Street Side Yard	3 Ft. ^(b)	15 Ft. ^(b)	f
Rear	5 Ft.		g

(b) Infill shall apply.

7 • Entry & Orientation

A shared entrance may be used. The primary entrance(s) must face the public street. If an entrance to each unit is included from the exterior, they shall face the street. On corner lots, an entrance may face each street.

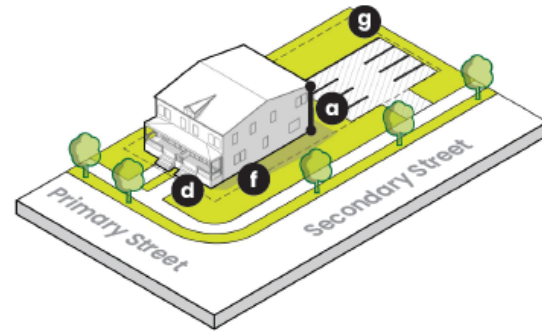
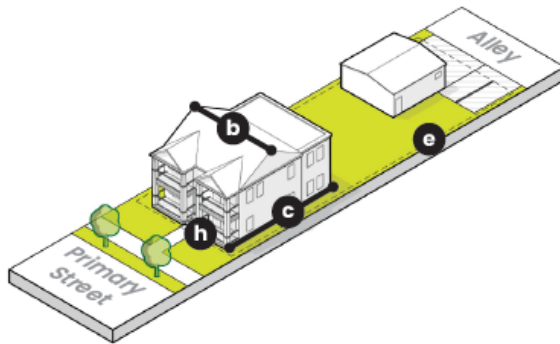
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e. Fourplex: Stacked



Example of Traditional Neighborhood (TN)

Example of Neighborhood (N)

Fourplex: Stacked consists of four (4) dwelling units, with two units on each story.

1 • Number of Units/Buildings		
Units per Building	4 Units	
Fourplexes per Lot	1 Fourplex (Max)	

2 • Lot Size		
Minimum	N/A	

3 • Building Size			
	TN/VC	N/V	
Height			
Maximum	2.5 Stories	2 Stories	a
Width			
Maximum	50 Ft.	70 Ft.	b
Depth			
Maximum	75 Ft.	60 Ft.	c

5 • Setbacks			
	TN/VC	N/V	
Front	15 Ft. ^(a)		d
Side	2 Ft.	5 Ft.	e
Street Side Yard	3 Ft.	15 Ft. ^(a)	f
Rear	5 Ft.		g
(a) Infill shall apply.			

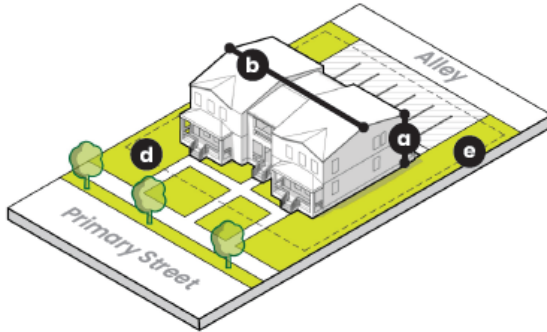
6 • Entry & Orientation	
A shared entrance may be used. The primary entrance(s) must face the public street. If an entrance to each unit is included from the exterior, they shall face the street. On corner lots, an entrance may face each street.	h



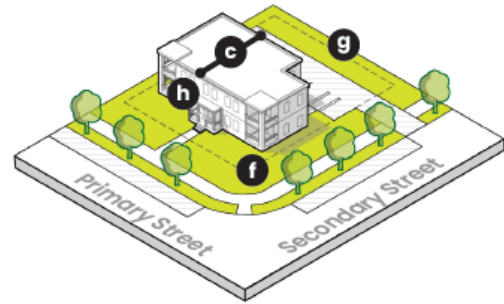
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f. Multiplex



Example of Traditional Neighborhood (TN)



Example of Neighborhood (N)

Multiplex consists of five (5) or more dwelling units within a single principal structure, not to exceed twelve (12) dwelling units.

1 • Number of Units/Buildings		
Primary Buildings per Lot	1	
Dwellings per Lot	12 (Max)	

2 • Lot Size		
Minimum	N/A	

3 • Building Size			
	TN	N	
Height			
Maximum	2.5 Stories	2 Stories	a
Width			
Maximum	120 Ft.		b
Depth			
Maximum	90 Ft.		c

4 • Setbacks			
	TN	N	
Front	15 Ft.		d
Side	3 Ft.	5 Ft.	e
Street Side Yard	3 Ft.	15 Ft.	f
Rear	5 Ft.		g

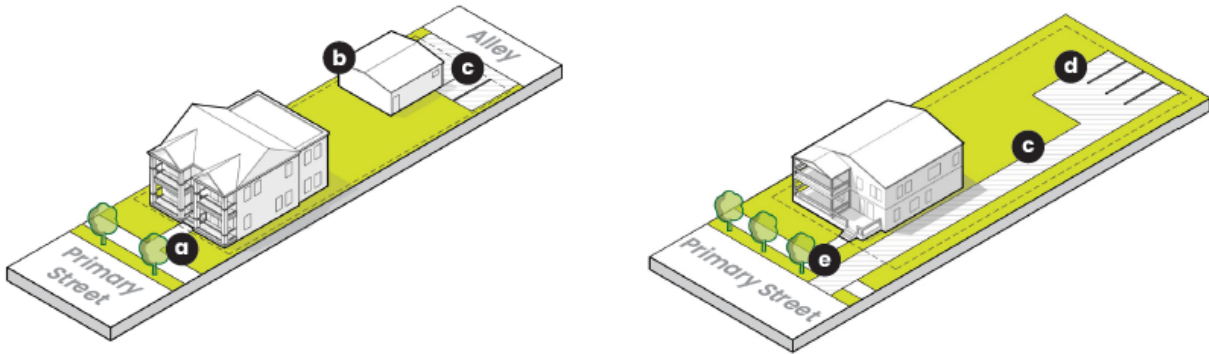
5 • Entry & Orientation		
A shared entrance for residential units may be used. The primary entrance(s) must face the public street. On corner lots, an entrance may face each street.		h



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g. Duplex, Triplex, Fourplex, and Multiplex: Access, Parking, and Landscaping



Access, Parking & Landscaping Examples

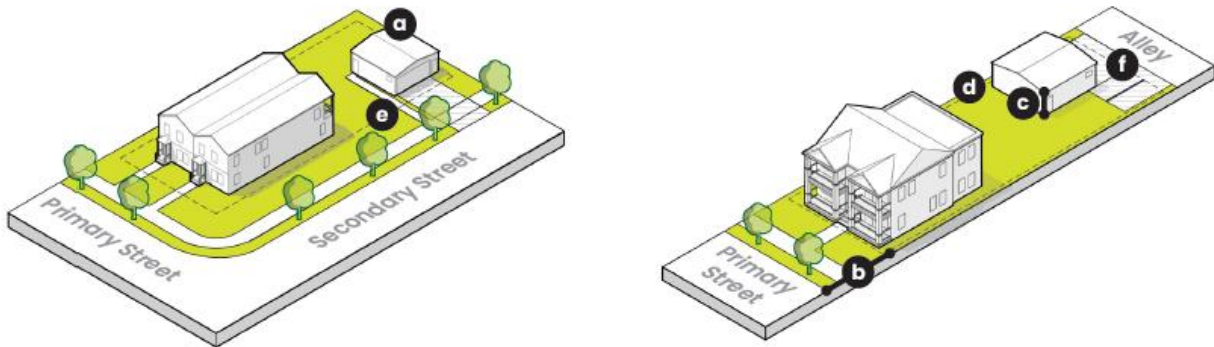
1 • Access & Parking Design Standards		
Pedestrian Access	At least one (1) improved means of pedestrian access (4' minimum width) shall be provided between the public sidewalk and the primary entrance of the principal structure, which shall be paved.	a
Off-Street Parking	Off-street parking areas, including detached garages, shall be located to the rear of the principal structure.	b
Shared Off-Street Parking	Off-street parking may be shared between adjacent properties. When parking is shared, which crosses a property line, including shared parking structures, no setback or landscaping is required along the shared property line.	
Duplex Side-by-Side: Front Loading Garage	In Neighborhood and Village form districts, for Duplex, Side-by-Side only building types, an attached front-loaded garage may be incorporated into the front façade of the principal structure. The total width of all garage doors shall not exceed 30% of the width of the front façade. In this case, parking is permitted in a driveway that leads to a garage.	
Off-Street Parking Access & Location	Access to off-street parking shall be from a rear alley, where feasible, in Traditional Neighborhood and Village Center forms. In cases where rear alley access is not feasible, and in Neighborhood and Village forms, access to off-street parking is permitted from the street.	c
	Off-street parking is permitted within the rear setback on a driveway leading to a garage or accessory use areas, but detached garages must follow the Accessory Structure standards provided in this section.	d
2 • Landscape and Tree Canopy		
Landscape Buffer	There shall be no landscape buffer required between a lot with a duplex, triplex, or fourplex and a single-family residential use or zone	
	For the purposes of determining landscape buffers on adjacent lots considered for development, duplex, triplex, and fourplex buildings shall be treated as Intensity Class 1 pursuant to Chapter 10, Part 2, Table 10.2.1 .	
Street Trees	Street trees are required in accordance with Section 10.2.8 of this code.	e



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h. Duplex, Triplex, Fourplex, and Multiplex: Accessory Structures



Accessory Structure(s) Examples

3 • Accessory Structures		
Structures per Lot	1 Structure ^(a)	a
Structure Location	Accessory structures are not permitted between the principal structure and the front property line.	b
Structure Height	Accessory structures shall be subordinate in size and height to the primary structure, except that an accessory structure containing a dwelling may have two (2) stories.	c
Side Setback	2 Ft.	d
Street Side Setback	Same as principal structure.	e
Rear Setback	5 Ft.	f
<i>(a) Accessory structures not requiring a building permit are allowed in excess of this requirement.</i>		

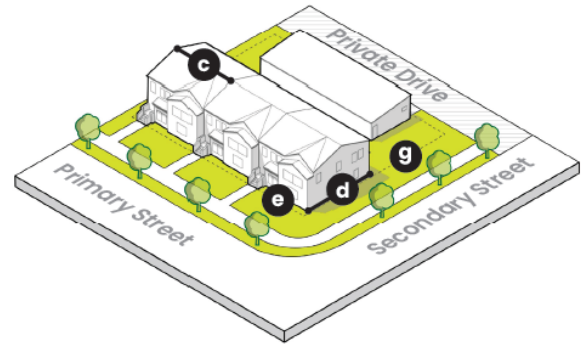
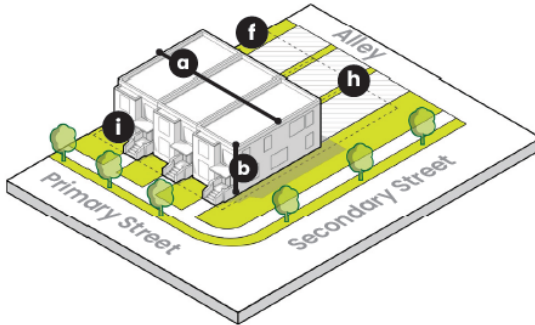


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2. Townhouse

a. Townhouse



Example of Traditional Neighborhood (TN)

Example of Neighborhood (N)

A Townhouse Development consists of three (3) to six (6) individual Townhouse buildings with shared sidewalls. Each Townhouse may have up to two (2) dwelling units with a shared entrance. A Townhouse Development can be on a single lot, or each Townhouse can occupy it's own lot.

1 • Number of Units/Buildings			
Units per Building	2 Units		
Attached Townhouses per Row			
Minimum	3 Townhouses		a
Maximum	6 Townhouses		

2 • Building Size			
	TN/VC	N/V	
Height			
Maximum	2 Stories		b
Width			
Minimum	15 Ft.		c
Maximum	40 Ft.		
Depth			
Maximum	75 Ft.		d

3 • Setbacks			
	TN/VC	N/V	
Front	15 Ft. ^(a)		e
Side (not attached)	2 Ft.	5 Ft.	f
Side (attached)	0 Ft.		
Street Side Yard	3 Ft.	15 Ft. ^(a)	g
Rear	5 Ft.		h
(a) Infill shall apply.			

4 • Entry & Orientation	
A shared entrance may be used for a single townhouse, but no more than two (2) units may utilize the same shared entrance. Each townhouse shall be oriented towards and have its primary entrance facing the public street.	i

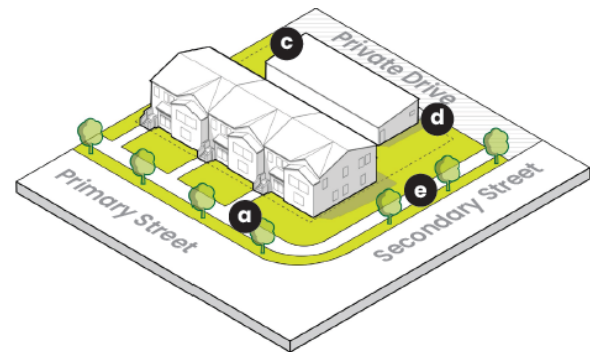
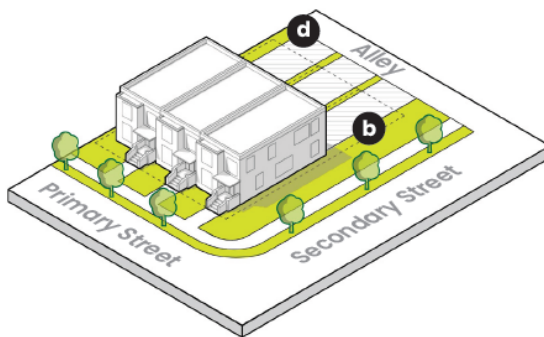
5 • Attached Garage	
Entry to attached garages shall only be permitted along the rear façade of the townhouse. The garage door shall not exceed 50% of the width of each individual townhouse.	



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b. Townhouse: Access, Parking, and Landscaping



Access, Parking & Landscaping Examples

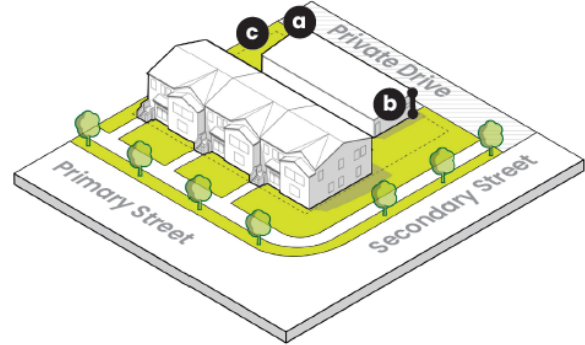
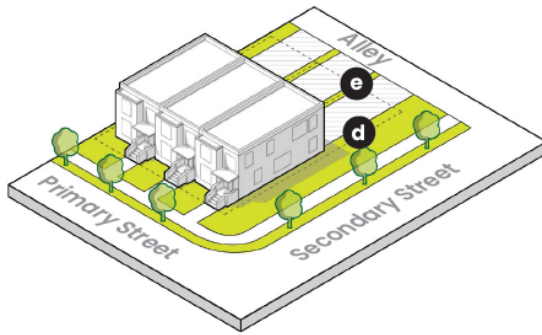
1 • Access & Parking Design Standards		
Pedestrian Access	At least one (1) improved means of pedestrian access (4' minimum width) shall be provided between the public street and the primary entrance of each townhouse, which shall be paved.	a
Off-Street Parking	Off-street parking areas, including both attached and detached garages, shall not be located between the principal structure and the front property line. No parking shall occur between designated parking areas and the townhouse, except that parking may be located on a driveway leading to an attached garage	b
Shared Parking	Off-street parking may be shared. When parking is shared, which crosses a property line, including shared parking structures, no setback or landscaping is required along the shared property line. Shared parking may be in a parking lot (on- or off-site) or accessory structure.	c
Off-Street Parking Access	Access to off-street parking shall be from a rear alley, where feasible, in Traditional Neighborhood and Village Center forms. In cases where rear alley access is not feasible, and in Neighborhood and Village forms, access to off-street parking areas is permitted from the public street.	d
2 • Landscape and Tree Canopy		
Landscape Buffer	There shall be no landscape buffer required between a townhouse or townhouse development and a single-family residential use or zone.	
	For the purposes of determining required landscape buffers, townhouse developments shall be treated as Intensity Class 1 pursuant to Chapter 10, Part 2, Table 10.2.1 .	
Street Trees	Street trees are required in accordance with LDC Section 10.2.8.	e
Existing Tree Canopy	In Neighborhood and Village form districts, development sites that have 50% to 100% existing tree canopy coverage shall be required to preserve 20% of this existing tree canopy.	



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c. Townhouse: Accessory Structures



Accessory Structure(s) Examples

3 • Accessory Structures		
Structures per Lot	1 Accessory Structure per Townhouse ^{(a)(b)}	a
Structure Location	Accessory structures are not permitted between the principal structure and the front property line.	
Structure Height	Accessory structures shall be subordinate in size and height to the primary structure.	b
Side Setback	2 Ft.	c
Attached Structures	0 Ft between structures	
Street Side Setback	Same as Townhouse Development.	d
Rear Setback	5 Ft.	e
(a) May have shared side walls with abutting accessory structures.		
(b) Accessory structures not requiring a building permit are allowed in excess of this requirement.		

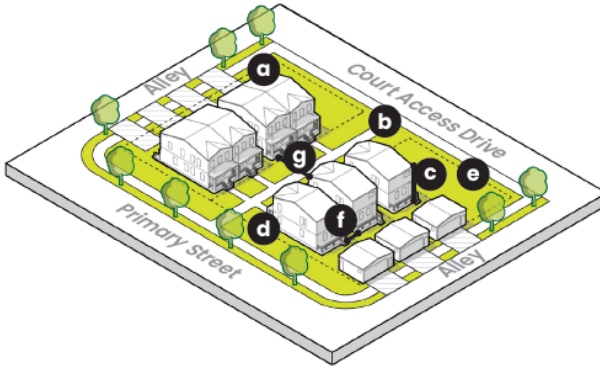


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3. Walking Court

a. Walking Court



Example of Walking Court

A Walking Court consists of a group of at least four (4) buildings, each on their own lot, arranged around a central pedestrian way. Each entrance can serve a maximum of two (2) dwelling units.

1 • Number of Units/Buildings		
Units per Entrance	2 Units	
Number of Buildings		
Minimum	4 Buildings	
Building(s) and Dwelling Units per Lot	No more than one (1) principal or attached building per lot, which may contain two (2) dwelling units.	
Attached or Detached Buildings	Buildings may be attached or detached but must maintain an exterior wall at the front and rear of each dwelling.	a
2 • Lot Size & Site Standards		
Minimum Lot Size	N/A	
Central Pedestrian Way	Development sites must have a central pedestrian way that bisects the site and connects to at least two (2) adjacent streets or alleys.	b
Emergency Access	No portion of a building can be more than 150' from a public street, alley, or Court Access Drive that meets requirements for emergency access, unless otherwise approved by the fire department having jurisdiction.	

3 • Building Size		
Height		
Maximum	2 Stories	c
4 • Setbacks		
Public Street	15 Ft ^(a)	d
Alley or Court Access Drive	5 Ft	e
Shared Property Lines		
Minimum	2 Ft	f
Maximum	6 Ft	
Attached Unit	0 Ft from shared property lines having a common wall.	
Distance Between Buildings	Minimum of 30 feet between opposing building facades across the pedestrian way.	g
(a) Infill shall apply.		

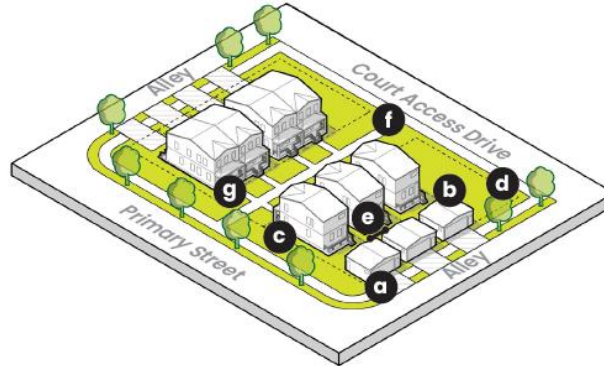
5 • Entry & Orientation	
No more than (2) two units may utilize the same shared entrance. Buildings that are not adjacent to a public street must have a primary entrance that is oriented towards the pedestrian way. Buildings that are adjacent to a public street may have a primary entrance that is oriented towards either the pedestrian way or public street.	



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b. Walking Court: Access, Parking and Accessory Structures



Accessory Structures, Access and Parking Examples

1 • Accessory Structures		
Structures per Lot	1 Accessory Structure per Lot ^(a)	a
Structure Location	Accessory structures are not permitted between the principal structure and the front property line or between the principal structure and the pedestrian way, or between a principal structure and the public street.	
Structure Height	Accessory structures shall be subordinate in size to the principal structure.	b
Street	15 Ft or the same as the principal structure(s)	c
Alley or Court Access Drive	5 Ft	d
Shared Property Line	2 Ft ^(b)	e
(a) Accessory structures not requiring a building permit are allowed in excess of this requirement. (b) Except for attached structures, which shall have a setback of 0 Ft from shared property lines containing a common wall.		

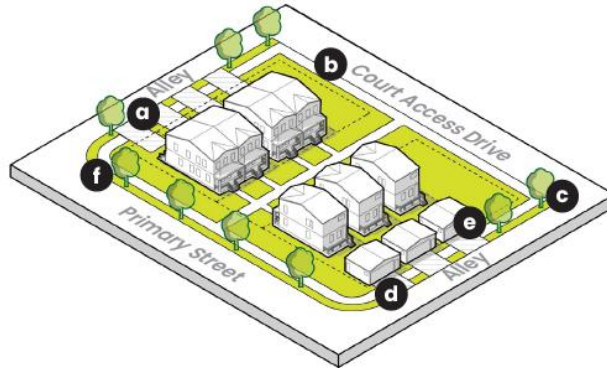
2 • Access & Parking Design Standards		
Pedestrian Access		
Pedestrian Way	A pedestrian way is required.	f
Location	The pedestrian way must bisect the development site and connect with at least two (2) adjacent streets or alleys.	
Use	The pedestrian way shall be dedicated for public use and measure at least 6 Ft. in width.	
	The pedestrian way must be open to the public and shall not contain gates, doors, or other entryways that are inaccessible to the public. Arches and other entry features without gates or doors are permitted.	
Connection	Each primary entrance to a principal building must be connected to the pedestrian way with an improved pedestrian path or walkway that is at least 4 Ft wide and paved.	g



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c. Walking Court: Access, Parking and Landscaping



Access, Parking and Landscaping Examples

2 • Access & Parking Design Standards (Cont.)

Vehicular Access

Access Location	Vehicular access to walking courts shall be through alleys or court access drives that are located to the sides or rear of the development site. No vehicular access is permitted through the pedestrian way	a
Court Access Drives	Walking court developments are permitted to create new Court Access Drives that provide vehicular access to buildings and shall conform to the standards in Chapter 5, Part 2 of the LDC. ^(a)	
Court Access Location	New Court Access Drives are only permitted adjacent to the sides and rear of the development site and shall not be permitted between the development site and a public street.	b
Court Access	Access to Court Access Drives shall be from any adjoining alley, where feasible, in Traditional Neighborhood and Village Center forms.	c

Parking

Location	Off-street parking areas, including attached and detached garages, are not permitted in front of a principal structure, between a principal structure and the pedestrian way, or between a principal structure and the public street.	d
Access	Off-street parking is permitted within the alley/court access drive and rear setback on a driveway leading to a garage, but detached garages must follow the Accessory Structure standards of this section.	e
Shared Parking	A common parking area may be located within the development site and shall not be located between buildings and the public street, or buildings and the pedestrian way.	

(a) Court Access Drives shall conform to the standards set forth for alleys in **Chapter 6 Part 2.**

3 • Landscape and Tree Canopy

Landscape Buffer	There shall be no landscape buffer required between a walking court development and a single-family use or zone.	
Intensity Class	For the purposes of determining landscape buffers on adjacent lots, walking courts shall be treated as Intensity Class 1 pursuant to Chapter 10, Part 2, Table 10.2.1.	
Street Trees	Street trees are required in accordance with LDC Section 10.2.8.	f
Tree Canopy	In Neighborhood and Village form districts, development sites that have 50% to 100% existing tree canopy coverage shall be required to preserve 20% of this existing tree canopy	

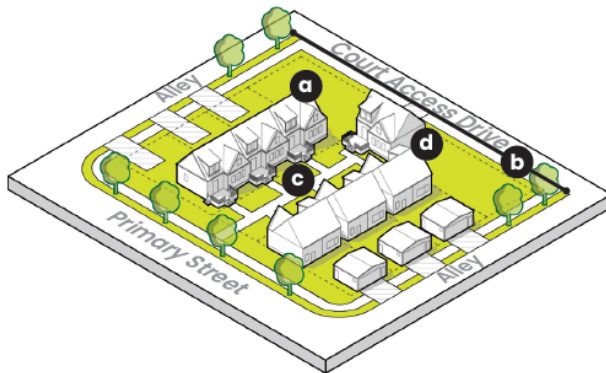


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4. Cottage Court

a. Cottage Court



Example of Cottage Court

A Cottage Court consists of a group of at least three (3) buildings arranged around a central court. Each building contains a maximum of two (2) dwelling units. A Cottage Court may be on a single lot, or each building may be on its own lot, and each entrance can serve a maximum of two (2) dwelling units.

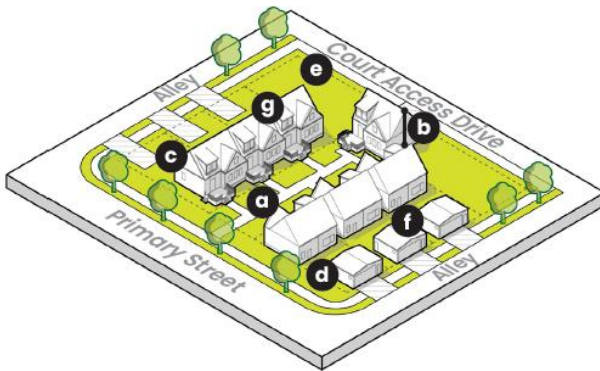
1 • Number of Units/Buildings		
Units per Entrance	2 Units	
Number of Buildings		
Minimum	3 Buildings	a
2 • Site Standards		
Site Size		
Minimum Site Width	50 Ft.	b
Maximum Site Width	N/A	
Emergency Access	No portion of a building can be more than 150' from a public street, alley, or Court Access Drive that meets requirements for emergency access, unless otherwise approved by the fire department having jurisdiction.	
Court Design		
Primary Court	Development sites may have more than one internal court but must identify a primary court. The primary court shall have buildings on at least two (2) sides of the court, but buildings are not required to be on opposite sides of the court.	c

2 • Lot Size & Site Standards (Cont.)		
Court Design (Cont.)		
Non-Primary Court	Non-primary courts within the development site may have building(s) on only one (1) side of the court.	d
Courts as Common Open Space	There shall be a primary court within the development site that shall serve as common open space. Additional courts may be included and shall also serve as common open space. Common open space shall be maintained in accordance with Chapter 1, Part 4 Maintenance of Common Facilities.	
Court Elevation & Elements	Courts must be located at grade and may contain elements such as patios, seating areas, gardens or urban agriculture, landscaping, communal green spaces, and/or pedestrian paths. ^(a)	
(a) At least 70% of the total court area shall be uncovered and open to the sky.		



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Example of Cottage Court

3 • Court Dimensional Requirements

Minimum Court Area	175 ft ² of court area per dwelling unit within the Development Site.	a
Court Dimensions	15 Ft. x 15 Ft. (Min)	
Primary Court Size	300 ft ² (Min)	

3 • Court Dimensional Requirements

Paths/Walkways	Pedestrian paths and walkways count toward the minimum dimensional requirements for all courts.	
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4 • Fences

Location	Fences shall be allowed to the rear of buildings opposite a court or within required yards on individual lots in conformance with LDC 4.4.3.	
	Fences are permitted to enclose gardens or urban agriculture and shall not exceed 4' in height.	

5 • Building Size

Height		
Maximum	2 Stories	b
Attached or Detached Buildings	Buildings may be attached or detached but must maintain an exterior wall at the front and rear of each dwelling.	c
Common Building	Buildings containing community amenities are permitted and shall follow the applicable building design guidelines herein	

6 • Setbacks

Public Street	15 Ft ^(a)	d
Alley or Court Access Drive	5 Ft	e
Shared Property Lines		
Minimum	2 Ft	f
Maximum	6 Ft	
Attached Unit	0 Ft from shared property lines having a common wall.	g
Between Buildings and Courts	No minimum, provided there is at least 30 ft between opposing building facades across the court, including any pedestrian paths or walkways.	

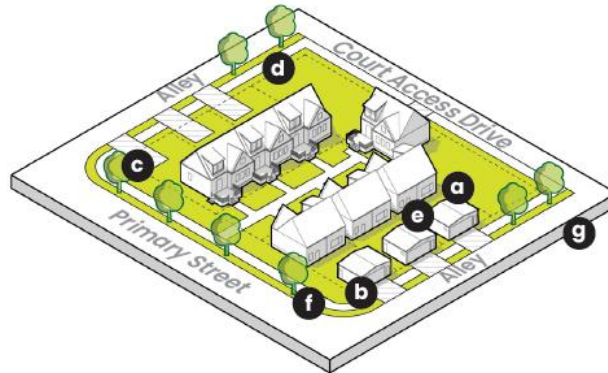
(a) Infill shall apply.



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b. Cottage Court: Entry, Orientation, Accessory Structures, and Landscaping



Entry, Orientation and Accessory Structures Examples

1 • Entry & Orientation

A single entrance may be used for a maximum of two (2) dwelling units. Buildings that are not adjacent to a public street must have a primary entrance that is oriented towards a court. Buildings that adjacent to a public street must have a primary entrance that is oriented towards either a court or the public street.

2 • Accessory Structures

Structures per Lot	1 Accessory Structure per Lot ^(a)	a
Structure Location	Accessory structures are not permitted between the principal structure and the front property line or between the principal structure and the pedestrian way, or between a principal structure and the public street.	
Structure Height	Accessory structures shall be subordinate in size to the principal structure.	b
Street	15 Ft or the same as the principal structure(s)	c
Alley or Court Access Drive	5 Ft	d
Shared Property Line	2 Ft ^(b)	e

(a) Accessory structures not requiring a building permit are allowed in excess of this requirement.

(b) Except for attached structures, which shall have a setback of 0 Ft from shared property lines containing a common wall.

3 • Landscape and Tree Canopy

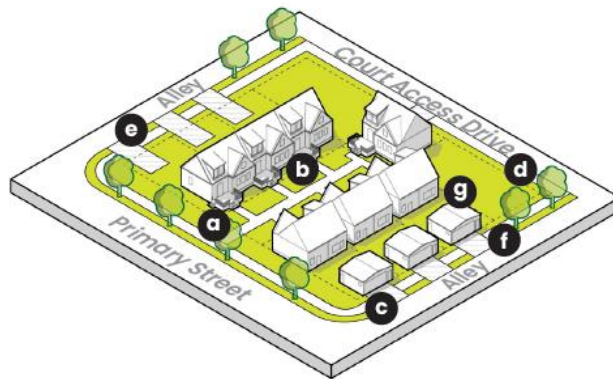
Landscape Buffer	There shall be no landscape buffer required between a walking court development and a single-family use or zone.	
Intensity Class	For the purposes of determining landscape buffers on adjacent lots, walking courts shall be treated as Intensity Class 1 pursuant to Chapter 10, Part 2, Table 10.2.1.	
Street Trees	Street trees are required in accordance with LDC Section 10.2.8.	f
Tree Canopy	In Neighborhood and Village form districts, development sites that have 50% to 100% existing tree canopy coverage shall be required to preserve 20% of this existing tree canopy	



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c. Cottage Court: Access and Parking



Access and Parking Examples

2 • Access & Parking Design Standards		
Pedestrian Access		
Primary Pedestrian Way	A primary pedestrian connection is required between the development site and the adjacent public street, which terminates within the development site and is at least 6' wide. This pedestrian connection may be dedicated as public right-of-way.	a
Entry Features	The pedestrian connection must be open to the public and shall not contain gates, doors, or other entryways that restrict access to the public. Arches and other entry features without gates or doors are permitted.	
Entry Connection	Each primary entrance must be connected to this primary pedestrian connection with an improved pedestrian path or walkway that is at least 4 Ft. wide and paved.	b
Vehicular Access		
Access Location	Vehicular access to cottage courts shall be through alleys or court access drives that are located to the sides or rear of the development site. No vehicular access is permitted through court areas.	c
Court Access Drives	Cottage court developments are permitted to create new Court Access Drives that provide vehicular access to buildings. ^(a)	
Court Access Location	New Court Access Drives are only permitted adjacent to the sides and rear of the development site and shall not be permitted between the development site and a public street.	d
Court Access	Access to Court Access Drives shall include access from any adjoining alley, where feasible, in Traditional Neighborhood and Village Center forms.	e
Parking		
Location	Off-street parking areas, including attached and detached garages, are not permitted in front of a principal structure, between a principal structure and a court, or between a principal structure and the public street	f
	Off-street parking is permitted within the alley/court access drive setback on a driveway leading to a garage, but detached garages must follow the Accessory Structure standards.	g
Shared Parking	Off-street parking may be shared. Shared parking may be in a lot (on- or off-site) or accessory structure.	
<i>(a) Court Access Drives shall conform to the standards set forth for alleys in Chapter 6 Part 2.</i>		



C. Review and Approval Procedures

- A. Prior to the issuance of a building permit for Neighborhood Housing, an application shall be submitted for review and approval by the Planning Director or designee. This application shall be accompanied by a plan of sufficient detail demonstrating compliance with this code. The Planning Director or designee shall approve the plan if it meets all requirements of this code. Should a review be required by any Board or Commission (e.g., Architectural Review Committee Design Overlay), the Planning Director or designee shall approve the plan following such review.

Applications shall be signed by the property owner or their agent. They shall be accompanied by supporting material determined appropriate by the Planning Director and by the appropriate fee, if any. The list of required supporting materials shall be available in the Office of Planning.

1. Issuance of Building Permits

Permits shall only be issued in conformance with the plan approved by the Planning Director or designee.

B. Notice Requirement

1. Prior to the approval of any proposal resulting in the creation of 5 or more dwellings, notice shall be provided to 1st tier adjacent property owners and persons and groups that have registered with the Office of Planning to receive notices of development actions. In addition, a supplemental notice to be addressed to "Current Resident" shall be mailed to all dwelling units located on properties where notice of adjoining property owners is required by this part. Addresses shall be obtained using available data from Louisville Metro Government, and those records may be relied upon conclusively to determine the dwelling units to be included in the supplemental notice.
2. The notice shall be sent by first class mail not less than fourteen (14) calendar days prior to the date of final action by the Planning Director or designee. The applicant and property owner should consider any comments and feedback received and make any reasonable and permitted change to the proposal.



4.3.36 Traditional Mixed-Use Building

A. Generally Applicable Development Standards

1. A Traditional Mixed-Use Building meeting the requirements of this section may be permitted at the intersection of two (2) public streets (i.e., corner) in the Traditional Form Districts, except when located in a Traditional Neighborhood Zoning District (TNZD), R-1, R-2, R-3, PEC, PRO, W-1, W-2, W-3, C-M, M-1, M-2, M-3, or EZ-1 zoning district:
2. A Traditional Mixed-Use Building, including the conversion of existing buildings, shall be subject to those regulations contained in Chapter 5, Part 8, Street and Roadside Design Standards – *All developments shall provide sidewalks in the abutting right-of-way to serve the development site (same side of street).*
3. Form District, Site and Building Design:
 - a. A Traditional Mixed-Use Building shall not be subject to the standards contained in Chapter 5, Part 2. Dimensional standards shall be established by this section.
 - b. A Traditional Mixed-Use Building shall be subject to the Site and Building design standards of Chapter 5, Parts 5 and 6.
4. For Traditional Mixed-Use Buildings, the maximum height of a story shall be 12 feet.
 - a. Basements are not considered a story when determining maximum height, provided that the above grade portion of the basement is not more than 4 feet.
4. Demolition Restrictions for Residential Single Family Zoning Districts
 - a. A single family residential dwelling shall not be demolished with the intent to construct a Traditional Mixed-Use Building, except in cases of emergency demolition in compliance with all applicable local ordinances, unless approved by the Planning Commission or their designee at a public meeting. The Planning Commission or designee may approve demolition and new construction if it finds that:
 - a. The proposed building complies with all applicable standards of this section; and
 - b. The proposed construction is consistent with the scale and pattern of development within the form district; and
 - c. The proposed demolition and new construction advance the goals, objectives, and policies of the Comprehensive Plan.

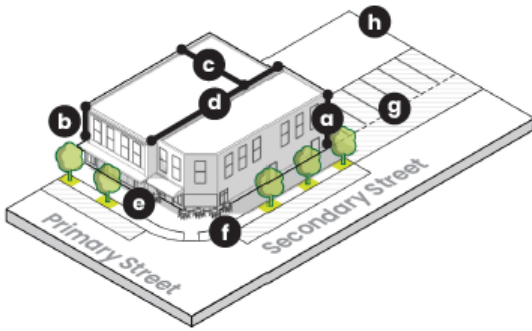
Building and site design standards for Traditional Mixed-Use Buildings are continued on the next page



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B. Use and Dimensional Standards



Traditional Mixed-Use consists of a single principal structure that integrates residential and non-residential uses within the same building. Residential units are typically located on the second floor or above, with non-residential uses located on the ground floor.

Example of Traditional Mixed-Use Corner Lot

1 • Number of Units/Buildings		
Primary Buildings per Lot	1	
Dwellings per Lot	No Maximum	
2 • Lot Size		
Minimum	N/A	
3 • Building Size		
Height		
Maximum	3 Stories ^(a)	a
Story Height Max.	12 Ft.	b
Width		
Maximum	120 Ft.	c
Depth	No maximum.	d
<i>(a) Basements shall not be considered a story, provided that the above grade portion is not more than four (4) feet.</i>		

4 • Setbacks		
Front	See LDC 5.5.1 (Corner Lots)	e
Street Side Yard		f
Side	5 Ft. (Min)	g
Rear	5 Ft. (Min)	h

5 • Permitted Uses	
All uses permitted in the Commercial Residential District (C-R) the following exceptions/additions:	
The only permitted ABC licensed establishment shall be a restaurant or like use.	
Bike sales and service; chartered financial institutions; computer sales (hardware and software) and programming services; toy and hobby shops; and photocopying, duplicating, paper folding, mail processing and related services shall also be permitted uses.	

C. Review and Approval Procedures

- A. Prior to the issuance of a building permit for a Traditional Mixed-Use Building, an application shall be submitted for review and approval by the Planning Director or designee. This application shall be accompanied by a plan of sufficient detail demonstrating compliance with this code. The Planning Director or designee shall approve the plan if it meets all requirements of this code. Should a review be required by any Board or Commission (e.g., Major Preliminary



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Subdivision or Design Overlay), the Planning Director or designee shall approve the plan following such review.

Applications shall be signed by the property owner or their agent. They shall be accompanied by supporting material determined appropriate by the Planning Director and by the appropriate fee, if any. The list of required supporting materials shall be available in the Office of Planning.

2. Issuance of Building Permits

Permits shall only be issued in conformance with the plan approved by the Planning Director or designee.

B. Notice Requirement

1. Prior to the approval of any proposal resulting in the creation of 5 or more dwellings, notice shall be provided to 1st tier adjacent property owners and persons and groups that have registered with the Office of Planning to receive notices of development actions. In addition, a supplemental notice to be addressed to "Current Resident" shall be mailed to all dwelling units located on properties where notice of adjoining property owners is required by this part. Addresses shall be obtained using available data from Louisville Metro Government, and those records may be relied upon conclusively to determine the dwelling units to be included in the supplemental notice.
2. The notice shall be sent by first class mail not less than fourteen (14) calendar days prior to the date of final action by the Planning Director or designee. The applicant and property owner should consider any comments and feedback received and make any reasonable and permitted change to the proposal.

Chapter 4 Part 4 Accessory Uses and Miscellaneous Standards

4.4.3 Fences, Walls, and Signature Entrances

A. Fences and Walls

1. Height and Location:

NOTE: If a fence is mandated by the Land Development Code the finished side of the fence must face the lower intensity use. See Section 10.4.9

- a. In the R-R, R-E, R-1, R-2, R-3, R-4, R-5, PRD, U-N, R-5A, R-5B, TNZD, R-6, R-7, R-8A, OR, OR-1, OR-2, OR-3, PD (residential use) and OTF Districts:



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- i. Fences and walls, up to 48 inches in height in the suburban form districts and 42 inches in the urban core/center and traditional form districts, may be located within required front and street side yards except as provided in Figure 4.4.1.
- ii. Fences and walls up to 8 feet in height and constructed of a solid material (masonry, wood) with an opacity of at least 80% may be located within required side and rear yards. Fences and walls with an opacity less than 80% (e.g. chain link fences) up to 6 feet in height may be located within required side and rear yards. Exception: Wrought iron fences up to 8 feet in height may be located within the required side and rear yards.

NOTE: Refer to Chapter 5 Part 4 for additional design standards that are applicable to fences in traditional and suburban form districts.

- ii. The height of fences or walls located in a required side or rear yard shall be measured from the lowest grade within a distance of one foot on either side of the fence to the highest point of any portion of the fence.

NOTE: Retaining walls shall be subject to the height and setback requirements of this section

- iv. The total height of fences within 5 feet of a public sidewalk or roadway pavements shall be measured by adding the height of the fence and the height of the change of grade. The total height of fences more than 5 feet from a public sidewalk or roadway pavements shall be measured by measuring the height of the fence only. Refer to Figure 4.4.2 for an example of the correct method of measuring fence heights.
 - v. On double frontage lots, where one of the required front yards adjoins a major arterial, minor arterial or collector roadway, and where access is prohibited, a fence or wall may be constructed within that yard up to a height of 8 feet.
- b. In all other zoning districts:
- i. Fences and walls in all other zoning districts shall be restricted by the maximum building height of that district except when abutting R-R, R-E, R-1, R-2, R-3, R-4, R-5, PRD, U-N, R-5A, R-6, R-7, R-8A, OR-1, OR-2, OR-3, PD (residential use) and OTF Districts in which case a. i), ii) and iii) above shall apply.

NOTE: It is important to check a property's deed for restrictions on fences (location materials and general permissibility).

- 2. For properties in zoning districts listed in Section 4.4.3.A.1.a: Fences and walls not located within the required yard shall be restricted by the maximum building height of that zoning district. For properties in zoning districts listed in Section 4.4.3.A.1.b: All fences and walls shall be restricted by the maximum building height of that zoning district.
- 3. Fences and walls required for swimming pools shall be a minimum height of 4 feet above grade and have a self-closing, self-latching lockable gate.



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4. No person shall install, construct, maintain, or permit the installation, construction or maintenance of barbed wire fence or fence including barbed wire or razor wire components, partially or wholly upon property owned, occupied or controlled by such person, firm, corporation or other legal entity except in accordance with the following standards.
 - a. Razor wire is permitted only if located at all points at least 8 feet above grade level.
 - b. In the Neighborhood, Traditional Neighborhood, and Village Form Districts ~~residential form districts (TNFD, NFD, VFD)~~, barbed wire fencing located less than six feet above grade level is permissible only when used to enclose livestock.
 - c. In the Downtown, Suburban Workplace, Traditional Workplace, and Urban Center Neighborhood Form Districts, ~~workplace form districts (TWFD, SWFD)~~ barbed wire and razor wire fencing is permitted, provided that paragraphs a and d of this section are met.
 - d. Fences that adjoin residentially used or zoned property in any form district may include barbed wire or razor wire only if reviewed and approved by the Planning Director or designee based on a finding of unique circumstances or exceptional security needs.
 - e. Agricultural uses regulated and permitted by KRS are exempt from items a through d above.

4.4.9 Refuse Disposal Containers

- C. The screening of refuse disposal containers located in the Downtown and Urban Center Neighborhood Form Districts shall be designed and constructed of the same materials as the primary structure. See Section 5.5.5.B.1.

4.8.3 Establishment of Buffer Areas and their Boundaries

Table 4.8.1		
	Buffer Area Type & Minimum Buffer Area Width (Feet) By Form District	
Type of Protected Waterway	Type "A" Buffer Area Applies in the Following Form Districts • Downtown • Traditional Neighborhood • Traditional Marketplace Corridor • Traditional Workplace • <u>Urban Center Neighborhood</u> • Village FD "Center"	Type "B" Buffer Area Applies in the Following Form Districts: • Regional Marketplace Center • Town Center • Suburban Marketplace Corridor • Neighborhood • Suburban Workplace • Campus • Village "<u>Outlying</u>" FD Area outside of Center



Chapter 5 Form Districts

5.1.3 Establishment of Form Districts

In order to carry out the purposes and provisions of this Code, the following form districts are hereby established:

- ~~A. Downtown Form District~~
- ~~B. Neighborhood Form District~~
- ~~C. Traditional Neighborhood Form District~~
- ~~D. Village Form District~~
- ~~E. Town Center Form District~~
- ~~F. Traditional Marketplace Corridor Form District~~
- ~~G. Suburban Marketplace Corridor Form District~~
- ~~H. Traditional Workplace Form District~~
- ~~I. Suburban Workplace Form District~~
- ~~J. Regional Center Form District~~
- ~~K. Campus Form District~~
- A. Campus (C or CFD) Form District
- B. Conservation (CV or CVFD) Form District - Regulations under Development
- C. Downtown (DT or DFD) Form District
- D. Neighborhood (N or NFD) Form District
- E. Regional Center (RC or RCFD) Form District
- F. Suburban Marketplace Corridor (SMC or SMCFD) Form District
- G. Suburban Workplace (SW or SWRD) Form District
- H. Town Center (TC or TCFD) Form District
- I. Traditional Marketplace Corridor (TMC or TMCFD) Form District
- J. Traditional Neighborhood (TN or TNFD) Form District
- K. Traditional Workplace (TW or TWFD) Form District
- L. Urban Center Neighborhood (UNC or UNCFD) Form District
- M. Village (V or VFD) Form District

5.1.4 Form District Map

The Planning Unit shall be divided into form districts, as shown on the Official Zoning and Form District Map. The Official Zoning and Form District Map, together with all explanatory matter thereon, shall be a part of this Code and is incorporated into this Land Development Code by this reference. The Map shall be kept on file in the offices of ~~the Division of Planning and Design Services~~ and shall be the official record of the form district designation of all sites and areas within the planning unit.

5.1.7 General Requirements

- ~~J. Building Height Measurement: In determining compliance with maximum building or structure heights established in this Code, height of principal structures~~ For building height regulated in feet, the maximum height shall be measured from grade at the front and street side of the building or structure to the highest point of the roof, including any barrier or parapet walls. For building height regulated in stories, a story shall be considered the part of a building between the upper surface of the floor and the ceiling immediately above, coping of a flat or mansard roof; or to the mean height



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~~level between eaves and ridge for gable, hip or gambrel roofs; or to the mean height level between highest and lowest portion of a rooftop parapet wall. In the Traditional Neighborhood, Traditional Marketplace Corridor and Traditional Workplace Form Districts, when proposed development entails change in grade in areas of existing development patterns, the height of a building or structure shall be measured from the mean elevation of the established grade of abutting parcels, excluding public or private rights-of-way, to ensure that the scale of the new structure(s) or building(s) is compatible with existing structure(s) or building(s). The height of accessory structures shall be measured in the same manner as principal structures, using the average grade at the wall of the structure closest to a property line. (Refer to Section 4.4.3.A.1 for measurement of fence height.)~~

5.1.10 Exceptions

- E. ~~On a corner lot in the residential and apartment districts, the depth of the required rear yard for residential or mixed-use may be reduced to the width of the minimum side yard for the district in which it is located.~~
- F. ~~The side yard required on each side of a lot less than 50 feet wide shall be ten (10) percent of the width of the lot or the minimum side yard required by the applicable form district, whichever is less.~~
- G. ~~In cases where a zoning district boundary line is not located on a property line, there shall not be required setback areas applied along either side of the zoning district boundary line. Transition zone requirements found in Chapter 5 Part 7 may still be applicable in the vicinity of a form district boundary line whether it is located on a property line or not.~~

5.1.12 Infill Development Regulations

A. ~~Traditional Form Districts (TN, TMC, TC, TW, VC,)~~

- ~~1. Where 50% or more of the existing lots within the same block face are occupied by principal structures the following infill standards shall apply to proposed buildings and additions to existing buildings rather than the dimensional standards listed in the applicable form district section of the Land Development Code. For the purposes of these infill regulations a block face is defined as the frontage on a public street located between intersecting public or private streets or alleys.~~
- ~~2. Infill Dimensional Requirements~~
 - ~~a. Front Yard Setback—The front yard setback line shall fall within the range of the front yard setbacks of the two nearest lots containing principal structures within the same block face. A proposed building on an infill lot must be constructed within this established front yard setback range.~~
 - ~~b. Side Yard Setback—There are no infill specific side yard setback requirements. Refer to the applicable form district dimensional requirements found in Chapter 5 to determine the~~



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side yard setback requirement.

- c. ~~Rear Yard Setback~~ – There are no infill specific rear yard setback requirements. Refer to the applicable form district dimensional requirements found in Chapter 5 to determine the rear yard setback requirement.
- d. ~~Building Height~~ – The building height shall fall within the range of building heights of existing structures within same block face. In cases where the maximum building height allowed within the applicable form district is greater than the established range within a block face, the maximum building height within the range may be exceeded by up to 25%, but may not exceed the maximum building height allowed within the particular form district. The proposed building height may also be as much as 25% lower than the minimum building height of the established range within the block face.
- e. ~~Corner Lot~~
 - i. ~~Building Setbacks~~
 1. ~~Front Yard Setback~~ – The front yard setback line for structures on infill corner lots shall fall within the range of the front yard or street side yard setbacks of the two nearest lots containing principal structures within the same block face. A proposed building on an infill lot must be constructed within this established front yard setback range. Exception: For non-residential/mixed-use corner lots in Traditional Form Districts see item "5" below.
 2. ~~Street side Yard Setback~~ – The street side yard setback line for structures on infill corner lots shall be a minimum of three feet. Exception: For non-residential/mixed-use corner lots in Traditional Form Districts see item "5" below.
 3. ~~Side Yard Setback~~ – There are no infill specific side yard setback requirements. Refer to the applicable form district dimensional requirements found in Chapter 5 to determine the side yard setback requirement.
 4. ~~Rear Yard Setback~~ – There are no infill specific rear yard setback requirements. Refer to the applicable form district dimensional requirements found in Chapter 5 to determine the rear yard setback requirement.
 5. ~~Non-Residential/Mixed-Use Corner Lots in Traditional Form Districts~~ – Section 5.5.1.A.2 requires non-residential and mixed-use buildings on corner lots in Traditional Form Districts to be located between 0 and 5 feet from the right of way lines for both streets.



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ii. ~~Building Height~~

- ~~1. The building height for proposed structures on all corner infill lots shall fall within the range of building heights of existing structures within each block face the property is located within. In cases where the maximum building height allowed within the applicable form district is greater than the established range within a block face, the maximum building height within the range may be exceeded by up to 25%, but may not exceed the maximum building height allowed within the particular form district. In cases where a corner infill lot is located within two block faces with incompatible established building height ranges, the block face that includes the subject property's front yard shall be used to calculate the building height range. The proposed building height may also be as much as 25% lower than the minimum building height of the established range within the block face.~~

~~B. Suburban Form Districts (N, SMC, RC, SW, C, VO)~~

- ~~1. Where 50% or more of either the lots or street frontage (lineal distance) within 500 feet of the subject site and on the same side of the street are occupied by principal structures, the following requirements apply to proposed buildings and additions to existing buildings instead of applicable standards in Tables 5.3.1 and 5.3.2.~~

~~2. Infill Dimensional Requirements~~

- ~~a. Front Yard Setback—The front yard setback line shall fall within the range of the front yard setbacks of the two nearest lots containing principal structures within the same block face. A proposed building on an infill lot must be constructed within this established front yard setback range.~~
- ~~b. Side Yard Setback—There are no infill specific side yard setback requirements. Refer to the applicable form district dimensional requirements found in Chapter 5 to determine the side yard setback requirement.~~
- ~~c. Rear Yard Setback—There are no infill specific rear yard setback requirements. Refer to the applicable form district dimensional requirements found in Chapter 5 to determine the rear yard setback requirement.~~
- ~~d. Building Height—There are no infill specific building height requirements for properties located within suburban form districts. Refer to the applicable form district dimensional requirements found in Chapter 5 to determine the building height requirement.~~
- ~~e. Corner Lots~~

~~i. Building Setbacks~~

- ~~1. Front Yard and Street-side Yard Setbacks—The front yard and street-side yard setback lines shall fall within the range of the front yard or street-side yard setbacks of the two nearest lots containing principal structures within the same block face. A proposed building on an infill lot must be constructed within this established front yard setback range.~~
- ~~2. Side Yard Setback—There are no infill specific side yard setback requirements. Refer to the applicable form district dimensional requirements found in Chapter 5 to determine the required side yard setback requirement.~~



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3. ~~Rear Yard Setback~~—There are no infill specific rear yard setback requirements. Refer to the applicable form district dimensional requirements found in Chapter 5 to determine the rear yard setback requirement.

ii. ~~Building Height~~

There are no infill specific building height requirements for properties located within suburban form districts. Refer to the applicable form district dimensional requirements found in Chapter 5 to determine the building height requirement.

C. ~~Miscellaneous Infill Regulations and Exemptions~~

1. ~~There are no infill specific requirements for properties located within the Downtown Form District. Refer to Section 5.2.1 for dimensional requirements.~~
2. ~~Non-residential/Mixed Use Development in the following form districts is not required to comply with any infill regulations found in Section 5.1.12: Suburban Marketplace Corridor, Regional Center, Suburban Workplace and Campus.~~
3. ~~The Infill Site Context standards in Section 5.1.12 shall not apply in the suburban form districts if two properties within 500 feet of the subject site and on the same side of the street are developed at a density less than one dwelling per acre.~~
4. ~~See Section 5.4.1.E & G for infill regulations for residential accessory structures in traditional form districts.~~
5. ~~Single Family Residential Tree Requirement—Construction of a new single family or duplex structure on a residential infill lot in any form district shall provide at least one Type 'A' or two Type 'B' trees on the lot. Preservation of existing trees that meet the required tree type shall fulfill this requirement. Street trees do not fulfill this requirement.~~
6. ~~Recorded subdivisions that include building setback requirements on the official plat recorded in the Jefferson County Clerk's Office shall not be subject to any regulations included in Section 5.1.12.~~

Chapter 5 Part 2 Traditional & Urban Core/Center Form Districts

5.2.1 Downtown Form District

The DFD standards shall be applied to the downtown core and surrounding environs within the district, as set forth in Table 5.2.1 below. The standards address the building structures and their relationship to the street with emphasis on the streetscape experience.

Downtown Form District Threshold Table 5.2.1



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DFD Table 5.2.1 Thresholds	Part 5 Non- Residential	Part 6 Building Design	Part 7 Transition	Part 78 -Street and Road- Side Design	Part 89 Transit and Connections	Part 940 Traffic Impacts	Part 1044 Open Space
Category 2A Construction Review							
Accessory Structure: New or Expansion	X						
Construction of a street or alley				X			
Category 2B Planning Review							
Construction Establishment of any off-street parking spaces	X			X			
Construction of building or addition with a footprint less than 3,000 square feet	X	X		X		X	
Construction of building or addition with a footprint greater than between 3,000—5,000 square feet	X	X	X	X	X	X	X
Category 3 Transportation Review							
Projected traffic generation exceeding 200 trip-ends per peak hour						X	
Construction of a building addition resulting in a structure greater than 14 stories in height.	X	X	X				
Construction of building footprint greater than 5,000 square feet.	X	X	X	X	X	X	X

5.2.2 Traditional Neighborhood Form District

B. Intent and Applicability

The Traditional Neighborhood Form District (TNFD) is intended to promote the development and redevelopment of neighborhoods in a manner consistent and compatible with the distinct site and community design elements of a traditional neighborhood. TNFD design standards are also intended to promote the establishment of a mixture of uses that effectively integrate retail, office, institutional, and other non-residential uses within traditional neighborhoods in a manner that provides high quality and convenient service to residents while protecting the character of the neighborhood.

C. Lot Dimensional Standards – Infill Context

1. Dimensional standards for development that is in an Infill Context are established in Section 5.1.12. ~~Where 50% or more of the existing lots within the same block face are occupied by~~



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principal structures the following infill standards shall apply to proposed buildings and additions to existing buildings. For the purposes of these infill regulations a block face is defined as the frontage on a public street located between intersecting public streets.

2. Infill Dimensional Requirements

- a. Front Yard Setback - The front yard setback line shall fall within the range of the front yard setbacks of the two nearest lots containing principal structures within the same block face. A proposed building on an infill lot must be constructed within this established front yard setback range.
- b. Side and Rear Yard Setback - There are no infill specific side or rear yard setback requirements. Refer to Table 5.2.2 below.
- c. Building Height - The building height shall fall within the range of building heights of existing structures within the same block face. In cases where the maximum building height allowed in Table 5.2.2 below is greater than the established range within a block face, the maximum building height within the range may be exceeded by up to one (1) story, but may not exceed the maximum building height specified in Table 5.2.2. The proposed building height may also be as much as one (1) story lower than the minimum building height of the established range within the block face.

d. Corner Lot

i. Building Setbacks

- 1. Front Yard Setback - The front yard setback line for structures on infill corner lots shall fall within the range of the front yard or street side yard setbacks of the two nearest lots containing principal structures within the same block face. A proposed building on an infill lot must be constructed within this established front yard setback range. Exception: For non-residential/mixed-use structures, see item "4" below.
- 2. Street-side Yard Setback - The street side yard setback line for structures on infill corner lots shall be a minimum of three feet. Exception: For non-residential/mixed-use structures on corner lots, see item "4" below.
- 3. Side and Rear Yard Setback - There are no infill specific side and rear yard setback requirements. Refer to Table 5.2.2 below.
- 4. Non-Residential/Mixed-Use structures on corner lots shall be subject to the standards for corner lots contained in Section 5.5.1.A.2 of this code.

ii. Building Height

- 1. The building height for proposed structures shall fall within the range of building heights of existing structures within each block face. In cases where the maximum building height allowed in Table 5.2.2 is greater than the established range within a block face, the maximum building height within the range may be exceeded by up to one (1) story, but may not exceed the maximum building height specified in Table 5.2.2. In cases where a corner infill lot is located within two block faces with incompatible established building height ranges, the block face that includes the subject property's front yard shall be used to calculate the building height range. The proposed building height may also be as much as one (1) story lower than the minimum building height of the established range within the block face.



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D2. Lot Dimensional Standards – Non-Infill Context

Dimensional standards for development that is not in an Infill Context are listed in Table 5.2.2 below. Lots created after the effective date of this Land Development Code shall meet the minimum area requirements of Table 5.2.2. ~~Residential lots having less area than required and legally created prior to the adoption of these regulations may be occupied by one dwelling unit.~~ For lot dimensional standards for Conservation Subdivisions see Table 7.11.1.



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Table 5.2.2 Dimensional Standards – Traditional Neighborhood

Density Category	Zoning District	Minimum Lot Area	Min. Lot Width (ft.)	Min. Front and Street Side Yard Setback (ft.)	Max. Front Setback (ft.)	Minimum Side Yards (Each) (ft.)	Minimum Rear Yard Setback (ft.)	Maximum Building Height** (ft.)
Low Density	R-1	40,000 sq. ft.	100	15***	NA	15	5	<u>3 stories</u> 35
	R-2	20,000 sq. ft.	75	15***	NA	10	5	<u>3 stories</u> 35
	R-3	12,000 sq. ft.	60	15***	NA	6	5	<u>3 stories</u> 35
	R-4	9,000 sq. ft. 5,000 sq. ft.	60 30	15***	25	5	5	<u>3 stories</u> 35
Med. Density /Intensity	R-5, R-5B	6,000 sq. ft. 3,000 sq. ft.	35 25	FY 15*** SSY 3	FY 25	3 <u>0 if attached</u>	5	<u>4 stories</u> 45
	R5-A R5-B R-6 OR OR-1	4,500 sq. ft. 2,000 sq. ft.	35 20	FY 15*** SSY 3	FY 25	3 <u>0 if attached</u>	5	<u>4 stories</u> 45
	PRD	1,500 sq. ft.	0	0ft	0	0	0	<u>3 stories</u> 35
	U-N	2500 sq. ft. 1500 sq. ft. if SF attached or as specified within design guidelines	25 18 if SF attached	FY 15*** SSY 3	FY 25*	3 <u>0 if attached</u>	5	<u>3 stories</u> 45
	CN	6,000 sq. ft. NA	None	FY 15*** SSY 3*	FY 25*	0 None Unless adjacent to SF residential – 5	5	<u>45</u>
High Density/Intensity	R-7, R-8A OR-2, C-R	4,500 sq. ft. NA	25 None	FY 15*** and * SSY 3	FY 25*	0 None unless adjacent to SF residential – 5	5	<u>4 stories</u> 45 or three stories.** (See Note)
	CR OR-3, C-1 C-2, C-3 W-1, W-2	NA	None	FY 15*** and * SSY 3	FY 25*	0 None unless adjacent to SF residential – 5	5	<u>5 stories</u> 45 or three stories.** (See Note)
	C-M OR-3 OTF M-1 M-2, M-3 W-3, EZ-1	NA	50	FY 15*** and * SSY 3	FY 25*	10	15	<u>5 stories</u> Exception: Industrial buildings – 60 ft <u>45 or three stories.** (See Note)</u>

Note: TNZD dimensional requirements located within applicable TNZD plan report. PD District based on applicable zoning district uses permitted by the PD District as listed in Table 2.8.2.



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~~*Mixed use and non-residential s Structures~~ on corner lots may have a zero front yard and street side yard setback/build-to lines in these zoning districts.

~~**Additional height is allowed, if all required yards are increased five feet for each story or each additional ten feet of building height over 3 stories/45 feet. A story shall be no more than 12 feet, except for the first story of non-residential or mixed-use buildings, which shall not exceed 30 ft.~~

~~***Garages with doors facing the street shall have a minimum setback of 25 feet.~~

NOTE: Minimum lot area requirements for Mixed Residential Development Incentive (MRDI) developments shall be calculated as provided in Section 4.3.20.

E. Traditional Neighborhood Threshold Table

The following parts of chapter 5 shall apply to all developments meeting the thresholds and applicability requirements set forth in Table 5.2.3. below.

Traditional Neighborhood Form District Threshold Table 5.2.3 Thresholds	Part 4 Residential Site Design	Part 5 Non-Residential and Mixed Use Site	Part 6 Building Design	Part 7 Transition	Part 7 8 -Street and Road- Side Design	Part 8 9 Transit and Connections	Part 9 10 Traffic Impacts	Part 10 11 Special Design Requirement
Category 2A Construction Review								
Accessory Structure: New or Expansion (Residential)	X							
Accessory Structure: New or Expansion (Non-Residential)		X						
Construction of <u>residential building</u> with less than 10 <u>multi-family</u> dwelling units	X				X			
Construction of <u>mixed-use building</u> with less than 10 dwelling units		X			X			
Construction of non-residential building <u>or addition with a</u> footprint less than 1,000 square feet		X						
Expansion to the building footprint of an existing residential dwelling (principal structure)	X							
Construction of a single family dwelling on existing lot.	X				X			
Creation of 5 or fewer single- family residential lots	X							
Category 2B Planning Review								
Construction <u>Establishment</u> of 10 or more off-street parking spaces		X			X	X		



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Construction of non-residential/ mixed use building <u>or addition with a</u> footprint between 1,000 - <u>35,000</u> square feet		X	X	X	X	X			
Construction of non-residential building or addition with a footprint greater than 35,000 square feet		X	X		X	X			X
Construction of residential building with 10 or more dwelling units	X		X		X	X		X	
Construction of mixed-use building with 10 or more dwelling units		X	X		X	X		X	
Creation of more than 5 residential lots	X				X	X			
Creation of more than 5 non-residential lots		X			X	X			
Category 3 Transportation Review									
Projected traffic generation exceeding 200 trip-ends per peak hour							X		
Creation of more than 5 residential lots	X				X	X	X		
Construction of 10 or more multi-family residential dwelling units	X		X		X	X	X	X	
Creation of more than 5 non-residential lots		X		X	X	X	X		
Construction of non-residential/ mixed use building footprint between 5,001 — 30,000 square feet		X	X	X	X	X	X		
Construction of non-residential/ mixed use building footprint in excess of 30,000 square feet		X	X	X	X	X	X		X

5.2.3 Traditional Marketplace Corridor Form District

- A. Traditional Marketplace Corridors (TMC) are characterized by older, pedestrian-scale development along major roadways adjacent to traditional neighborhoods. The corridors typically contain a wide variety of land uses (retail, restaurants, office, institutional and residential) that range from low to medium intensity. Buildings along the corridor are often narrow, closely spaced or attached, and built out to or near the street with display windows and wide sidewalks in front. Parking is usually provided on the street or in parking lots located at the rear of lots. Commercial corridor development is closely integrated with adjacent neighborhoods through side street connections and alleys, which typically delineate the boundaries between corridors and traditional neighborhoods, running along



rear lot lines. The corridors have a high degree of pedestrian and transit use. Examples include Frankfort Avenue and portions of Broadway, Bardstown Road and Baxter Avenue.

D. Dimensional Standards

1. Minimum Lot Size, Depth, and Width. There are no minimum lot size, depth, and width requirements in the TMCFD, ~~except as specified in Section 5.5.1.~~
2. Residential Development Standards. Residential lots and structures (both principal and accessory) containing 4 or fewer units shall comply with the Traditional Neighborhood Form District standards listed in Section 5.2.2, except for the standards for lot size, depth, and width, which shall comply with Paragraph 1 above. All other residential lots and structure shall comply with the standards in this section.
3. ~~Non-residential/Mixed Use Structure Setback/Build to Line~~ Building Setbacks
 - a. ~~Front Setback/Build to Line and Street Side Yards~~ Setbacks. There is no minimum front ~~setback/build to line~~ or street side yard ~~setback~~. The maximum front ~~setback/build to line~~ and street side yards setback shall be no greater than 15 feet from the line of the right-of-way.

Exceptions: –

- i. Corner Lots: See 5.5.1.A.2
- ii. Outdoor seating areas. Outdoor amenities such as open, unenclosed seating areas are permitted to encroach into the front setback as long as the corner requirements of Section 5.5.1.A are met.
- b. Side Yard Setback. There are no side yard setbacks, except where a non-residential use abuts adjacent to a residential use or zoning district or a structure(s) with first floor residential use, in which case a minimum side setback of 5 feet shall be maintained. ~~All new structures shall provide side yards wide enough to allow for maintenance of building side walls if common party walls on the lot line are not provided. If a new building is constructed adjacent to an existing building which has a window, the new building shall be set back at least 6 feet from the property line to allow continued use of the window(s).~~
- c. Rear Yard Setback. Minimum 5 feet from rear property line.
- d. ~~Setback from Alley or Rear Property Line.~~
 - i. ~~The rear setback shall be the depth of the required form district transition area buffer yard, if the site is located in the Form District Edge Transition Zone.~~

Note: See Section 5.7.1 for transition area setback and buffering standards.

- ii. ~~Five feet if the site is not located at the edge of the TMCFD.~~

ed. Building Height.

~~Non-Infill Context.~~ Maximum permitted building height is five (5) stories, except for single-story industrial buildings, which have a maximum permitted building height of 60 feet, 50 feet or four stories excluding rooftop equipment, ~~or machinery penthouses, and other~~



elements exempted by Section 5.1.10. The maximum height of a story is 12 feet, except for the first story, which shall not exceed 30 feet.

3. ~~Infill Context~~

~~Dimensional standards for development that is in an Infill Context are established in Section 5.1.12.~~

Traditional Marketplace Corridor Threshold Table

The following parts of chapter 5 shall apply to all developments meeting the thresholds and applicability requirements set forth in Table 5.2.4. below. Exception: Creation of 4 or fewer total dwelling units and creation of single-family residential lots shall comply with the thresholds and applicability requirements set forth for the Traditional Neighborhood Form District in Table 5.2.3.

Table 5.2.4 TMCFD Thresholds	Part 5 Non-Residential and Mixed Use Site Design	Part 6 Building Design Standards	Part 7 Transition	Part 78 -Street and Road- Side Design	Part 89 Transit and Connections	Part 940 Traffic Impacts	Part 10 Open Space	Part 1142 Special Design Requirement
Category 2A Construction Review								
Accessory Structure: New or Expansion	X							
<u>Construction of residential/mixed-use building with 5-9 dwelling units</u>	X	X		X				
Construction of building footprint less than 2,000 square feet	X							
Category 2B Planning Review								
Construction Establishment of 10 or more off-street parking spaces	X			X	X			
Construction of <u>non-residential building or addition with a footprint between 2,000 - 35,000 square feet</u>	X	X	X	X	X	X		
<u>Construction of non-residential building or addition with a footprint greater than 35,000 square feet</u>	X	X		X	X			X
<u>Construction of residential/mixed-use building with 10 or more dwelling units</u>	X	X		X	X		X	



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<u>Creation of more than 5 lots</u>	<u>X</u>			<u>X</u>	<u>X</u>			
Category 3 Transportation Review								
<u>Projected traffic generation exceeding 200 trip-ends per peak hour</u>						<u>X</u>		
Projected traffic generation exceeding 200 trip-ends per peak hour						X		
Construction of building footprint greater than 35,000 square feet	X	X	X	X	X	X		X



5.2.4 Town Center Form District

The Town Center Form District (TCFD) represents a traditional pattern of development in Louisville and Jefferson County. Town centers are typically compact areas with a mixture of moderately intense uses that are developed around an identifiable core. They are often located at a historic crossroads or at the intersection of a major thoroughfare and collector roadway with connections to surrounding neighborhoods. Buildings are close to and oriented toward the street, and there is a connected street pattern, shared parking and pedestrian amenities. More intense commercial and residential uses are located in proximity to major thoroughfares, and the intensity of uses gradually declines toward an “edge” or “transition area” to lower density residential neighborhoods.

C. Dimensional Standards

1. Minimum Lot Size, Depth, and Width. There are no minimum lot size, depth, and width requirements in the TCFD, ~~except as specified in paragraph b., below.~~
2. ~~Residential Lots and Building Setbacks~~ Development Standards. Residential lots and structures (both principal and accessory structures) containing 4 or fewer units shall comply with the Traditional Neighborhood Form District Standards in Section 5.2.2, except for the standards for lot size, depth, and width, which shall comply with Paragraph 1 above. All other residential lots and structures shall comply with the standards in this section. ~~or shall comply with Nonresidential/Mixed Use Standards below.~~
3. ~~Non-Residential and Mixed Use Structure~~ Building Setbacks.
 - a. ~~Front Setback/Build to line and Street Side Yards~~ Setbacks. There is no minimum front ~~setback/build to line~~ or street side yard setback. The maximum front ~~setback/build to line~~ and street side yard setback shall be no greater than 15 feet from the edge of right-of-way.
 - b. Corner Lots: See 5.5.1.A.2
 - c. Outdoor seating areas. Open, unenclosed public seating or similar areas, fountains and outdoor amenities are permitted to encroach into the front setback as long as the corner requirements of 5.5.1.A.2 are met.
 - d. Side Yard Setback. ~~The minimum setback shall be either of the following:~~
 - i. ~~There are no side yard setbacks except where adjacent to a non-residential use abuts a residential use or zoning district or a structure(s) with first floor residential use, in which case a minimum side yard setback of 5 feet shall be maintained.~~
 - ii. ~~If the site is located at the edge of the TCFD, the depth of the required form district transition area/buffer yard must be maintained.~~
 - e. Rear Yard Setback. Minimum 5 feet from rear property line. ~~The rear setback shall be the depth of the required form district transition area buffer yard if the site is located in the Form District Edge/Transition Zone.~~

See Section 5.7.1 for standards applicable in the transition zone.

- f. Building Height.

Except as limited within the Form District Transition Zone, the Maximum permitted building height is seven (7) stories, except for single-story industrial buildings, which shall have a maximum permitted building height of 60 ft, excluding rooftop equipment,



machinery penthouses, and other elements exempted in Section 5.1.10. A story shall be no more than 12 feet, except for the first story, which shall not exceed 30 ft. 420 feet.

4. ~~Infill Context~~

~~Dimensional standards for development that is in an Infill Context are established in Section 5.1.12.~~

Town Center Threshold Table

The following parts of chapter 5 shall apply to all developments meeting the thresholds and applicability requirements set forth in Table 5.2.5 below. Exception: Creation of 4 or fewer total dwelling units and creation of single-family residential lots shall comply with the thresholds and applicability requirements set forth for the Traditional Neighborhood Form District in Table 5.2.3.

TCFD Table 5.2.5 Thresholds	Part 5 Non-Residential and Mixed Use Site Design	Part 6 Building Design	Part 7 Transition	Part 78 Street and Road-Side Design	Part 89 Transit and Connections	Part 940 Traffic Impacts	Part 1044 Open Space	Part 11 Special Design Requirement
<u>Category 2A Construction Review</u>								
Accessory Structure: New or Expansion	X							
Construction of non-residential/mixed use building or addition with a footprint less than 3,000 square feet	X			X				
<u>Construction of residential/mixed-use building with 5-9 dwelling units</u>	X	X		X				
Projected traffic generation exceeding 200 trip ends per peak hour						X		
<u>Category 2B Planning Review</u>								
Construction Establishment of 25 or more off-street parking spaces	X			X	X			
Construction of non-residential/mixed use building or addition with a footprint between 3,000 -360,000 square feet	X	X	X	X	X	X		
<u>Construction of non-residential building or addition with a footprint greater than 60,000 square feet</u>	X	X		X	X			X
<u>Construction of residential/mixed use building with 10 or more dwelling units</u>	X	X		X	X		X	

Creation of more than 5 lots	<u>X</u>			<u>X</u>	<u>X</u>			
Category 3 Transportation Review								
Projected traffic generation exceeding 200 trip –ends per peak hour						<u>X</u>		
Creation of more than 5 lots				<u>X</u>	<u>X</u>			
Construction of non-residential/mixed use building footprint greater than 30,000 square feet	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	

5.2.5 Traditional Workplace Form District

The Traditional Workplace Form District (TWFD) applies to older established industrial and employment areas that contain primarily small-to-medium scale industrial and employment uses. These uses are often historically integrated with or adjacent to residential neighborhoods, especially traditional neighborhoods. District standards are designed to encourage adaptive reuse and investment in these areas while ensuring compatibility with adjacent uses and form districts, to ensure adequate access and transit service, and to retain distinctive land uses and patterns such as connected street grids.

C. Dimensional Standards

1. Lot Size, Depth, and Width. There are no minimum lot size, depth, and width requirements in the TWFD, except as specified in number 2 below.
2. Residential Development Standards. Residential lots and structures (both principal and accessory structures) shall comply with the Traditional Neighborhood Form District Standards in Section 5.2.2.
- ~~3. Standards Applicable Within the Form District Edge/Transition Zone. For sites that are within the 200 foot Form District Edge/Transition Zone the following standards shall apply:~~
 - ~~a. Front and Street Side Yard Setback/Build to line. The maximum setback/build to line shall be 25 feet.~~
 - ~~b. Side Yard Setback/Build to line. None, except where the site abuts an existing residential or office use in which case the minimum side yard setback shall equal the setback of the adjacent use.~~
 - ~~c. Rear Yard Setback. Minimum 20 feet.~~
 - ~~d. Building Height. Maximum 45 feet or three stories; however if the two nearest non-residential structures are greater than 45 feet or three stories, the infill structure may equal the height of the existing structures.~~
 - ~~e. Corner Lots: See 5.5.1.A.2~~
- ~~43. Non-Residential and Mixed Use Development Standards. Standards Applicable Outside the Form District Edge Transition Zone. For sites in the TWFD that are not within the Form District Edge Transition Zone the following standards shall apply:~~

- a. ~~Front and Street Side Yard Setback/Build-to-line.~~ The maximum front and street side yard setback/~~build-to-line~~ shall be 25 feet from the front property line. There is no minimum setback/~~build-to-line~~.
- b. Side and Rear Setback. There are no requirements for side or rear setback. Exception: where a non-residential use abuts an existing residential use or zoning district, the setback shall be 10 feet or the applicable landscape buffer as required by Ch. 10 of this code, whichever is greater.
- ~~b.c.~~ Building Height. Maximum permitted building height is 5 stories, except for industrial buildings, which have a maximum permitted building height of 60 feet, excluding rooftop equipment, machinery penthouses, and other elements exempted in Section 5.1.10. A story shall be no more than 12 feet, except for the first story, which shall not exceed 30 feet. 45 feet or three stories; however, additional height may be added provided that the building is stepped back one foot on all sides for each additional foot of building height.
- ~~c.d.~~ Corner lots: See 5.5.1.A.2
54. Greater Front and Street Side Yard setbacks necessary to comply with applicable parkway or other buffer requirements set forth in Chapter 10 Landscaping, Buffering, and Open Space shall supercede these setback requirements.
- ~~6. Non-residential Structure Side and Rear Setback/Build-to-lines.~~ There are no requirements for side or rear setback/~~build-to-lines~~. ~~Exception: where an industrial use abuts an existing residential or office use, the setback standards for the CM zone in the Traditional Neighborhood Form District (Table 5.2.2) shall apply.~~
- ~~7. Infill Context.~~ Dimensional standards for development that is in an Infill Context are established in Section 5.1.12.

Traditional Workplace Threshold Table

The following parts of chapter 5 shall apply to all developments meeting the thresholds and applicability requirements set forth in Table 5.2.6 below. Exception: Creation of new residential structures and lots shall comply with the thresholds and applicability requirements set forth for the Traditional Neighborhood Form District in Table 5.2.3.

TWFD Table 5.2.6 Thresholds	Part 5 Non-Residential and Mixed	Part 6 Building Design Standards	Part 7 Transition	Part 78 - Street and Road- Side Design	Part 89 Transit and Connections	Part 940 Traffic Impacts	Part 10 Open Space	Part 1142 Special Design Requirement
Category 2A Construction Review								
Accessory Structure: New or Expansion	X							

Construction of building or addition with a footprint less than 3,000 square feet	X							
Construction of mixed-use building with less than 10 dwelling units	X	X		X	X		X	
Category 2B Planning Review								
Construction Establishment of 25 or more off-street parking spaces	X			X	X			
Construction of non-residential building or addition with a footprint between 3,000 – 560,000 square feet	X	X	X	X	X	X		
Construction of non-residential building or addition with a footprint greater than 60,000 square feet	X	X		X	X			X
Construction of mixed-use building with 10 or more dwelling units	X	X		X	X		X	
Creation of more than 5 lots	X			X	X			
Category 3 Transportation Review								
Projected traffic generation exceeding 200 trip-ends per peak houe						X		
Construction of building footprint greater than 50,000 square feet	X	X	X	X	X	X		X
Projected traffic generation exceeding 200 trip-ends per peak hour						X		
Creation of more than 5 lots				X	X			

5.2.6 Village Form District Center

- A. Village Centers: Development in the center of the village offering goods and services at a scale that is appropriate for nearby residential areas. Villages within the Village Form District also frequently have an identifiable boundary and/or open space at the edge.

The VFD is a form typical of outlying communities in Jefferson County that developed as scattered independent population growth centers prior to 1940. For this reason, villages typically have development patterns, particularly in the village centers, which reflect pre-World War II design elements. These may include connected and narrow streets and walkways, compact centers with a variety of village-serving uses, and designated sites for civic, historic, and cultural buildings, surrounded by rural lot patterns and a green belt.

D. Description of Village Centers

1. Village Center – This development pattern is intended for mixed-uses within villages. The maximum single building square footage within designated Village Neighborhood Serving centers shall be 70,000 square feet.
2. Pre-Existing Structures: - Non-residential structures constructed prior to the effective date of the VCFD and exceeding 70,000 square feet in area on the first floor may be expanded with approval of the Planning Director or designee ~~Commission~~. The project shall be subject to the Category 3 Planning Review procedures. ~~In addition to a comp plan and LDC review, the Planning Commission review of such a request shall focus on the following criteria:~~
 - ~~a. The resultant mass and scale of the building is compatible to the surrounding development pattern.~~
 - ~~b. The parking and circulation will not adversely impact surrounding development.~~
 - ~~c. The resultant building after the addition is in keeping with the intent of the neighborhood form district and is compatible to the overall design of the existing development.~~

E. Dimensional Standards

- ~~1. Dimensional standards for developments within the Village Center shall conform to the dimensional standards in Section 5.2.2.C and 5.2.2.D, that is in an Infill Context are established in Section 5.1.12.~~
- ~~2. Dimensional standards for development that is not in an Infill Context are listed in Table 5.2.2. Lots created after the effective date of this Land Development Code shall meet the minimum area requirements of Table 5.2.2. Residential lots having less area than required and legally created prior to the adoption of these regulations may be occupied by one dwelling unit.~~

F. Design Standards Village Center

Developments within the Village Center shall conform to the Traditional Neighborhood Form District design standards as listed within the applicable threshold table (See Table 5.2.3 of this part).

5.2.7 Urban Center Neighborhood Form District

A. Relationship to the Comprehensive Plan

The purpose of the Urban Center Neighborhood Form District (UCN or UCNFD) is to implement land development code provisions that are consistent with the Goals, Objectives, and Policies of the Comprehensive Plan, in accordance with Chapter 100 of Kentucky Revised Statutes.

B. Intent and Applicability

The Urban Center Neighborhood Form District is intended to promote the development and redevelopment of areas that adjoin the Central Business District, serving as a transition from Downtown Louisville to the surrounding neighborhoods and commercial corridors. These areas consist of higher intensity uses and higher density mixed-use buildings that accommodate retail, offices, rowhouses and apartments. There should be a tight network of streets, with wide sidewalks, street trees and buildings set close to the sidewalks. Pedestrians, bicyclists, and transit users should be prioritized.

C. Dimensional Standards

1. Minimum Lot Size, Depth, and Width – There are no minimum lot size, depth, and width requirements in the Urban Center Neighborhood Form District, with the exception that lots developed exclusively for single family detached residential use shall comply with the size and width requirements for the Traditional Neighborhood Form District as set forth in Table 5.2.2.

2. Setbacks –

- a. Front and Street Side Yard Setback. There is no minimum setback for a front or street side yard. The maximum setback for a front or street side yard shall be no greater than 5 feet from the line of the right-of-way.
 - i. A setback, not to exceed 15 feet as measured from the right-of-way, is permitted provided no less than 60% of the street wall is maintained. Recesses on the ground floor to accommodate entry ways, display windows, planters, or similar features shall not be considered as setbacks provided the upper stories have been built to the street wall.
 - ii. When new construction creates structures with adjoining setbacks, the structures will be considered as one building in calculating the 60% street wall minimum.
 - iii. On corner lots, the building shall be constructed no more than five feet away from the right-of-way line along both streets. Lots with more than one street corner shall build to the corner that contains frontage on the primary street. Additional buildings on the multi-corner lot shall be built to the secondary corner. The intersection of a street with an alley shall not be considered a street corner. Exceptions: 1) if a principal building entrance is at the corner, the angular façade containing the entrance may be recessed a maximum of 15 feet from the intersection of the two right-of-way lines; 2) if the sidewalk abutting the corner property is less than the sidewalk width required, the building may set back to permit the construction of the required sidewalk.
 - iv. Open, unenclosed public seating or similar areas, fountains and outdoor amenities are permitted to encroach into the front setback as long as the corner requirements are met.

- b. Side Yard Setback. There is no minimum setback for a side yard, except when in or contiguous to a residential zoning district, in which case a minimum setback of 5 feet shall be maintained.
- c. Rear Yard Setback. The minimum setback for a rear yard shall be 5 feet from rear property line or right-of-way from an alley. There is no maximum setback for a rear yard.
- 3. Building Height - There is a minimum building height of three stories and a maximum building height of eight stories. A story shall be no more than 12 feet, except for the first story, which shall be not exceed 30 feet.
 - a. Rooftop equipment may be placed atop any building; however mechanical equipment that is visible from other buildings or the street should be installed to have a minimal impact on adjacent properties and from public view unless the equipment is solar dependent.
 - b. Multiple buildings located on a single lot shall be designed so the building height of any structure is at least equal to the height of any other structure on the lot located between it and the right-of-way.

E. Urban Center Neighborhood Form District Threshold Table

The following parts of chapter 5 shall apply to all developments meeting the thresholds and applicability requirements set forth in Table 5.2.7 below.

<u>UCN Table 5.2.7 Thresholds</u>	<u>Part 5 Non- Residential / Mixed Use</u>	<u>Part 6 Building Design</u>	<u>Part 7 - Street and Roadside</u>	<u>Part 8 Transit and Connections</u>	<u>Part 9 Traffic Impacts</u>	<u>Part 10 Open Space</u>
<u>Construction Review</u>						
<u>Accessory Structure: New or Expansion</u>	X	X				
<u>Construction of a street or alley</u>			X	X		
<u>Planning Review</u>						
<u>Establishment of any new surface parking spaces</u>	X		X			
<u>Construction of a building addition that does not result in an increase in the building's footprint</u>	X	X				
<u>Construction of building or addition with a footprint less than 2,500 square feet</u>	X	X	X			

Construction of building or addition with a footprint Greater than 2,500 square feet	X	X	X	X	X	X
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Chapter 5 Part 3 Suburban Form Districts

5.3.1 Neighborhood Form District

C. Dimensional Requirements

- ~~1. Infill Site Context. Dimensional standards for development that is in an Infill Context are established in Section 5.1.12.~~
- ~~21. Dimensional standards for residential development in each zoning district are listed in Table 5.3.1 below. Dimensional standards for non-residential and mixed-use development are listed in Table 5.3.2. For lot dimensional standards for Conservation Subdivisions see Table 7.11.1.~~
- ~~32. Lots created after the effective date of this Land Development Code shall meet the minimum width and area requirements of Table 5.3.1. Lots having less area or width than herein required and legally created prior to the adoption of these regulations may be occupied by a minimum of one dwelling unit subject to the dimensional and design standards of this code. Structures built or installed after the effective date of this Land Development Code shall meet the setback and height requirements of Table 5.3.1 or applicable infill setback standards in Section 5.1.12 as required.~~

~~43. Supplemental Setbacks~~

~~Setback requirements established in Table 5.3.1 shall be increased by the additional amounts specified in the following table for residential uses abutting the right-of-way of railroads, expressways, collector level streets, and arterial level streets.~~

~~These setbacks apply to residentially used structures adjacent to a regional transportation pipeline easement for hazardous materials (e.g. natural gas). The applicable supplemental setbacks for the PDD shall be based on the permitted zoning district uses as listed in Table 2.8.2.~~

Zoning District	Railroad Expressway and Hazardous Transportation Pipelines	Arterial and Collector
RR through R-5 (PD district (single family residential use)	20 feet	15 feet
R-5A through U-N (PD District multi- family residential use)	15 feet	10 feet
R-7 and above	15 feet	0 feet

Zoning District	Minimum Lot Area	Min. Lot Width (ft.)	Min. Front and Street Side Yard Setback (ft.)	Minimum Side Yards (Each) (ft.)	Minimum Rear Yard Setback (ft.)	Maximum Building Height* (ft.)
RR	5 Acres	150	30	15	50	<u>3 stories</u> 35
RE** _	105,000 sq. ft.	150	90 (front); 60 (street side)	20 minimum, 50 total	50	<u>3 stories</u> 35
R-E, R-1	40,000 sq. ft.	150	15****	15 minimum, 45 total	25	<u>3 stories</u> 35
R-2	20,000 sq. ft.	100	15****	10 minimum, 30 total	25	<u>3 stories</u> 35
R-3	12,000 sq. ft.	75	15****	7.5 minimum, 22.5 total	25	<u>3 stories</u> 35
R-4	96,000 sq. ft. <u>4,000 sq. ft.</u> (LDC 4.3.35)***	5060 <u>30 (LDC 4.3.35)</u> ***	15****	<u>5**</u>	25	<u>3 stories</u> 35
R-5	64,000 sq. ft. <u>3,000 sq. ft.</u> (LDC 4.3.35)***	3050 <u>25 (LDC 4.3.35)</u> ***	15****	5	25	<u>3 stories</u> 35
PRD	1500 sq. ft.	0	0	0	0	<u>3 stories</u> 35
R-5A	6,000 sq. ft. <u>3,500 sq. ft.</u>	50 <u>25</u>	15****	5	25	<u>3 stories</u> 35
R-5B	6,000 sq. ft. <u>4,000 sq. ft.</u>	30 <u>25</u>	15****	3	25	<u>3 stories</u> 35
R-6, OR	6,000 sq. ft. <u>3,000 sq. ft.</u>	25	15****	3	25	<u>3 stories</u> 35
U-N	2,500 sq. ft. 1500 sq. ft. if attached	18	15****	3	6	<u>3 stories</u> 35
R-7, OR-1	6,000 sq. ft. <u>N/A</u>	25 <u>None</u>	15****	3	15	<u>4 stories</u> 45 ****
R-8A, OR-2, CR, CN	6,000 sq. ft. <u>N/A</u>	25 <u>None</u>	15****	3	15	<u>5 stories</u> 45 ****
OR-3, OTF, C-1, C-2	5,000 sq. ft. <u>N/A</u>	None	None	None	15	<u>5 stories</u> 45 ****

****For lots created prior to August 22, 2000, and lots shown on preliminary plans approved prior to that date, the side yards shall be minimum 6', total of 18'; for lots created or shown on preliminary**

~~plans approved after that date, the side yards shall be 5' on each side. As in effect in Anchorage, Douglass Hills and Shively.~~

~~*** Additional height is allowed, if all required setbacks are increased five feet for each additional ten feet of building height, or fraction thereof, over 45 feet. This extra setback does not apply to off-street parking and maneuvering areas. Non-residential uses are subject to building height limits as established in Table 5.3.2. Single-family detached lots that are created within a New Development that contains Neighborhood Housing in accordance Chapter 4, part 3 and all other requirements of this code are eligible for this reduced minimum lot size.~~

***Garages with doors facing the street shall have a minimum setback of 25 feet.

NOTE: Minimum lot area requirements for Mixed Residential Development Incentive (MRDI) developments shall be calculated as provided in Section 4.3.20.

5.4. Dimensional standards for non-residential uses are listed in Table 5.3.2 below.

Table 5.3.2 Dimensional Standards: Non-Residential ~~Uses~~ & Mixed-Use Developments

Maximum Building Footprint	Min. Front and Street Side Setback	Max. Front and Street Side Setback	Non-Res to Res Setback (No Loading) ¹	Non-Res to Res Setback (Loading) ²	Max. Building Height	Max Building Height: Residential Top Floor ³
5,000 sq ft	10 ft	80 ft.*	45 <u>10</u> '	25'	25 ft. 3 stories Exception: Industrial buildings – 35'	35 ft.
5,001 to 30,000 sq ft	10 ft.	80 ft.*	30 <u>20</u> '	50'	30 ft. 4 stories Exception: Industrial buildings – 50'	40 ft.
30,001 to 80,000 sq ft	10 ft	150 ft.	50 <u>30</u> '	75'	35 ft. 5 stories Exception: Industrial buildings – 60'	45 ft.

Footnote: Sustainable Permit Projects are subject to maximum height limits 10' greater than listed in this Table.

¹ Width of buffer required in side or rear yard if adjacent to residential development and if no loading facilities (loading docks, vehicle storage or trash containers) on that side of the non-residential use.

² Width of buffer required if loading facilities located on corresponding side of non-residential use.

³ ~~The maximum building height of mixed-use structures may be increased by 15 feet if residential uses occupy at a minimum the upper-most story~~

* The maximum front and street side setback requirement for non-residential uses shall be 95 feet when the subject property is located on a parkway, as designated within Chapter 10 of this Land Development Code

- ~~65.~~ Buffer and Transition Standards: Setbacks and buffers established in Table 5.3.2 may be superseded by parkway requirements, or buffer yard requirements ~~or form district transition zone standard~~ pursuant to Chapter 10 Part 2, and Chapter 10 Part 3 ~~or Chapter 5 Part 7~~, in which case the greater standard shall apply.
- ~~76.~~ Pre-Existing Structures: - Non-residential structures constructed prior to the effective date of the NFD ~~and exceeding with a building footprint in excess of 80,000 square feet in area on the first floor~~ may be expanded upon a Planning Review to ensure compliance with the provisions of this Land Development Code, with approval of the Planning Commission. ~~The project shall be subject to the Category 3 procedures. In addition to a comp plan and LDC review, the Planning Commission review of such a request shall focus on the following criteria:~~
- ~~a.~~ ~~The resultant mass and scale of the building is compatible to the surrounding development pattern.~~
 - ~~b.~~ ~~The parking and circulation will not adversely impact surrounding development.~~

NOTE: See Section 5.1.8 for maximum setback alternatives.

- ~~c.~~ ~~The resultant building after the addition is in keeping with the intent of the neighborhood form district and is compatible to the overall design of the existing development.~~
- ~~87.~~ Multiple Principal Structures Setback – Common wall construction is permissible for non-residential structures, unless restricted by Table 5.3.2. Principal structures on the same or adjacent lots constructed as detached buildings shall maintain the following minimum separations:
- a. Building wall has primary entrance or exit: 25 feet
 - b. Building wall has secondary entrance or exit: 15 feet
 - c. Building wall has no entrance or exit: 10 feet
- ~~98.~~ The buildable width of a corner lot created prior to the effective date of the NFD shall not be reduced to less than thirty two (32) feet by the application of the required side yard on the street side.

NFD									
Table 5.3.3									
Thresholds									
	Part 4 Residential Site Design	Part 5 Non-Residential and Mixed Use Site Design	Part 6 Building Design	Part 7 Transition	Part 78 – Street and Road-Side	Part 89 Transit and Connections	Part 940 Traffic Impacts	Part 10 <u>Open Space</u>	Part 1142 Special Design Requirement
Category 2AConstruction Review									
Expansion to the building footprint of an existing residential dwelling (principal structure) by less than 50%	X								
Construction of non-residential/mixed-use building or addition with a footprint less than 3,000 square feet		X							
Residential Accessory Structure: New or Expansion	X								
Non-residential Accessory Structure: New or Expansion		X							
Expansion to the building footprint of an existing residential dwelling (principal structure) by 50% or more	X								
Construction of a single family residence on an existing lot	X				X				
Construction of residential building with less than 10 multi-family dwelling units	X				X				
Construction of mixed-use building with less than 10 dwelling units		X			X				
Category 2BPlanning Review									
ConstructionEstablishment of 25 or more off-street parking spaces		X			X	X	X		
Construction of non-residential/mixed-use building or addition with footprints between 3,000 – 350,000 square feet		X	X	X	X	X	X		
Construction of non-residential building footprint greater than 35,000 square feet		X	X		X	X			X
Construction of residential building with 10 or more dwelling units	X				X	X		X	
Construction of mixed use building with 10 or more dwelling units		X	X		X	X		X	
Creation of more than 5 lots		X			X	X			
Category 3Transportation Review									

Neighborhood Threshold Table

The following parts of Chapter 5 shall apply to all developments meeting the thresholds and applicability requirements set forth in Table 5.3.3. below.

NFD Table 5.3.3 Thresholds	Part 4 Residential Site Design	Part 5 Non-Residential and Mixed Use Site Design	Part 6 Building Design	Part 7 Transition	Part 7g – Street and Road- Side	Part 8g Transit and Connections	Part 940 Traffic Impacts	Part 10 Open Space	Part 1142 Special Design Requirement
Projected traffic generation exceeding 200 trip ends per peak hour							X		
Creation of more than 5 single family residential lots.	X				X	X	X		
Construction of 10 or more multi-family dwelling units	X		X		X	X	X	X	
Construction of non-residential/mixed use building footprint greater than 30,000 sq. feet		X	X	X	X	X	X		X

5.3.2 Suburban Marketplace Corridor District

The design of the Suburban Marketplace Corridor Form District (SMCFD) is characterized by linear commercial development along major roadways. The Suburban Marketplace Corridor is a medium to high density district, with a mixture of highway commercial uses, shopping centers, and office development. Buildings along the corridor are typically set back from the roadway with parking lots in front. Examples of Suburban Marketplace Corridors include Hurstbourne Parkway, Dixie Highway, and Preston Highway.

The SMCFD standards do not address permitted land uses and density or intensity of development. These aspects of land use planning are more appropriately addressed through zoning district regulations or regulatory goals, and objectives and policies of the Comprehensive Plan.

C. Dimensional Standards

1. Lot Size, Depth, and Width – There are no minimum lot size, depth, and width requirements in the SMCFD, ~~except that residential uses shall comply with the Neighborhood Form District Standards in Table 5.3.1.~~
2. Residential Development Standards. Residential lots and structures (both principal and accessory structures) containing 4 or fewer units shall comply with the Neighborhood Form District Standards in Section 5.3.1, except for lot size, depth, and width, which shall comply with Paragraph 1 above. All other residential lots and structures shall comply with the standards in this section.

NOTE: The setback requirement will ensure that new construction is situated outside the expanded right of way standards created by the Land Development Code.

32. Building Setbacks

- a. Front and Street-Side Setback – Structures on parcels with public street frontage shall be setback from the street center line no less than one-half of the standard right-of-way width for the functional class of the abutting street, as specified in Chapter 6 Part 2 of these regulations. In addition, structures, parking and other improvements shall maintain setbacks as required to comply with applicable parkway or other buffer requirements set forth in Chapter 10 (Tree Canopy, Landscaping, and Open Space). Principal structures on the lot shall be setback no more than 275 feet from the front and street-side property lines (alternatives to the maximum setback can be found within Section 5.1.8). Off-street parking, maneuvering for parking areas, drive-ways, and sidewalks shall be permitted within the Front and Street Side Yard setbacks as long as all landscaping requirements of Chapter 10 are met.
- b. Side and Rear Setback – ~~None, except~~ Exception: a 25-foot minimum setback shall be provided along the common boundary when a non-residential use abuts a residential zone zoning district or a structure(s) with first floor residential use, the setback shall be 10 feet or the applicable landscape buffer as required by Chapter 10 of this code, whichever is greater. A minimum setback of ~~50~~35 feet shall be provided where a building façade with loading docks for tractor trailers faces a residential use or zone. Vehicular parking and maneuvering are not permitted in ~~the any~~ required side or rear setbacks. ~~The side and rear setback shall be landscaped in accordance with the buffering requirements of Chapter 10.~~

43. Building Height - The maximum permitted building height is seven (7) stories, except for single-story industrial buildings, which have a maximum permitted building height of 60 feet, excluding rooftop equipment, machinery penthouses, and other elements exempted in Section 5.1.10. A story shall be no more than 12 feet, except for the first story, which shall not exceed 30 feet ~~sixty feet.~~

45. Multiple Principal Structures Setbacks – Common wall construction is permissible. Principal detached structures on the same or adjacent lot shall maintain separations as follows:

- a. Building wall has primary entrance or exit – 25 feet.
- b. Building wall has secondary entrance or exit – 20 feet.
- c. Building wall has no entrance or exit – 10 feet.

D. Suburban Marketplace Threshold Table

The following standards shall apply to all developments meeting the thresholds and applicability requirements set forth in Table 5.3.4 below. Exception: Creation of 4 or fewer total dwelling units and creation of single-family residential lots shall comply with the thresholds and applicability requirements set forth for the Neighborhood Form District in Table 5.3.3.

~~Expansion of existing and creation of new residential structures or units, and creation of residential lots shall be subject to the standards of the Neighborhood Form District (Section 5.3.1).~~

SMCFD Table 5.3.4 Thresholds	Part 5 Non-Residential and Mixed- Use Site Design	Part 6 Building Design Standards	Part 7 Transition	Part 78 – Street and Road-Side Design	Part 89 Transit and Connections	Part 940 Traffic Impacts	Part 10 Open Space	Part 1142 Special Design Requirement
Category 2A Construction Review								
Accessory Structure: New or Expansion	X							
Construction of building or addition with a footprint less than 3,000 square feet	X							
Construction of residential/mixed-use building with 5-9 dwelling units	X			X				
Category 2B Planning Review								
Construction/Establishment of 50 or more off-street parking spaces	X			X	X			
Construction of non-residential building or addition with a footprint between 3,000 – 360,000 square feet	X	X	X	X	X			
Construction of non-residential building or addition with a footprint greater than 60,000 square feet	X	X		X	X			X
Construction of residential/mixed use building with 10 or more dwelling units	X	X		X	X		X	
Creation of more than 5 lots	X			X	X			
Category 3 Transportation Review								
Projected traffic generation exceeding 200 trip-ends per peak hour						X		
Creation of more than five lots				X	X			
Construction of building footprint between 30,001 – 75,000 square feet	X	X	X	X	X	X		
Construction of building footprint greater than 75,000 square feet	X	X	X	X	X	X	X	

5.3.3 Regional Center Form District

The Regional Center Form District (RCFD) encompasses the community's major shopping facilities. Medium and high intensity commercial development serving a regional market are found in this district. A wide range of related uses, including residential, office and institutional development, is strongly encouraged within Regional Center Form Districts. Mixed uses within a principal building on the site. (e.g., commercial and residential) are supported. District standards are designed to ensure compatibility with adjacent form districts, to ensure a high level of access by a variety of

travel modes, to encourage full development of regional centers, and to promote high quality design.

C. Dimensional Standards

1. Lot Size, and Width, and Depth – There are no minimum lot size, and width, and depth requirements in the RCFD, ~~except that structures with first floor residential uses shall comply with the Neighborhood Form Districts Standards (Section 5.3.1).~~
2. Residential Development Standards. Residential lots and structures (both principal and accessory structures) containing 4 or fewer units shall comply with the Neighborhood Form District Standards in Section 5.3.1, except for lot size, width, and depth, which shall comply with Paragraph 1 above. All other residential lots and structures shall comply with the standards in this section.

32. Building Setbacks

- a. Front and Street-Side Setback – Structures on parcels with public street frontage shall be setback from the street center line no less than one-half of the right-of-way width for the functional class of the abutting street, as specified in Chapter 6 Part 2 of these regulations. In addition, structures, parking and other improvements shall maintain setbacks as required to comply with applicable parkway or other buffer requirements set forth in Chapter 10 (Landscaping, Buffering, and Open Space). Principal structures on the lot shall be setback no more than 275 feet from the front and street-side property lines (alternatives to the maximum setback can be found within Section 5.1.8). Off-street parking, maneuvering for parking areas, drive-ways, and sidewalks shall be permitted within the Front and Street Side Yard setbacks as long as all landscaping requirements of Chapter 10 are met.
- b. Side and Rear Setback – ~~None, Except~~ Exception: where a non-residential use abuts adjacent to a residential zoning district or structure(s) with first floor residential use on the first floor, the setback shall be 15 feet or the applicable landscape buffer as required by Chapter 10 of this code, whichever is greater. in which case a minimum setback of 50 feet shall be maintained. Vehicular parking and maneuvering are not permitted in the side and rear setbacks
- c. Building Height – The maximum permitted height is twelve (12) stories, except for single-story industrial buildings, which have a maximum permitted height of 70 feet, excluding rooftop equipment, machinery penthouses, and other elements exempted in Section 5.1.10. A story shall be no more than 12 feet, except the first story shall not exceed 30 feet. Except as limited within the Form District Transition Zone (Chapter 5 Part 7), the maximum permitted height is 150 feet.
- d. Multiple Principal Structures Setback – Common wall construction is permissible. Principal structures on the same or adjacent lots constructed as detached buildings shall maintain the following minimum separations:
 - i. Building wall has primary entrance or exit: 25 feet
 - ii. Building wall has secondary entrance or exit: 20 feet
 - iii. Building wall has no entrance or exit: 10 feet

Regional Center Threshold Table 5.3.5

The following parts of chapter 5 listed in the threshold table, shall apply to all developments meeting the thresholds and applicability requirements set forth in Table 5.3.5 below. Exception: Creation of 4 or fewer total dwelling units and creation of single-family residential lots shall comply with the thresholds and applicability requirements set forth for the Neighborhood Form District in Table 5.3.3.

~~Expansion of existing and creation of new residential structures or units, and creation of residential lots shall be subject to the standards of the Neighborhood Form District (Section 5.3.1).~~

RCFD Table 5.3.5 Thresholds	Part 5 Non-Residential and Mixed-Use Site Design	Part 6 Building Design Standards	Part 7 Transition	Part 78 - Street and Road- Side Design	Part 89 Transit and Connections	Part 940 Traffic Impacts	Part 10 Open Space	Part 1142 Special Design Requirement
Category 2A Construction Review								
Accessory Structure: New or Expansion	X							
Projected traffic generation exceeding 200 trip-ends per peak hour						X		
Construction of a building or addition with a footprint less than 3,000 square feet	X			X				
Construction of a residential/mixed-use building with 5-9 dwelling units	X	X		X	X			
Category 2B Planning Review								
Construction/Establishment of 50 or more off-street parking spaces	X			X	X			
Construction of a non-residential building or addition with a footprint between 3,000 -360,000 square feet	X	X	X	X	X	X		
Construction of non-residential building or addition with a footprint greater than 60,000 square feet	X	X		X	X			X
Construction of a residential/mixed use building with 10 or more dwelling units	X	X		X	X		X	
Creation of more than 5 lots	X			X	X			
Category 3 Transportation Review								
Projected traffic generation exceeding 200 trip-ends per peak hour						X		

Creation of more than five lots				X	X			
Construction of a building footprint between 30,001 - 75,000 square feet	X	X	X	X	X	X		
Construction of a building footprint greater than 75,000	X	X	X	X	X	X	X	

5.3.4 Suburban Workplace Form District

- A. The Suburban Workplace Form District (SWFD) is designed to reserve land for large-scale industrial and employment uses in suburban locations. District standards are designed to ensure compatibility with adjacent form districts, to buffer heavy industrial uses from potentially incompatible uses, to ensure adequate access for employees, freight, and products, to provide services and amenities for employees, and to improve transit service.

The SWFD standards do not address permitted land uses and density or intensity of development. These aspects of land use planning are more appropriately addressed through zoning district regulations or the Comprehensive Plan.

D. Dimensional Requirements

1. Lot Size, Depth, and Width – There are no minimum lot size, depth, and width requirements in the SWFD, except as specified in paragraph 2., below.
2. Residential Development Standards. Residential lots and structures (both principal and accessory structures) shall comply with the Neighborhood Form District Standards in Section 5.3.1. Residential Lots and Building Setbacks—Residential lots shall comply with the size and width requirements and residential structures (both principal and accessory structures, new construction and expansion) shall comply with the setback requirements established in the Neighborhood Form District Standards (Section 5.3.1).
3. Non-Residential and Mixed-Use Building Setbacks
 - a. Front and Street-Side Setback –Twenty-five feet along all frontage on public streets and private access easements providing primary access. Greater setbacks necessary to comply with applicable parkway or other buffer requirements set forth in Chapter 10 (Landscaping, Buffering, and Open Space) shall supersede these setback requirements. Off- street parking, maneuvering for parking areas, drive-ways, and sidewalks shall be permitted within the 25 foot setback as long as all landscaping requirements of Chapter 10 ~~Part 2~~ are met.

NOTE: Maximum height within 200 feet of a Neighborhood form would be 45 feet.

- b. Side Yard – None.
 - c. Rear Yard – None.
 - d. ~~Adjacent to Residential—Refer to Chapter 5 Part 5.~~
4. Building Height

- a. The maximum permitted building height is five (5) stories, except for single-story industrial buildings, which have a maximum height of 60 50 feet, excluding rooftop equipment, machinery penthouses, and other elements exempted in Section 5.1.10. A story shall be no more than 12 feet, except for the first story, which shall be no more than 30 feet.; ~~however, additional height may be added provided that the building is stepped back one foot on all sides for each additional four feet of building height. Refer to Chapter 5 Part 7 for permissible heights in form district transition zones.~~
- b. Multiple Principal Structures Setbacks – Common wall construction is permissible. Principal structures on the same or adjacent lots constructed as detached buildings shall maintain the following minimum separations:
 - i. Building wall has primary entrance or exit – 25 feet
 - ii. Building wall has secondary entrance or exit – 20 feet
 - iii. Building wall has no entrance or exit – 10 feet

Suburban Workplace Threshold Table

The following parts of chapter 5 shall apply to all developments meeting the thresholds and applicability requirements set forth in Table 5.3.6 below. Creation of new residential structures and lots shall comply with the thresholds and applicability requirements set forth for the Neighborhood Form District in Table 5.3.3.

~~Expansion of existing and creation of new residential structures or units, and creation of residential lots shall be subject to the standards of the Neighborhood Form District (Section 5.3.1)~~

SWFD Table 5.3.6 Thresholds	Part 5 Non-Residential and Mixed-Use Site Design	Part 6 Building Design Standards	Part 7 Transition	Part 78 – Street and Road- Side Design	Part 89 Transit and Connections	Part 940 Traffic Impacts	Part 10 Open Space	Part 1142 Special Design Requirement
<u>Category 2A Construction Review</u>								
Accessory Structure: New or Expansion	X							
Construction of building <u>or addition with a footprint less than 3,000 square feet</u>	X							
<u>Construction of mixed-use building with less than 10 dwelling units</u>	X			X	X			
<u>Category 2B Planning Review</u>								
<u>Construction/Establishment of 50 or more off-street parking spaces</u>	X			X	X			

Construction of non-residential building or addition with a footprint between 3,000 - 75,000 square feet	X	X	X	X	X	X		
Construction of non-residential building or addition with a footprint greater than 60,000 square feet	X	X		X	X			X
Construction of mixed use building with 10 or more dwelling units	X	X		X	X		X	
Creation of more than 5 lots	X			X	X			
Category 3 Transportation Review								
Projected traffic generation exceeding 200 trip-ends per peak hour						X		
Construction of building footprint greater than 75,000 square feet	X	X	X	X	X	X	X	
Projected traffic generation exceeding 200 trip-ends per peak hour						X		
Creation of more than five lots				X	X			

5.3.5 Campus Form District

The Campus Form District (CFD) is clearly represented in both historic and modern patterns of development within the Louisville and Jefferson County. The University of Louisville-Belknap Campus, Southern Baptist Seminary, and Bellarmine University are some of the historic examples of this form. Modern examples of the form include the Hurstbourne Green/Forest Green complex and the Shelby Campus of the University of Louisville.

The Campus Form District (CFD) is an established or proposed pattern of development having a mixture of uses clustered for a single or predominant purpose. Residential or commercial uses should primarily serve the people who work or live on the Campus. The form should be compact and walkable, with substantial open space, central gathering areas, shared parking and signage, and an internal circulation system.

C. Dimensional Requirements

3. Non-Residential and Mixed-Use Building Setbacks

- Front and Street-Side Setback – 50 feet along public streets or expressways that form the perimeter of the form district, and 25 feet along public streets and private access easements internal to the form district.
- Side Setback – There is no minimum requirement except where adjacent to a residential use or zoning district, in which case a minimum side setback of 20 feet shall be maintained.
- Rear Setback – The minimum setback shall be 20 feet. ~~Sites within a form district transition zone shall meet the setback requirement of the adjacent form or 20 feet, whichever is greater.~~

- d. Building Height — The maximum height is twelve (12) stories, except for single-story industrial buildings, which have a maximum height of 70 feet, excluding rooftop equipment, machinery penthouses, and other elements exempted in Section 5.1.10. A story shall be no more than 12 feet, except for the first story, which shall be no more than 30 feet. ~~150 feet; however, if located in a form district transition zone, the maximum height shall be as defined in Section 5.7.1 B1.~~
- e. Multiple Principal Structure Setbacks – Common wall construction is permissible. Principal structures on the same or adjacent lots constructed as detached buildings shall maintain the following minimum separations:
 - i. Building wall has primary entrance or exit - 25 feet.
 - ii. Building wall has secondary entrance or exit – 20 feet.
 - iii. Building wall has no entrance or exit: - 10 feet.

~~D. Residential and Support Uses~~

- ~~1. Residential Use — Up to 25 percent of any development site may be allocated to residential development without any corresponding decrease in the maximum allowable square footage or intensity of non-residential uses allowed in the underlying zone district, provided that all other development standards set forth in this code are complied with. Calculation of permissible residential density shall be based on the net site area, regardless of the amount of non-residential floor area constructed on the site.~~
- ~~2. Incentives for Support Services — Principal structures within the CFD used for office, educational or institutional purposes may devote up to five percent of the building square footage to retail uses that primarily serve employees and residents of the CFD, without any corresponding decrease in the maximum allowable square footage or intensity of non-residential uses allowed in the underlying zoning district. The parking requirement for these support services shall be 50% of the minimum established in Chapter 9 Part 1 (Parking).~~

Campus Threshold Table

The following standards shall apply to all developments meeting the thresholds and applicability requirements set forth in Table 5.3.7 below.

Expansion of existing and creation of new residential structures or units, and creation of residential lots shall be subject to the standards of either the Neighborhood Form District (Section 5.3.1) or Traditional Neighborhood Form District (Section 5.2.2), see Section 5.3.5 C.2 for details.

CFD Table 5.3.7 Thresholds	Part 5 Non-residential and Mixed Use Site Design	Part 6 Building Design	Part 7 Transition	Part 78 Street and Roadside Design	Part 89 Transit and Connection	Part 949 Traffic Impacts	Part 1044 Open Space	Part 1142 Special Design Requirement
Category 2 Construction Review								
Accessory Structure: New or Expansion	X							
Construction of <u>non-residential building or addition with a footprint less than 3,000 square feet</u>	X							
Construction of <u>mixed-use building with fewer than 10 dwelling units</u>	X			X	X			
Construction of <u>50 or more off-street parking spaces</u>	X			X	X			
Construction of <u>building footprint between 3,000 – 30,000 square feet</u>	X	X	X	X	X	X		
Category 3 Planning Review								
Establishment of <u>50 or more off-street parking spaces</u>	X			X	X			
Construction of <u>non-residential building or addition with a footprint between 3,000 – 60,000 square feet</u>	X	X		X	X			
Construction of <u>non-residential building or addition with a footprint greater than 360,000 square feet</u>	X	X	X	X	X	X		X
Construction of <u>mixed use building with 10 or more dwelling units</u>	X	X		X	X		X	
Creation of a more than five lots				X	X			
Development of a site of 10 acres or more	X	X	X	X	X	X	X	X
Transportation Review								
Projected traffic generation exceeding 200 trip-ends per peak hour						X		

Chapter 5 Part 4 Residential Site Design Standards

Chapter 5, Part 4: Residential Site Design Standards are applicable to all residential development in the Traditional Neighborhood, Neighborhood, Village Center, Village Outlying, Traditional Workplace, Suburban Workplace, and Campus Form Districts. For the Traditional Marketplace Corridor, Suburban Marketplace Corridor, Town Center, and Regional Center Form Districts, Residential Site Design Standards are only applicable to residential development containing four (4) or fewer units.

5.4.1 Traditional Form Districts ~~(except for DFD)~~

Traditional site design pattern. Residential lots in traditional form districts exhibit a distinct pattern of placement of principal and accessory structures, their relationship to streets and alleys, and provision for open areas. To reflect these characteristics, residential lot and building design requirements are described in terms of the following four basic components of a lot or building site: the public realm area, the principal structure area, the private yard area, and the accessory use/structure area. New and infill context development in the traditional forms shall maintain this pattern.

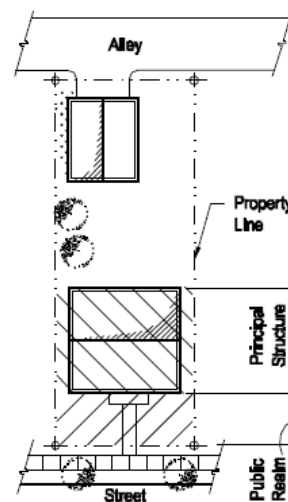
Alternative Development Standards. Sites developed in accordance with the Alternative Development Incentives regulations (Chapter 4 Part 5) or the Planned Residential District (Section 2.7.3) shall meet the lot and setback dimension standards of 5.2.2.D. instead of the requirements established in Table 5.2.2

~~A. Table 5.2.2 shall be used for the non-infill requirements related to maximum building height, setbacks/yards, minimum lot size and minimum lot width as well as paragraphs A through E of this section (excluding infill standards). Where 50% or more of the street frontage (linear distance) within the same block face is occupied by principal structures, Infill Context requirements apply, in addition to the standards of paragraphs A through E of this section. For infill sites, the following standards take the place of applicable standards in Table 5.2.2. General infill standards apply to the following:~~

Note. Public Realm is defined as the area of the lot between the public right-of-way and the front of the principal structure or to the required principal structure setback/build-to line if there is no principal structure on the lot.

Public Realm & Principal Structure

Area >



1. ~~Single Family Residential Tree Requirement~~

~~Construction of a new single family or duplex structure on a residential lot shall provide at least one Type 'A' or two Type 'B' trees on the lot. Preservation of existing trees that meet the required tree type shall fulfill this requirement. Street trees do not fulfill this requirement.~~

AB. Public Realm Area (see figure 5.4.1)

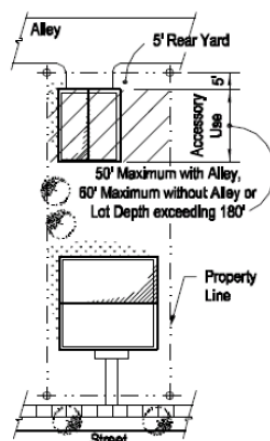
BC. Principal Structure Area

1. Orientation. The entrance of the principal structure(s) shall be oriented to the primary street.

CD. Private Yard Area

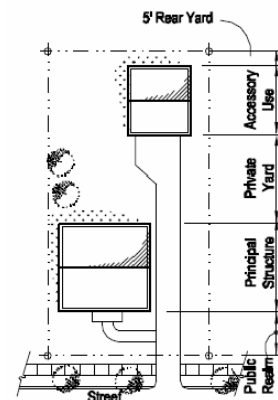
DE. Accessory Structure/Use Area

3. Parking Access. Access to parking shall be achieved through a rear alley. Parking is to be provided within the Accessory Structure/Use Area. In cases where alley access is not feasible, access to the Accessory Structure/Use Area is permitted from the primary street.



Accessory Use Area
(Alley access shown)

Kentucky Building Code
may require fire- rated
construction for structures
located less than three
feet from a property line



Accessory Use Area
Garage Location without Alley Access

4. Maximum Size of Accessory Structures. Accessory structures for single family residential use shall not exceed the footprint of the principal structure.
5. Side Setback of Accessory Structure. The minimum setback from side property lines for an accessory structure shall be 2 feet, except that accessory structures and uses shall observe the same setback from street side property lines as required for principal structures. *
6. Accessory Structure Height. The maximum height of accessory structures shall be two (2) stories. The maximum height of a story for accessory structures shall be 12 feet. 24 feet from the existing grade. New accessory structures shall be subordinate in size to the principal

~~structure on the lot.~~

7. Orientation of Accessory Structures containing a dwelling unit.

The principal entrance shall face the private yard or side yards. Architectural treatment and materials shall be comparable to those of the front façade of the principal structure. The garage door used for vehicle access shall face the alley.

EF. Multi-Frontage Lots

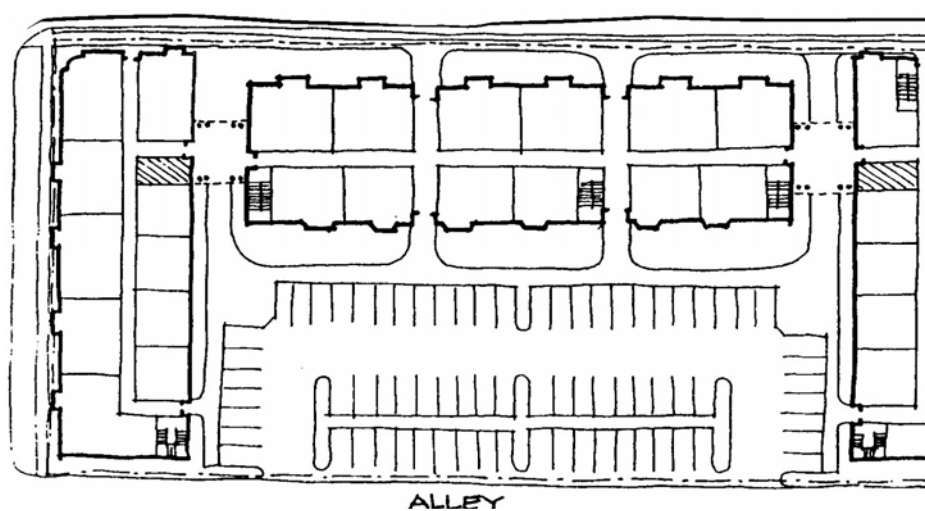
Lots with more than one street frontage and not a corner lot shall use the primary street for the calculation of the public realm area. For situations where a primary street cannot be determined, the planning director or designee may choose the street that functions as the primary street. The secondary street shall be used for the location of the rear yard and accessory structure area.

EG. Multi-family development.

1. ~~Noninfill Context: Multi-family developments that do not maintain the four areas of the traditional neighborhood site design pattern may use alternative site designs that meet the following: Multi-family developments are not required to maintain the four areas of the traditional neighborhood site design pattern and are instead subject to the following:~~
 - a. ~~Front setback/build to lines~~ Setbacks shall meet requirements in Table 5.2.2;
 - b. ~~Parking shall be to the side or rear of the principal structure and is in the rear of the lot, takes access from the alley if there is an alley. If there is no alley present, access may be provided from the street, provided that parking is to the side or rear of the structure and is screened from the street by a building or street wall; and~~
 - c. The site plan complies with the Open Space standards of Section 5.11.9; and
 - d. Accessory structures shall comply with numbers 5, 6, and 7 of Paragraph D above.

2. INFILL CONTEXT

- a. ~~Multi-family residential development shall be subject to the four areas of traditional neighborhood residential development with the following exceptions:~~
 - i. ~~The accessory structure size limitation shall not apply.~~
 - ii. ~~The accessory structure area depth maximum shall not apply.~~
23. Parking areas or detached garages for all multi-family buildings may not be located between the front façade of the building and the primary street. Attached and detached garages for multi-family buildings shall be located to the side or rear of the principal building, and the garage doors shall not be on the front façade. Garages may also be located under the multi-family structure; garage doors on the front façade are permissible if the top of the door is at or below the mean elevation of the established grade of abutting public right-of-way.



GH. Traditional Neighborhood Design Alternative

The Planning Commission may approve an alternative site design pattern for developments creating three or more ~~attached contiguous residential units structures~~. Sites developed under this Traditional Neighborhood Design Alternative shall be approved by the Planning Commission or their designee, and shall not be subject to the standards established in Paragraphs A through EF of this Section, if the Commission finds that the alternative design is consistent with the scale and pattern of development within the Traditional Neighborhood Form District. ~~The applicant shall submit a detailed site plan and written justification for any divergence from the standards otherwise applicable in the traditional form districts. The site plan shall indicate the location of all proposed structures or buildable areas, yards and open spaces, as well as parking areas and driveways. The justification shall demonstrate how the proposed plan is compatible with adjacent development, and fulfills applicable provisions of Comprehensive Plan.~~

5.4.2 Suburban Form Districts

A. General Standards

- ~~4. Where permitted by applicable form district and zoning district standards, multi-family residential structures in excess of 2 stories shall be permitted provided that the three-story or taller portion of any building shall be setback a minimum of 50 feet from abutting detached single family residential developments.~~

B. ~~Non-Infill Context~~New Major Subdivisions & Roadway Classification

1. ~~New single-family~~ major subdivisions having frontage on roadways classified as collectors or arterials shall meet one of the following standards:
 - a. A frontage road or alley shall be provided to serve lots adjacent to the collector or arterial, and houses shall be designed to face the collector or arterial. Privacy fences are not permitted between the front façade and the right-of-way of the collector or arterial; or
 - b. A 20 foot landscape buffer area, in addition to the front yard or street side requirement in Table 5.3.1, shall be provided for building lots adjoining the right-of-way. The landscape buffer area shall include a berm, hedge, fence or wall adequate to form an effective visual screen at least six feet in height. At least 50% of the surface area of wooden privacy

fences shall be screened from the roadway by evergreen vegetation. The landscape buffer area shall be maintained by a community or property owners association rather than individual lot owners. A landscape plan for the buffer area shall be submitted for review and approval by ~~DPDS~~ Planning staff.

Chapter 5 Part 5 Non-Residential/Mixed Use Design Standards

Chapter 5, Part 5: Non-Residential/Mixed Use Design Standards are applicable to non-residential and mixed use development in all form districts. These standards are also applicable to residential developments containing more than four (4) units in the Traditional Marketplace Corridor, Suburban Marketplace Corridor, Town Center, and Regional Center Form Districts.

5.5.1 Traditional & Urban Core/Center Form District Design Standards

A. General Site Design Standards (~~Downtown Form District excluded~~) Town Center, Traditional Marketplace Corridor, Traditional Neighborhood, Traditional Workplace, and Village "Center" Form Districts

3. Parking Location:

- a. Parking Location and Design. Parking lots shall not be permitted in front of buildings and shall be located and designed to reduce or eliminate visual or operational impacts to surrounding properties. Parking lots at or within the maximum setback shall not be closer to the right-of-way line than the principal structure(s). Side parking that exceeds 40 percent of the total linear lot frontage adjacent to right-of-way shall provide a minimum 3 foot masonry, stone or concrete wall, or a minimum 3 foot decorative metal, aluminum, or wrought-iron fence ~~that makes reference to a similar design within the surrounding area extending from the principal structure~~ across the front of the parking area. Surface parking lots with no principal structure(s) shall provide the 3 foot wall or fence as described above. EXCEPTION: Industrial uses are exempt from the 3 foot wall or fence requirement as described above.
- b. Parking Lot Design. Where an alley exists, vehicular and parking access to the site shall include alley access.
- c. Parking decks. Surface or structure parking shall not be located between the public right-of-way and building facades. Parking decks that are visible from a public street shall be consistent with the design and materials of the principal structure.
- d. Connections between Parking Lots – Vehicular and pedestrian connections between parking lots of abutting non-residential and mixed-use developments are required in order to reduce traffic on main thoroughfares and to allow customers to visit multiple establishments without moving their vehicles. (Note: Not required for TWFD, or Traditional-Mixed Use Building when abutting a residential use or zone)

B. General Site Design Standards – Downtown Form District

C. General Site Design Standards – Urban Center Neighborhood Form District

1. Building Location and Orientation

- a. Principal building entrances shall face the primary street serving the development or shall be oriented toward a focal point such as a landscaped public square, plaza or similar formal public open space.
- b. Principal buildings shall be parallel to the primary street. If the prevalent orientation of buildings on the block (more than 50%) is at an angle to the street, the new building's orientation shall be the same as other buildings. The walls of buildings on corners should be parallel to the streets.
- c. All buildings that are located along the primary street serving the development shall have doors or windows facing the primary street. Retail and office uses within buildings facing two or more streets shall have at least one customer entrance facing the primary street and one customer entrance facing the second street or instead of two entrances, a corner entrance.

3. Surface Parking

- a. A new surface parking area on a lot with no building serving as a principal structure is prohibited.
- b. A surface parking area shall not be located in front of a building that serves as a principal structure. To the greatest extent possible, surface parking shall be located completely behind a building(s), with parked vehicles not visible from the primary frontage.
- c. A surface parking area at or within the maximum setback shall not be closer to the right-of-way line than the building serving as the principal structure. Side parking that exceeds 40 percent of the total linear lot frontage adjacent to right-of-way shall provide a minimum 3-foot masonry, stone or concrete wall extending from the principal structure across the front of the parking area.
- d. Where an alley exists, vehicle access to the surface parking area shall be to and from the alley. When alley access is not possible, the Director of Works shall determine access.
- e. Landscape screening and tree canopy requirements for surface parking areas shall conform to Chapter 10 of these regulations with the exception that tree canopy requirements shall be provided for any new surface parking area or any existing surface parking area when 25% or more of the lot is resurfaced.

5.5.2 Suburban Form District Design Standards

A. Building Location and Orientation

- 1. Principal buildings and building entrances on a site shall have entrances and glazing, display windows or windows affording views into the buildingbusiness which face the abutting public street serving the development. In the alternative, principal buildings and entrances shall be

oriented toward a focal point. Structures located at a street corner may have a single entrance, located at the corner of the building. Buildings with frontage on two streets shall have consistent building design and materials on each façade. Internally oriented structures closest to the public street(s) serving the development shall also have doors or windows facing the street.

B. Parking and Loading Design and Location

1. Parking Lot Configuration

- a. Connections between Parking Lots – Vehicular and pedestrian connections between parking lots of abutting non-residential and mixed-use developments are required in order to reduce traffic on main thoroughfares and to allow customers to visit multiple establishments without moving their vehicles. Exception: Individual development sites that have frontage along an arterial or collector level roadway and also have access from a local road or similar roadway providing access to adjacent sites within the development shall not be required to provide the above vehicular and pedestrian connections, so long as there is a pedestrian connection to all abutting parcels via a sidewalk. (Note: Not required for SWFD and CFD)

5.5.3 ~~Mixed Use Development (not applicable within DFD and NFD)~~

- ~~A. Up to 25 percent of any non-residential development site may be allocated to residential development without any corresponding decrease in the maximum allowable square footage or intensity of non-residential uses allowed by the underlying zoning district. Calculation of permissible residential density shall be based on the net site area, regardless of the amount of non-residential floor area constructed on the site. Upper story office and residential uses shall be excluded from the calculation of a site's permissible floor area in the following circumstances.~~
- ~~1. Up to three stories (not to exceed maximum height within form district) of residential use, when located above first floor office or commercial use.~~
 - ~~2. Up to two stories (not to exceed maximum height of form district) of office use, when located above office or commercial use.~~

5.5.34 Form District Specific Compatibility Standards

A. Town Center Form District Specific Compatibility Standards

E. Urban Center Neighborhood Form District Specific Compatibility Standards

1. Fences or walls (minimum 80% opacity) may be substituted for the required property perimeter buffer yard to promote a more compact pattern of development. Tree planting as specified in Chapter 10, Part 2 is still required for sites using fences or walls in lieu of a perimeter buffer yard. Such fences or walls shall be six feet in height and constructed of durable materials compatible with the visual character of the surrounding area. The Planning Director shall determine acceptable wall and fence materials.

5.5.45 Accessory Structure Standards

- A. Standards for Accessory Structures (other than accessory structures to ~~single-family~~ residential development)

1. Unless expressly permitted, accessory structures (e.g. dumpsters, storage buildings, HVAC equipment, fast food ordering stations/menu boards and similar uses) shall not be constructed or permitted within any required setback/yard. These structures shall be subordinate in size to the principal structure, shall not be visible from the public street, and shall be screened from adjacent residential areas by fencing or walls. When accessory structures are adjacent to residential uses, the accessory structure shall not exceed the scale of the adjacent residential structure(s). Open unenclosed seating, decks or other similar types of areas are permitted to encroach within the required front setback/yard, provided that minimum landscape buffer areas are provided per Chapter 10 Part 2. Outdoor dining areas are permitted to encroach within any required setback/yard, provided that the minimum landscape buffer areas are provided per Chapter 10, Part 2.
2. Setback from Alley or Rear Property Line – The setback shall be the same as for the required landscape buffer area ~~or transition setback/yard if applicable, whichever is greater.~~

B. Form District Specific Requirements

1. Downtown and Urban Center Neighborhood Form Districts – Accessory structures/screens shall be designed and constructed of the same materials as the primary structure. In the Downtown Form District, accessory ~~Accessory~~ structures, excluding those related to outdoor dining, shall only be permitted at the rear of a principal structure. In the Urban Center Neighborhood Form District, accessory structures, excluding those related to outdoor dining and required screening, only be permitted at the rear or behind the front or streetside façade of a principal structure.

5.5.56 Building Height Incentive

Those developments that meet two of the design criteria listed under Building Design Criteria within Appendix 5A of the LDC are permitted an increase in maximum height of structure of one-story. This additional story shall be excluded from the Floor Area Ratio calculation of the applicable zoning district.

Chapter 5 Part 6 Building Design Standards

5.6.1 Non-Residential and Mixed Use Building Design Standards

- A. Building Façade Treatment for buildings within the Traditional Form Districts ~~(excludes DFD)~~ This section does not apply to the Downtown and Urban Center Neighborhood Form Districts)

5.6.2 Downtown and Urban Center Neighborhood Form District Building Design Standards

Building design standards have been established within the Downtown and Urban Center Neighborhood Form Districts to allow for architectural diversity while encouraging design of buildings that relate to and reinforce the overall character of their immediate surroundings and to create a strong building-to-pedestrian relationship through the use of building details that establish a human scale. Building design standards shall be applied as follows:

- A. Spacing/Rhythm

The primary facade of a new building shall be designed to reflect the rhythm characterized by the surrounding buildings on the same block face.

1. Vertical rhythm – Building facades shall use columns, piers, and window design/placement or similar architectural features spaced no less than every 20 feet and no greater than 40 feet to create vertical breaks at regular intervals.
2. Horizontal rhythm – A clear visual division between the ground floor and upper level floors shall be established using cornice lines, windows or similar architectural elements. The horizontal line established through the use of such architectural elements shall vary in elevation by no more than 36" from one building to the next.

C. Historic Structures

1. Development occurring within a designated Local Preservation District or on an Individual Landmark property shall conform to the Louisville Metro Historic Landmarks and Preservation Districts Commission's procedures and Design Guidelines.
2. Outside designated Local Preservation Districts, renovation/restoration of the primary facades of Historic Structures, ~~as identified by the Downtown Development Plan~~ or as listed on the National Register of Historic Places, shall conform to the current edition of the Secretary of the Interior's Standards for Rehabilitation. Demolition of Historic Structures, ~~as identified by the Downtown Development Plan~~ or as listed on the National Register of Historic Places, shall not be permitted for the creation of surface parking lots or open space.

D. Awnings/Canopies

1. Awnings, when used, shall be installed so that the valance is at least 7'-6" above the sidewalk.
2. The width of a single awning shall extend the full width of the window and shall not exceed 40 feet
3. Canopies shall be at least 18" from the face of curb. Awnings shall not extend into the Streetscape Zone.

E. Lighting – To help create a greater sense of activity, security and interest for the pedestrian, lighting shall be integrated into the exterior design of all structures.

1. Lighting shall be designed in accordance with Chapter 4 Part 1, Lighting Standards.
2. Lighting shall be directed to illuminate the building façade, entries, and storefront windows.

F. Roofs – All mechanical or utility equipment shall be screened or fully integrated into the overall design through the use of like or complementary materials, color, and scale.

G. Parking Structures

1. Parking structures shall adhere to all building location and design standards set forth in Sections ~~5.2.9 and 5.2.11 of these regulations~~ 5.2.1, 5.2.7, and 5.5.1 of this Land Development Code.
2. Ramped floors shall not be visible from the street.
3. At least 50 percent of the first floor street facade must be developed for Retail or Office uses. Areas designed to accommodate these uses may be developed at the time of construction, or may be designed for later conversion to such uses.
4. Garage entries and exits for both pedestrians and vehicles shall be clearly marked by materials, lighting, signage, etc., to ensure pedestrian safety.
5. Attached parking garages and structures that are visible from a public street shall be consistent with the design and materials of the principal structure.

~~Chapter 5 Part 7 Transition Standards~~

~~5.7.1 Transition Standards~~

~~A. General Requirements Form District Transition Zones~~

~~Transition zones have been established to ensure compatibility of adjacent form districts of differing intensities. A transition zone is an area located at the edge of a form district where transitional design standards would be applied to building height, setback, buffer yard and other requirements.~~

~~Transitional design standards shall be applied within the more intensive form district (Group B). Table 5.7.1 lists the depth of the transition zone, measured from the form district boundary.~~

**~~Table 5.7.1
Form District Transition Zone Standards~~**

Group B Form Districts	Group A Form Districts		
	Village (VFD)	Neighborhood (NFD)	Traditional Neighborhood (TNFD)
Downtown (DFD)	400 ft.	200 ft.	100 ft.
Suburban Workplace (SWFD)	200 ft.	200 ft.	200 ft.
Traditional Workplace (TWFD)	400 ft.	200 ft.	100 ft.
Suburban Marketplace Corridor (SMCFD)	200 ft.	200 ft.	200 ft.
Traditional Marketplace Corridor (TMCFD)	400ft.	200 ft.	100 ft.
Regional Center (RCFD)	400 ft.	200 ft.	200 ft.
Town Center (TCFD)	400 ft.	200 ft.	200 ft.
Campus (CFD)	200 ft.	200 ft.	200 ft.

~~If a roadway corridor separates form districts, the transition zones are reduced as follows (refer to~~

Core Graphic 11 (Roadway Classifications) for classification of roadways):

Expressways	no transition required
Arterials	50% reduction
Collectors or locals	no reduction

~~B. Generally Applicable Transitional Design Standards~~

~~Transitional design standards shall be applied within any transition zone. Standards shall also be applied to any remaining portion of a site when 50% or more of the site falls within the transition zone.~~

- ~~1. Building Height — The maximum building height within a transition zone shall not exceed 45 feet. Exception: In the transition zone between the DFD and the TNFD, there shall be no decrease in permissible building heights.~~
- ~~2. Setback — The front and street side setback within a Transition Zone shall equal the setback of adjacent properties (based on the appropriate setback table listed within the applicable form district) that are within the Group A form district when sites in different form districts share a common street frontage (common street frontage refers to properties on the same side of the street). Where sites in different form districts share a common rear property line or are separated by an alley, the rear yard setback of the adjacent property within the Group A form district shall apply. If the non-transition zone setback requirements found in a separate section of this Land Development Code are more restrictive than the transition zone setback requirements as specified by this section, then the more restrictive requirements shall apply.~~

~~NOTE: Corner Lot Group 'B' properties within traditional form districts are exempt from the carry over of street side and front setbacks of adjacent Group 'A' properties.~~

- ~~3. Non-Residential Use — Within the transition zone, one of the following standards shall apply when a non-residential use in a Group B form district adjoins a residential use in a Group A form district:~~

~~NOTE: "Setbacks of the adjacent properties" means the required minimum setbacks of the adjacent group 'A' property's zoning and form district.~~

- ~~a. The property perimeter buffer yard required in Chapter 10 shall be a type C yard or the type specified in Table 10.2.3, whichever is larger. The buffer yard shall meet or exceed the type 3 planting density requirements. Exception: The continuous screen requirement shall not exceed three (3) feet in height when the required buffer is adjacent to a street or alley.~~

~~NOTE: Type "C" buffer yards vary between 15' and 35' depending on the land uses. Type "3" planting density consists of 3 trees/100' and a 6' screen~~

~~b. Building facades on the side of the Group B property adjoining residential use shall meet the standards for primary facades established in the Group B form district regulation.~~

~~4. Lighting — Refer to Section 4.1.3 for restrictions applicable to outdoor lighting relating to the Neighborhood, Traditional Neighborhood and Village form districts.~~

~~5. Signs — Reserved~~

~~C. Downtown Form District Specific Standards~~

~~1. Development within the DFD located north of Washington Street shall conform to building height standards set forth in the Waterfront Special District.~~

~~2. When transitional design standards require a setback from the street wall, street trees spaced at a minimum of 40 feet on center shall be provided.~~

Chapter 5 Part 7~~8~~ Street and Roadside Design Standards

5.7~~8~~.1 Streets and Sidewalk Standards

C. Form District Specific Requirements

1. Downtown Form District Sidewalks

~~Sidewalks — Sidewalks shall be provided as part of all developments, as follows:~~

~~Sidewalks shall be constructed from the back of curb to the existing or newly created street wall.~~

- ~~a. All developments shall provide sidewalks constructed from the back of curb to the existing or newly created street wall. New sidewalks shall be extended to the adjacent lot lines. In the case of a corner lot, sidewalks shall be extended to the adjacent lot along each block face.~~
- ~~b. Sidewalks shall be at least 84" wide ten feet measured from the face of curb to the building façade, shall include a pedestrian zone and a streetscape zone, and may include a storefront zone.~~

- ~~iii. Storefront Zone – That portion of the sidewalk located between the pedestrian zone and the building facade in which the following elements are permitted, following authorization by the Public Works Department:~~

- ~~• Seating (with/without tables)~~
- ~~• Bollards~~
- ~~• Recessed lighting for the building façade~~
- ~~• Bike racks~~
- ~~• Valet or hostess station/canopies~~
- ~~• Temporary sale/display of merchandise~~
- ~~• Moveable sandwich boards~~
- ~~• Postal/freight collection boxes~~
- ~~• Planters~~

~~Overhead pedestrian walkways or pedways detract from a healthy active street environment and are strongly discouraged.~~

[Image]

- c. Sidewalks may be reduced to a minimum width of ~~5~~ six feet when not immediately adjacent to a building (e.g., River Road) or 6 feet when adjacent to an alley and not providing primary access to a building.
- d. Special sidewalk pavement treatments shall only be permitted when part of a streetscape plan for the full block face or, where interrupted by an alley, from street corner to the alley as approved by the Director of Works.
- e. ~~Pedestrian walkways~~ Overhead walkways or pedways that cross a public street or alley are only permitted following review and approval by the Planning Commission. All overhead walkways or pedways must provide public access at grade. ~~No overhead walkway or pedway shall be permitted over public streets with a right-of-way greater than or equal to 50 feet within a designated Preservation District.~~
- f. If the width of the pedestrian zone of a sidewalk is less than five feet wide for more than a short distance, passing spaces must be provided at intervals of no less than 200 feet apart and must provide an area of at least five feet by five feet to allow two wheelchairs to pass each other.

2. ~~D. Sidewalks in~~ Traditional Marketplace Corridor Form District Sidewalks

1. ~~Sidewalks~~

- a. All developments shall provide sidewalks constructed from the back of curb to the existing line of the right-of-way abutting the development site. New sidewalks shall be extended to the adjacent lot lines. In the case of a corner lot, sidewalks shall be extended to the adjacent lot along each block face.
- b. The width of the sidewalk shall be consistent with the prevailing pattern within the corridor. If there is not a prevailing pattern, the minimum sidewalk width shall be six feet and minimum of twelve feet is required in areas where there will be café seating or merchandise display.
- c. Sidewalks shall include a pedestrian zone and a streetscape zone, and may include a storefront zone as described in C.1.b, i, ii, iii above.

3. Urban Center Neighborhood Form District Sidewalks

- a. Along streets classified as minor or major arterials, all developments shall provide sidewalks constructed from the back of curb to the existing or newly created street wall.
- b. Along streets not classified as arterials, all developments shall provide sidewalks constructed from the back of curb to the existing line of the right-of-way abutting the development site.
- c. New sidewalks shall be extended to the adjacent lot lines. In the case of a corner lot, sidewalks shall be extended to the adjacent lot along each block face.
- d. Along streets classified as minor or major arterials, the width of the sidewalk shall be consistent with the prevailing pattern for the street. If there is not a prevailing pattern, the

minimum sidewalk width shall be eight feet and minimum of twelve feet is required in areas where there will be café seating or merchandise display.

- e. Along streets not classified as arterials, the width of the sidewalk shall be consistent with the prevailing pattern within the corridor. If there is not a prevailing pattern, the minimum sidewalk width shall be six feet and minimum of twelve feet is required in areas where there will be café seating or merchandise display.
- f. Sidewalks may be reduced to a minimum width of five feet when not immediately adjacent to a building or six feet when adjacent to an alley and not providing primary access to a building.
- g. Special sidewalk pavement treatments shall only be permitted when part of a streetscape plan for the full block face or, where interrupted by an alley, from street corner to the alley as approved by the Director of Works.
- h. Overhead walkways or pedways that cross a public street or alley are only permitted following review and approval by the Planning Commission. All overhead walkways or pedways must provide public access at grade.

5.78.2 Greenway/Trail System

5.78.3 Streetscape

A. Suburban Form Districts

B. Traditional Form Districts (~~excluding Downtown Form District~~)

C. Downtown and Urban Center Neighborhood Form Districts

- 1. Streetscape standards have been established to create an attractive and animated sidewalk environment and to permit safe and efficient pedestrian movement. Planning and installation of improvements shall be coordinated to ensure a well-designed and unified streetscape treatment ~~within the Downtown Form District~~. Streetscape elements provided as part of the development shall conform to those specified in the master plan along those corridors for which a plan has been adopted. All other streetscape elements shall conform to the following standards:
 - a. Street Trees
 - i. Street trees shall be selected and placed with the approval of Planning and Design Services with consultation from the Director of Public Works or designee. If the sidewalk

width, utility locations or similar conditions make it impractical to install street trees, the Director of Works or designee may waive the requirement for street tree planting or unobstructed sidewalk width.

- ii. Street trees shall be planted in accordance with Chapter 10 Part 4 (Tree Canopy and Landscaping – Implementation Standards) of the Land Development Code. Where required, tree grates or raised planters shall be provided with a minimum area of 4' x 4' per tree and a minimum soil volume below the paved surface of 3.5 cubic yards per tree.

b. Planting Zones

If an established verge exists in the street right-of-way fronting adjacent lots, the verge shall be continued along the frontage of the proposed development. Planting strips that interfere with existing underground utilities, vaults or other existing structures shall require approval from the Director of Works.

- c. Street Furnishings – The design of street furnishings including benches, news racks, postal/shipping drop-off boxes, telephone booths, and trash receptacles, etc., shall conform to Works Department standards.
 - i. Street furnishings are not permitted at any location where the sidewalk is less than 84" wide and the pedestrian zone is less than 48" wide.
 - ii. Street furnishings shall be located at least 12" from the face of curb.
 - iii. Media Items– Media items shall include postal/shipping drop-off boxes, information kiosks, and telephone booths. Media items cannot be chained or affixed to public fixtures, except those specifically designed and designated to accommodate them.
- d. Lighting – Street lighting for public streets shall conform to Works Department standards.
- e. Underground Utilities – Underground utilities shall be provided for all development proposed within the Downtown Form or shall be designed in a manner approved by the Director of Works.

Grid Street Pattern: a street system that creates similar size blocks and four way intersections. Grid street pattern is common in older neighborhoods and traditional development forms. A standard grid pattern is characterized by straight streets, 90 degree intersections and rectangular blocks. In a modified grid, a connected system of curvilinear streets may replace the more formal grid pattern, to insure compatibility with adjacent development and to address physical features of the site.

5.78.4 Street Design

- e. Preferred Street Designs

The following alternative street designs are preferred to cul-de-sacs and shall be permitted where appropriate to supplement the more formal grid pattern according to the following standards

~~iii. Pedestrian Court. See B.1.b iii. Below~~

b. Alternative Street Designs

The following alternative street designs are preferred to cul-de-sacs and shall be permitted in all residential developments according to the following standards:

- i. Eyebrow – a semicircular shaped road with a central island extended from the local road that provides a through connection to the local road.

Each eyebrow shall be surrounded by streets on all sides, shall be generally configured as a semi-circle, and shall be configured so that a circle with a radius of 30 feet can fit within the confines of the eyebrow. The central space within the eyebrow shall be a landscaped open space.

- ii. Loop Lane – a continuous road (minimum pavement width of 18 feet and 30 feet of right-of-way) with two access points from an adjacent road, separated by a central open space/planting island.

Loop lanes shall have a minimum 50 foot outside edge of pavement and a minimum 30 foot wide central planting island. The island shall be a landscaped open space.

- ~~iii. Pedestrian Court – houses face a central open space with walkways; vehicular access to building sites is provided by alleys or service drives only. Pedestrian courts shall not exceed 200 feet in length, measured from the nearest intersecting street, alley or service drive open to vehicular traffic.~~

All residential structures on a pedestrian court shall face a landscaped common open space at least 20 feet wide, in addition to the front yard required in Table 5.3.1. The yard abutting the pedestrian court shall be considered the front yard. Street trees shall be planted in accordance with Section 10.2.8.

- iv. Alternate street designs not included above may be appropriate if a) consistent with the pattern of development in adjacent neighborhood, b) due to unique physical or environmental features, or c) due to innovative housing designs.

Chapter 5 Part ~~89~~ Transit and Connection Standards

5.~~89~~.1 Transit Standards

5.~~89~~.2 Connections

A. Generally Applicable Standards

1. Direct pedestrian or vehicular connections are required as follows:

b. Non-Residential Developments

- i. A Clearly defined, safe pedestrian access shall be provided from adjacent public rights-of-way (public sidewalk) through off-street parking area to non-residential building entrances. If a transit stop exists or is proposed adjacent to the site; the safe pedestrian access shall connect to the public sidewalk within 50 feet of the transit stop.
- ii. Abutting non-residential uses shall provide for vehicular and pedestrian circulation between their sites, through parking lot, internal access drive, or alley connections, hard surface walkways, and similar measures.
- iii. Non-residential uses adjacent to vacant residentially zoned sites shall provide an access easement for pedestrian access, unless the Planning Director determines such extension is infeasible due to physical or environmental constraints. This requirement is not subject to the LDC waiver provision listed in Chapter 11, Part 8.
- iv. Curb cuts –The number and width of curb cuts shall be limited in conformance with the access management principles contained in Chapter 6 Part 1. Sites with multiple buildings shall have unified/joint access.
- v. Pedestrian walkways traversing a parking lot with more than 100 spaces shall meet the following standards:

NOTE: Alternative paving materials should be smooth surfaces to avoid problems for pedestrians.
--

- Walkways adjacent to parking spaces shall be at least 4 feet wide and shall be separated from vehicles by a change in grade (4 inch minimum), curbing, bollards, wheel stops or landscaping. Walkways connecting handicapped parking spaces with building entrances shall be at least 5 feet wide.
 - Walkways crossing parking lot drive aisles shall be delineated by striping, contrasting pavement materials, elevated pavement, or a combination of these measures. Walkways shall not be delineated to pass behind a row of parking spaces.
 - Alternative paving materials should be smooth surfaces to avoid problems for pedestrians.
- vi. Truck Access – Site access shall be designed so that truck and service vehicle traffic generated by a development shall gain access to the site from the primary corridor rather than through adjacent residential areas.

C. Additional standards for Traditional Form Districts (~~excluding Downtown Form District~~)

1. Sites with drive-throughs as permitted within Chapter 5 Part 5 may have a second curb cut to prevent traffic circulation and parking in front of the building.
2. Street Hierarchy and Circulation Plan. The applicant shall consult with the Director of Works and TARC to establish an internal street hierarchy and circulation plan that addresses truck access to loading facilities, demonstrates adequate design for truck maneuvering, and includes circulation for pedestrians, bicycles and where appropriate, mass transit.

3. Rail Access. Rail access and spur lines shall be related to topography and the existing street pattern. They shall be fenced and buffered from adjacent residential property.
4. There shall be no traffic circulation or parking in front of principal buildings. Sites with multiple buildings shall have unified/joint access.

D. Additional Standards for the Downtown and Urban Center Neighborhood Form Districts

1. Truck Access – Truck access and/or service delivery shall be limited to: • On-street delivery/pick-up; • Alley access; and/or • Delivery contained within the structure(s).

Chapter 5 Part ~~940~~ Traffic Impacts

5.~~940~~.1 Traffic Impacts

- A. The applicant shall undertake an assessment of the potential air quality and traffic impact of development projects if the projects entail new construction or land use changes which meet the thresholds established in the current version of the “Guidelines for Traffic Impact Studies and Air Quality Analysis in Jefferson County, Kentucky” or successor document as approved by the Planning Commission (see Appendix 6E). The study shall be prepared in conformance with the standards contained in Chapter 6 Part 5. The assessment shall identify potential adverse impacts and recommend mitigation measures to avoid or eliminate such impacts. The applicant and subsequent developer(s) shall implement said measures, as required by the approved final study.

Chapter 5 Part 1044 Form District Open Space Standards

5.1044.1 Relationship to the Comprehensive Plan

5.1044.2 Types of Open Space

5.1044.3 Amount of Open Space Credit

5.1044.4 Open Space Standards

Because of the variety in the types and functions of open space demonstrated in Section 5.11.2, specific requirements are needed that permit the location, design and use of open space to be consistent with its intended purpose. As such the following standards have been developed for specific open space types and uses. Any area designated as open space shall be categorized and labeled on the face of the applicable plan (e.g. preliminary subdivision, development plan, final site plan, or landscape plan) according to the type of open space and the standards for that type of open space shall be applicable.

4. All open space areas other than those provided for developments in the Downtown and Urban Center Neighborhood Form Districts shall have a minimum dimension of 30 feet and contain at least 6,000 square feet of contiguous area. A minimum dimension of no less than 15 feet may be permitted for pedestrian facilities that connect other open space areas within a site. When a site's open space requirement is less than 6,000 square feet the minimum area may be reduced to equal that requirement.

5.1044.5 Transfer of Open Space Provisions

5.1044.6 Downtown and Urban Center Neighborhood Form District Open Space Standards

5.1044.7 Village Form District – Village Outlying Areas Open Space Standards

5.1044.8 Campus Form District Open Space Standards

5.1044.9 Multi-Family Residential & Mixed-Use Open Space Standards

- A. Open Space Standards – Developments with ef 10 or more dwelling units shall provide open space

based on size of the development site. Common open space shall meet requirements of Section 5.11.4. Private open space (such as balconies and patios) may satisfy 50% of the total open space requirement.

Table 5.4.1	
Density (d.u./ac.)	Open Space Required (% of net lot area)
<5 d.u./ac	0
5 to 17 d.u./ac.	15
17 to 35 d.u./ac.	10
>35 d.u./ac.	5

3. Open Space Exception - Development sites that are located in ~~traditional form districts~~ Traditional and Urban Core/Center Form Districts and are within 1,000 feet of a public park shall not be required to provide common open space. The open space requirement for development sites in suburban form districts and within 1,000 feet of a public park shall be reduced by 50%. Distance shall be measured using the shortest walking distance (using sidewalks and designated crosswalks) from the nearest points of the multi-family development site and the park.

Chapter 5 Part ~~1142~~ Special Design Requirement

5.~~1142~~.1 Special Design Requirement

5.~~1142~~.2 Outdoor Amenities/Focal Point(s)

A. Developments in all form districts shall meet the following standard.

1. ~~Retail, Office, and Mixed Use~~ Commercial and Office developments that involve construction of a building or buildings with a total footprint greater than 60,000 square feet shall set aside an area equivalent to a minimum of 10% of the total building footprint for outdoor amenities. Outdoor amenities may be used as a way of fulfilling the focal point requirement for activity centers described within the Comprehensive Plan. The applicant shall provide outdoor amenities that include any one or a combination of the following (Note: Final design of outdoor amenities shall require approval from the Planning Director ~~Commission~~ or designee):

Chapter 6 Mobility Standards

Chapter 6 Part 2 Streets and Rights-of-Way

6.2.1 Applicability and General Standards

- A. All new streets located in or adjoining any subdivision of land hereafter proposed shall conform to the standards of design established in this Part. In any subdivision of land hereafter proposed, the

2 Bicycle facilities will be required along selected streets based on the adopted Bicycle and Pedestrian Plan.

3 Verge width will be determined by the Director of Works, depending on right-of-way width and site specific

Table 6.2.2

Form District Standards	The following standards are specific to the form district in which a roadway is located					
	Major Arterial	Minor Arterial	Collector	Local	Cul-de-sac	Alley
Neighborhood	Sidewalk: 5 feet; Verge: 15 feet	Sidewalk: 5 feet; Verge: 15 feet	Sidewalk: 5 feet; Verge: 10 feet	If <20 lots, cul-de-sac standards ⁴ ; Sidewalk: 4 feet	Sidewalk (4 feet) if more than 20 dwellings	15 feet pavement w. 5 feet utility easements
Traditional Neighborhood	Sidewalk: 5 feet; Verge: 5 feet	Sidewalk: 5 feet; Verge: 5 feet	Sidewalk: 5 feet; Verge: 5 feet	Sidewalk: 5 feet; Verge: 5 feet	Sidewalk: 5 feet	15 feet pavement w. 5 feet utility easements
Village	Sidewalk: 6 feet in Center; Verge: 4 feet	Sidewalk: 6 feet in Center; Verge: 4 feet	Sidewalk: 6 feet in Center; Verge: 4 feet	Sidewalk: 6 feet in Center; 4 feet in Outlying Areas Verge: 6 feet	Sidewalk (5 feet) if more than 20 dwellings	15 feet pavement w. 5 feet utility easements
Town Center	Sidewalk: 5 feet; Verge: 5 feet	Sidewalk: 5 feet; Verge: 5 feet	Sidewalk: 5 feet; Verge: 5 feet	Sidewalk: 5 feet; Verge: 5 feet	Sidewalk: 5 feet; Verge: 5 feet	Same as above <u>15 feet pavement w. 5 feet utility easements</u>
Traditional Marketplace <u>Corridor</u>	Sidewalk: 6 feet; Verge: 5 feet	Sidewalk: 6 feet; Verge: 5 feet	Sidewalk: 6 feet; Verge: 5 feet	Sidewalk: 6 feet; Verge: 5 feet	Sidewalk: 6 feet; Verge: 5 feet	Same as above <u>15 feet pavement w. 5 feet utility easements</u>
Suburban Marketplace <u>Corridor</u>	Sidewalk: 5 feet; Verge:	Sidewalk: 5 feet; Verge:	Sidewalk: 5 feet; Verge:	Sidewalk: 5 feet; Verge:	Sidewalk: 5 feet; Verge:	Same as above <u>15 feet</u>

	6 feet	6 feet	6 feet	4 feet	4 feet	<u>pavement w. 5 feet utility easements</u>
Traditional Workplace	Sidewalk: 5 feet; Verge: 5 feet	Sidewalk: 5 feet; Verge: 5 feet	Sidewalk: 5 feet; Verge: 5 feet	Sidewalk: 5 feet; Verge: 5 feet	Sidewalk 5 feet; Sidewalk required unless < 5 lots	Same as above <u>15 feet pavement w. 5 feet utility easements</u>
Suburban Workplace	Sidewalk: 5 feet; Verge: 15 feet	Sidewalk: 5 feet; Verge: 15 feet	Sidewalk: 5 feet; Verge: 10 feet	Sidewalk: 5 feet; Verge: 6 feet	Sidewalk required unless < 5 lots	Same as above <u>15 feet pavement w. 5 feet utility easements</u>
Regional Center	Sidewalk: 5 feet; Verge: 10 feet	Sidewalk: 5 feet; Verge: 10 feet	Sidewalk: 5 feet; Verge: 10 feet	Sidewalk: 5 feet; Verge: 6 feet	Sidewalk: 5 feet; Verge: 6 feet	Same as above <u>15 feet pavement w. 5 feet utility easements</u>
Campus	Sidewalk: 5 feet; Verge: 10 feet	Sidewalk: 5 feet; Verge: 10 feet	Sidewalk: 5 feet; Verge: 10 feet	Sidewalk: 5 feet; Verge: 6 feet	Sidewalk required unless < 5 lots	Same as above <u>15 feet pavement w. 5 feet utility easements</u>
<u>Urban Center Neighborhood</u>	<u>Sidewalk: 8 feet</u>	<u>Sidewalk: 8 feet</u>	<u>Sidewalk: 8 feet</u>	<u>Sidewalk: 8 feet</u>		<u>Same as above</u>
Downtown*	Sidewalk: <u>7 10 feet</u>	Sidewalk: <u>7 10 feet</u>	Sidewalk: <u>7 10 feet</u>	Sidewalk: <u>7 10 feet</u>		Same as above
4 Local level through streets that have no more than 20 single family lots when fully developed may be built to cul-de-sac right-of-way and pavement width standards, with a finding from the Director of Works that through traffic is adequately accommodated.						
* 5 ft. sidewalk width is acceptable in some situations						

Chapter 7 Subdivision Regulations

7.1.85 Subdivisions in Traditional Form Districts

Where the Planning Commission finds that subdivision or resubdivision of a legally created lot in the Traditional Neighborhood ~~Form District~~, Traditional Workplace ~~Form District~~, or Traditional Marketplace Corridor, or Urban Center Neighborhood Form District will not conflict with the established pattern in the neighborhood and will promote the public health, safety, or welfare by facilitating development or rehabilitation of such property compatible with the surrounding neighborhood, then the Planning Commission may approve the requested subdivision notwithstanding the fact that one or more of the resulting lots do not conform to the applicable requirements relating to area or width or size of yards.

Any request for approval of a subdivision under the provisions of this regulation shall, to the fullest extent practicable, show the lots resulting from said subdivision to be uniform in terms of those features which do not conform to the zoning and form district regulations applicable to the property. A subdivision of property in accordance with the terms of this provision shall not affect the pre-existing nonconforming use status pertaining to the property. As a condition of approval, the Planning Commission may require restrictions to be placed on the subdivision plat.

8.2.1 Sign Illumination and Movement

- A. Illuminated or non-illuminated on-premises signs are allowed for all non-residential uses (unless specifically authorized), subject to the applicable restrictions set forth within this chapter and the following. Internally illuminated business signs within the Neighborhood, Traditional Neighborhood and Village Form Districts, ~~and within transition zones adjacent to the aforementioned form districts~~ where signs are visible from these form districts shall have opaque backgrounds with translucent letters, symbols and logos. Reader Boards/Changeable Copy Signs, Temporary On-premises Signs are exempt from the previous restriction. Opaque means that the material must not transmit light from an internal illumination source. Outdoor exterior illuminated on-premises signs shall be lighted in accordance with Chapter 4, Part 1, Lighting. Sign lighting shall be subject to the light trespass standards as outlined under Chapter 4, Part 1, Lighting. Incidental signage may be illuminated in accordance with the above listed standards unless specifically stated otherwise within the incidental signage standards.

8.3.2 Permanent Signs for Residential Uses

All permanent on-premises residential signs shall conform to the standards listed in Table 8.3.1. For multi-family residential developments and single-family residential subdivisions a signature entrance may be provided in lieu of the signs permitted in Table 8.3.1. A signature entrance is allowed as permitted in Section 4.4.3 at each entrance to the residential subdivision or multi-family residential development. The signature entrance may include one 15 square foot sign face for each wall or fence (no more than two signs are allowed per signature entrance).

Table 8.3.1 Permanent Signs for Residential Use						
Land Use	Form District	Types of Signs Allowed	Street Class	Attached Sign Size (Maximum Area) * for height	Freestanding Sign Size (Area/Ht.) (Maximum Height)	Total # of Signs Permitted* ‡
1 or 2 Family Residential	NA All Form Districts	Attached or Freestanding	<u>NA</u>	1 S.F.	<u>4 S.F./6 ft. Below roof line or uppermost portion of parapet wall</u>	One (1) per property
	<u>All Form Districts except Downtown</u>	<u>Freestanding</u>	<u>NA</u>	<u>1 S.F.</u>	<u>6 ft.</u>	
Subdivision Identification Sign	NA All Form Districts except Downtown	Freestanding	<u>NA</u>	NA <u>15 S.F.</u>	45 S.F./6 ft.	One (1) per dedicated subdivision entrance
Fraternities and Sororities	NA All Form Districts	<u>Attached</u>	<u>NA</u>	6 S.F.	6 S.F./6 ft. Below roof line or uppermost portion of parapet wall	One (1) per property
	<u>All Form Districts except Downtown</u>	<u>Freestanding</u>	<u>NA</u>	<u>6 S.F.</u>	<u>6 ft.</u>	
3 or more Multi-Family Residential (<u>3 or more dwellings</u>)	Neighborhood, Traditional Neighborhood, and Town Center	Either Attached or Freestanding (<u>Downtown Form Prohibits freestanding signs and Traditional Neighborhood Form requires at least 120 feet of street frontage in order to allow a freestanding sign</u>)	<u>Street Class</u>	<u>Size (Area/Ht. *)</u>	-	One (1) per street
			Local	12 S.F./6 ft.	<u>Below roof line or uppermost portion of parapet wall</u>	
			Collector	24 S.F./6 ft.		
			Arterial, 4 lanes or less	48 S.F./10 ft.		
			Arterial, more than 4 lanes	48 S.F./10 ft.		
		<u>Freestanding (Traditional Neighborhood Form requires at least 120 feet of street frontage in</u>	Local	12 S.F.	6 ft.	
			Collector	24 S.F.	6 ft.	
			Arterial	48 S.F.	10 ft.	

		<u>order to allow a freestanding sign)</u>				
	<u>Campus, Downtown, Suburban Marketplace Corridor, Traditional Marketplace Corridor, and Urban Center Neighborhood</u>	<u>Attached</u>	<u>Local</u>	<u>20% of facade</u>	<u>Below roof line or uppermost portion of parapet wall</u>	<u>One (1) freestanding sign and one (1) attached sign per street</u>
			<u>Collector</u>	<u>20% of facade</u>		
			<u>Arterial</u>	<u>20% of facade</u>		
	<u>Campus, Suburban Marketplace Corridor, Traditional Marketplace Corridor, and Urban Center Neighborhood</u>	<u>Freestanding</u>	<u>Local</u>	<u>32 S.F.</u>	<u>6 ft.</u>	
			<u>Collector</u>	<u>48 S.F.</u>	<u>6 ft.</u>	
			<u>Arterial</u>	<u>64 S.F.</u>	<u>8 ft.</u>	
<u>*Attached signs shall not extend above the roof line or highest point of a parapet wall of the building on which they are attached.</u>						
<u>**The total number permitted means the total number of all types of signs permitted on a property.</u>						

~~Note: Attached signs shall use the area maximums as listed in the table above. The mounting height of attached signs shall be based on the first footnote at the end of the table.~~

8.3.3 Permanent On-premises Signs for Non-residential Uses

A. Attached, Awning, Canopy and Marquee Signs

1. There shall be no more than a total of three (3) of any of the following types of permanent on premises signs; attached, or awning, or canopy, or marquee signs on any one facade of a building, subject to the total maximum sign area requirement set forth below, except that multiple use buildings may have one sign for each business. First floor awning, canopy and marquee signs are excluded from the number of awning, attached, canopy or marquee signs permitted on any one facade of a building, subject to the total maximum sign area requirement set forth below in Table 8.3.2; attached signs, canopy signs, marquee signs and awning signs are permitted for all non-residential zoning uses unless otherwise regulated within the form district regulations.

EXCEPTION: Buildings within the Downtown and Urban Center Neighborhood Form Districts are not restricted by the number of attached sign limit(s) listed above, however these buildings are subject to the overall attached sign allowance as listed in Table 8.3.2.

5. Traditional Marketplace Corridor and Urban Center Neighborhood Form Districts: Multiple tenant buildings shall be permitted either an attached sign or a projecting sign for each tenant.
6. Projecting Signs or Projecting Banner Signs: Buildings on lots which contain no permanent freestanding on- premises sign (other than incidental signs) may not have more than one sign which projects perpendicularly from the facade (but not the roof) of the building providing that

the sign does not exceed thirty-two (32) square feet in area, does not extend below nine (9) feet above the ground or sidewalk, or more than eight (8) feet from the façade of the building, or closer than two (2) feet to the abutting roadway. EXCEPTION: projecting banner signs may have a total supported projection of 25", and a maximum allowable area of signage not to exceed 24 square feet in total area of each side of the projecting banner sign. The area of the projecting sign or projecting banner sign shall be part of the total allowable signage allowed on any one façade of the building as listed in Table 8.3.2. Multiple use buildings may have one projecting sign or projecting banner sign for each business, subject to the total maximum sign area permitted in Table 8.3.2. EXCEPTION: Buildings within the Downtown and Urban Center Neighborhood Form Districts are not restricted by the number of projecting sign limit(s) or the 32 square foot limit listed above, however these buildings are subject to the overall attached sign allowance as listed in Table 8.3.2.

10. Form District Specific Freestanding Sign Restrictions:

a. Suburban Workplace Form Districts:

b. Campus Form Districts:

c. Downtown Form District:

- i. Freestanding signs shall be limited to small freestanding on-premises signs, directory signs (as permitted below) and incidental signs. Freestanding signs shall only be permitted within the storefront zone (see Section 5.8.1) of the sidewalk, subject to the licensing requirements established by the Director of Works, or a directory sign that is part of a public plaza, public park or other public open space designed in conjunction with the structure(s). A directory sign shall not exceed 30 square feet in area for each sign face and six feet in height.

- d. The maximum area and height of freestanding signs for non-residential uses are listed in Table 8.3.2. Freestanding sign restrictions for street frontages adjacent to designated parkways is listed in Table 8.3.3.

Table 8.3.2 Urban Center Neighborhood

Table 8.3.2											
Form District	Land Use	Types of Signs Allowed	Attached Signs				Freestanding Signs				
			Facade Area	# per facade*	Sign Area	Mounting Height	Street Class	# per street*	Area/Height		
									1 Tenant	2-3 Tenants	4> Tenants
Urban Center Neighborhood	Institutional, Office, Commercial and	Attached and Freestanding	<500 S.F.	3	20% of facade	Below roof line	Local	1	32/6	60/6	72/10

	<u>Industrial</u>		<u>500 – 999 S.F.</u>	<u>3</u>	<u>100 S.F. Plus 15% of façade area over 500</u>	<u>Below roof line</u>	<u>Local</u>	<u>1</u>	<u>32/6</u>	<u>60/6</u>	<u>72/10</u>
			<u>1,000 – 3,499 S.F.</u>	<u>3</u>	<u>175 S.F. Plus 5% of façade area over 1,000</u>	<u>Below roof line</u>	<u>Collector</u>	<u>1</u>	<u>48/6</u>	<u>64/6</u>	<u>72/10</u>
			<u>3,500 – 4,999 S.F.</u>	<u>3</u>	<u>300 S.F.</u>	<u>Below roof line</u>	<u>Arterial, 4 lanes or less</u>	<u>1</u>	<u>48/6</u>	<u>64/6</u>	<u>72/10</u>
			<u>5,000 S.F. or greater</u>	<u>3</u>	<u>500 S.F.</u>	<u>Below roof line</u>	<u>Arterial, more than 4 lanes</u>	<u>1</u>	<u>64/8</u>	<u>72/10</u>	<u>88/12</u>
<u>*See Section 8.3.3 paragraph A.1 for discussion of number of attached signs for multi-tenant buildings.</u>											
<u>**See Section 8.3.3 paragraphs B.3 & 4 for multiple freestanding sign allowances.</u>											
<u>Lanes refer to driving lanes, which include center turn lanes and medians; de-acceleration lanes are not included.</u>											

Chapter 9 Parking and Loading

Chapter 9 Part 1 Motor Vehicle Parking Standards

9.1.3 Calculating Parking Requirements / Allowances

Table 9.1.3A Minimum and Maximum Parking Spaces Based on Form District/Planned Development District

Form District/Planned Development District	Minimum Requirement – Table 9.1.3B	Maximum Requirement – Table 9.1.3B
Campus Conservation Neighborhood Village Town Center Planned Village Development District Regional Center Suburban Marketplace Corridor Suburban Workplace	Applicable	Applicable

Traditional Neighborhood Traditional Marketplace Corridor Traditional Workplace		
Urban Center Neighborhood	Not Applicable	Applicable
Downtown Urban Center Neighborhood	Not Applicable	Not Applicable
Planned Transit Development District	80% Applicable	Applicable

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

GENERAL ACTIVITIES (¹ LBCS Code)	SPECIFIC ACTIVITIES (¹ LBCS Code)	MINIMUM REQUIREMENT ³	MAXIMUM REQUIREMENT ⁴
Residential (1000)			
Household Living (1100)	Single-family, duplex ²	Suburban Form <u>Districts:</u> 2 spaces per unit Traditional Form <u>Districts:</u> Not applicable	Suburban Form <u>Districts:</u> 5 spaces per unit Traditional <u>and Urban</u> Center Neighborhood Form <u>Districts:</u> 3 spaces per unit
	Multi-family (3 or more units) ²	Suburban Form <u>Districts:</u> 1 space per unit Traditional Form <u>Districts:</u> Not applicable	Suburban Form <u>Districts:</u> 2 spaces per unit Traditional <u>and Urban</u> Center Neighborhood Form <u>Districts:</u> 2spaces per unit
Institutional Living (1300)	Dormitories, Fraternities, Sororities, Boarding House, Transitional Housing, Rehabilitation Home, Homeless Shelter	Suburban Form <u>Districts:</u> 1 per 4 residents (capacity) and 1 per employee Traditional Form <u>Districts:</u> 1 per 6 residents (capacity) and 0.5 per employee	Suburban Form <u>Districts:</u> 1 per resident (capacity) and 1 per employee Traditional <u>and Urban</u> Center Neighborhood Form <u>Districts:</u> 1 per 2 residents (capacity) and 0.5 per employee
Transient Living (1200)	Bed and Breakfast <u>Inn</u> , Hotel, Motel	Suburban Form <u>Districts:</u> 1 per room	Suburban Form <u>Districts:</u> 1.5 per room

		Traditional Form <u>Districts:</u> 0.5 per room	Traditional and Urban Center Neighborhood <u>Form Districts:</u> 1 per room
Shopping, business, or trade (2000)			
	Shopping (goods or service-oriented) (2100)	Suburban Form <u>Districts:</u> 1 per 500 sq. ft. of gross floor area Traditional Form <u>Districts:</u> 1 per 1,000 sq. ft. of gross floor area	1 per 200 sq. ft. of gross floor area
	Restaurant (includes bars) (2200)	Suburban Form <u>Districts:</u> 1 per 500 sq. ft. of gross floor area Traditional Form <u>Districts:</u> 1 per 1,000 sq. ft. of gross floor Area <i>Accessory outdoor dining area associated with a restaurant with indoor seating is excluded</i>	1 per 100 sq. ft. of gross floor area
	Health club/Fitness Center	Suburban Form <u>Districts:</u> 1 per 300 sq. ft. of gross floor area, plus 1 per 200 sq. ft. of gross floor area used for classroom/instruction area Traditional Form <u>Districts:</u> 1 per 500 sq. ft. of gross floor area, plus 1 per 300 sq. ft. of gross floor area used	Suburban Form <u>Districts:</u> 1 space per 100 sq. ft. of gross floor area Traditional and Urban Center Neighborhood <u>Form Districts:</u> 1 space per 300 sq. ft. of gross floor area

		for classroom/instruction area	
	Indoor Athletic Facility	Suburban Form <u>Districts</u> : 1 space per 300 sq. ft. of gross floor area Traditional Form <u>Districts</u> : 1 space per 500 sq. ft. of gross floor area	Suburban Form <u>Districts</u> : 1 space per 100 sq. ft. of gross floor area Traditional and Urban Center Neighborhood Form <u>Districts</u> : 1 space per 300 sq. ft. of gross floor area
	Entertainment uses such as bowling alleys, charitable gaming facilities, game rooms, bingo halls, miniature golf, go-cart facilities	To be determined by Director or designee	No more than 25% above minimum requirement
	Physical Fitness Instruction	Suburban Form <u>Districts</u> : 1 per 300 sq. ft. of gross floor area Traditional Form <u>Districts</u> : 1 per 400 sq. ft. of gross floor area	Suburban Form <u>Districts</u> : 1 space per 150 sq. ft. of gross floor area Traditional and Urban Center Neighborhood Form <u>Districts</u> : 1 space per 200 sq. ft. of gross floor area
Vehicle Service	Quick Vehicle Service, Vehicle Repair	1 per bay	5 per bay
	Car Wash, Self- Service	1 space	2 spaces
	Car Wash, Full- Service	1 per stall	2 per stall
	Fuel Station	Suburban Form <u>Districts</u> : 1 per 500 sq. ft. of gross floor area for retail space Traditional Form <u>Districts</u> :	Suburban Form <u>Districts</u> : 1 per 250 sq. ft. of gross floor area for retail space Traditional and Urban Center Neighborhood Form <u>Districts</u> :

		1 per 1,000 sq. ft. of gross floor area for retail space	1 per 500 sq. ft. of gross floor area for retail space
Outdoor Sales and Display		Suburban Form <u>Districts</u> : 1 per 1,000 sq. ft. Traditional Form <u>Districts</u> : 1 per 2,000 sq. ft.	Suburban Form <u>Districts</u> : 1 per 500 sq. ft. Traditional <u>and Urban Center Neighborhood Form Districts</u> : 1 per 1,000 sq. ft.
Office (2300)	Office, including general, business, medical, dental, professional, financial, and veterinary	Suburban Form <u>Districts</u> : 1 space per 400 sq. ft. of gross floor area Traditional Form <u>Districts</u> : 1 space per 750 sq. ft. of gross floor area	1 space per 150 sq. ft. of gross floor area
	Studios for Artist, designers, photographers, and other similar professionals	To be determined by Director or designee	No more than 25% above minimum requirement
Industrial, manufacturing, and waste-related (3000)			
	Primarily plant or factory (3110)	1 space per 4,000 sq. ft. of gross floor area	1 space per 500 sq. ft. of gross floor area
	Primarily goods storage or handling (3120)	1 space per 10,000 sq. ft. of gross floor area	1 space per 500 sq. ft. of gross floor area
	Mini-warehouse	Suburban Form <u>Districts</u> : 1 per 500 sq. ft. of gross floor area for office, plus one space per 15 climate-controlled storage units Traditional Form <u>Districts</u> : 1 per 1,000 sq. ft. of gross floor area for office, plus 1	Suburban Form <u>Districts</u> : 1 per 250 sq. ft. of gross floor area for office, plus one space per 5 climate-controlled storage units Traditional <u>and Urban Center Neighborhood Form Districts</u> : 1 per 500 sq. ft. of gross floor area for

		space per 30 climate-controlled storage units	office, plus 1 space per 15 climate-controlled storage units
Social, institutional, or infrastructure-related (4000)		To be determined by Planning Director or designee	No more than 25% above minimum
School or library (4100)	Grade, elementary, middle, junior high, high school, colleges, universities, vocational training and similar uses	To be determined by Planning Director or designee	No more than 25% above minimum
	Family Child Care Home	1 space for each nonresident employee plus an area designated for the safe loading and unloading of passengers which is assigned either off-street in a driveway or on-street in the right-of-way along the property frontage. Pickup/ drop-off shall occur in the designated area and be located on a hard durable surface. If an onstreet areas is to be designated, approval must be received from the Louisville Metro Planning and Design Services and Public Works. All costs associated with an onstreet designation shall be the responsibility of the applicant, operator, or owner.	A total of no more than 2 non-resident employee spaces plus an area designated for the safe loading and unloading of passengers which is assigned either off street or on-street. If an onstreet area is to be designated, approval must be received from Louisville Metro Planning and Design Services and Public Works. All Costs associated with an onstreet designation shall be the responsibility of the applicant, operator, or owner.
	Child and Adult Care Centers	1 space for each employee plus an area	2 space for each employee plus an area

		designated for the safe loading and unloading of passengers which is assigned either off-street or on-street. If an onstreet area is to be designated, approval must be received from Louisville Metro Planning and Design Services and Public Works. All costs associated with an onstreet designation shall be the responsibility of the applicant, operator, or owner.	designated for the safe loading and unloading of passengers which is assigned either off-street or on-street. If an onstreet area is to be designated, approval must be received from Louisville Metro Planning and Design Services and Public Works. All costs associated with an onstreet designation shall be the responsibility of the applicant, operator, or owner.
Health care, medical, or treatment (4500)	Hospitals, nursing home, medical clinic	To be determined by Director <u>or</u> designee	No more than 25% above minimum
Interment, cremation, or grave digging (4600)	Crematory, cemetery, mausoleum	To be determined by Director	No more than 25% above minimum
Travel or movement (5000)		To be determined by Planning Director or designee	No more than 25% above minimum
Mass assembly of people (6000)			
	Passenger assembly (6100) Spectator Sports Assembly (6200) Movies, concerts, or entertainment shows (6300) Social, cultural, or religious assembly (6600) Gatherings at galleries, museums, aquariums, zoological park, etc. (6700)	To be determined by Planning Director or designee	No more than 25% above minimum

Leisure (7000)			
	Golf Courses, Driving Ranges, Tennis Centers, Skate Parks, Horse Riding Stables, Amusement Parks, and similar uses	To be determined by Director or designee	No more than 25% above minimum
Natural resources related (8000)		To be determined by Planning Director or designee	No more than 25% above minimum
¹ LBCS – Land-Based Classification Standards developed by the American Planning Association - www.planning.org/lbcs/standards ² Garages and carports count as off-street parking spaces for residential use. ³ <u>There are not any minimum parking requirements in the Downtown and Urban Center Neighborhood Form Districts</u> ⁴ <u>There are not any maximum parking requirements in the Downtown Form District.</u>			

9.1.10 Credit for On-Street Parking Spaces

Legal on-street parking spaces may be used to satisfy the minimum parking space requirements of this Part. The use of on-street parking spaces to satisfy the minimum parking space requirements of this Part, however, in no way limits the use of said parking spaces to customers, employees or visitors of that

particular use. Such parking spaces shall be available to the general public. The use of this provision shall be in accordance with the following:

- A. Credit for on-street parking spaces may be given only in the Neighborhood, Traditional Neighborhood, Traditional Marketplace Corridor, Traditional Workplace, Town Center, ~~Downtown~~ and Village Form Districts.

9.1.18 Loading Area Requirements

All buildings and uses that require the receipt or distribution of materials or merchandise by medium or heavy trucks or similar vehicles shall provide loading space in accordance with this Part.

- A. The following requirements for loading areas shall be applicable within the Neighborhood, Village, Campus, Town Center, Regional Center, Suburban Marketplace Corridor and Suburban Workplace Form Districts:

- B. The following requirements for loading areas shall be applicable within the Downtown, ~~Traditional Neighborhood~~, Traditional Marketplace, Traditional Neighborhood and Traditional Workplace, and Urban Center Neighborhood Form Districts:

1. New buildings or uses shall provide truck loading or unloading berths adequate to serve the proposed use. The Director of Works, upon consultation with the agency responsible for approval of off-street parking facilities, shall determine the minimum number and size of off-street loading berths required.
2. The proposed building or use may fulfill minimum loading requirements by providing a combination of both off-street loading berths and on-street loading zones. The Director of Works, upon consultation with the agency responsible for approval of off-street parking facilities, shall make a determination of the minimum number and size of off-street loading berths based on a review of the development and circulation plans and other supporting documentation submitted by the applicant. Peak hour restrictions and a license agreement for on-street loading/maneuvering areas may be required by Metro Public Works.

Chapter 10 Tree Canopy, Landscaping and Open Space

Chapter 10 Part 2 Landscape Design

10.2.4 Property Perimeter Landscape Buffer Areas

- A. General Requirements: Property Perimeter Landscape Buffer Areas shall be applied along all applicable zoning boundaries, as required by the Land Development Code, of sites affected by this ordinance except for those boundaries adjacent to streets. Zoning Districts and their associated land uses have been grouped into the following five intensity classes for the purpose of applying property perimeter Landscape Buffer Area requirements; refer to Table 10.2.1.

These requirements may be modified as long as the area within the property perimeter landscape buffer contains an MSD approved Green Management Practice (GMP). In such a case, refer to Chapter 13: Native Revegetation in the MSD Design Manual (a link to document found in Appendix 10A) for planting requirements. These modifications shall be approved by Planning Commission staff ~~Landscape Architect~~.

Landscape buffer areas between C-3 zones (outside of the Downtown or the Urban Center Neighborhood Form Districts) could be added per the Planning Director as appropriate based on compatibility with surrounding uses.

Table 10.2.3 Buffer Yard Widths and Multipliers			
Landscape Buffer Area Type	Width Options (in feet)	Planting Density Multiplier ²	STEP 3 Select Buffer Yard

A	5 ¹	2	width option and associated planting multiplier.
	10	1.5	
	15	1	
B	10 ¹	1.5	
	15	1.5	
	20	1	
C	15 ¹	1.5	
	25	1.5	
	35	1	
D	25 ¹	1.5	
	35	1.5	
	50	1	

1 This option is only available in the Traditional Neighborhood, Traditional Workplace, and Traditional Marketplace Corridor, and Town Center, and Urban Center Neighborhood Form Districts.

2. The Planting Density Multiplier allows for a reduction in the size of Landscape Buffer Areas with a provision of an increased number of trees to offset the reduction in buffer width. (A “2” multiplier requires twice the number of trees to be planted as required in Table 10.2.4.)

C. Exceptions to Landscape Buffer Area requirements are as follows:

1. Property perimeter Landscape Buffer Areas are not required in the Downtown and Urban Center Neighborhood Form Districts.
2. Property perimeter Landscape Buffer Areas separating differing land uses within a Planned Development Zoning District shall not be required to meet the standards set forth in this Part but shall adhere to the Approved Master Plan for each development.
3. Landscape Buffer Area requirements are waived when a property boundary separates shared parking (as defined in Chapter 9) and may be reduced to a Type A buffer as indicated in Table 10.2.3 between parking when adjoining zoning districts are no more than 1 intensity category apart.
4. If property in intensity class 2 is developed as patio or town homes with a maximum of 4 units per building and no more than 2 stories, six foot high screening of adjacent single-family property is not required.

NOTE: Paragraph 4 exemption applies only to screening; trees specified in Table 10.2.4 are required.

10.2.8 Street Trees

- A. Mandatory: Street trees are required for all land uses along all public rights of way (excluding alleys). Street trees shall be selected and placed with the approval of Planning and Design Services with consultation from the Director of Public Works or designee. If the sidewalk width, utility

locations, or similar conditions make it impractical to install street trees, the Director of Works or designee may waive the requirement for street tree planting or unobstructed sidewalk width. In Suburban Form Districts alone, if the Public Works Department or Kentucky Transportation Cabinet refuses to allow plantings in the right-of way, street trees shall be provided adjacent to the right-of-way, in a minimum 6 foot wide planting area. If a streetscape master plan has been approved for a specific street, all street trees shall be planted in accordance with the approved master plan. Street trees shall be planted at a 1 ¾" minimum caliper. Street trees, for all uses except commercial in Traditional and Urban Core/Center Form Districts, shall be planted at a ratio of no less than 1 Large (Type A) tree per 50 lineal feet of right- of-way, or 1 Medium (Type B) tree per 25 lineal feet, or 1 Small (Type C) tree per 20 lineal feet. Street trees for commercial uses in Traditional and Urban Core/Center Form Districts shall be planted at a ratio of no less than 1 Large (Type A) tree per 30 lineal fee of right of way, or 1 Medium (Type B) tree per 25 lineal feet, or 1 Small (Type C) tree per 20 lineal feet. Small trees are permitted only where utility lines or other site constraints will not allow installation of Large or Medium trees. (EXCEPTION: Refer to Chapter 3 for Floyds Fork Overlay information). In the event that an MSD approved Green Management Practice (GMP) is being proposed within the right of way or along the edge of the property, the street tree{s} shall be chosen from Chapter 13: Native Revegetation from the MSD Design Manual (a link to document found in Appendix 10A).

NOTE: See Appendix 10A for listing of Type A, B and C trees.

B. Please refer to Chapter 10, Part 6, for Streetscape Master Plans.

10.2.9 Riparian Trees

A. Suburban Form Districts.

B. Traditional and Urban Core/Center Form Districts. A tree canopy bonus of 10% may be obtained for additional tree plantings meeting the minimum requirements of chapter 10 of the LDC and approved by MSD to occur within the 25 foot buffer required adjacent to perennial streams. This bonus is applicable to new plantings within buffer areas with little or no existing vegetation. New tree plantings within 100 feet of the top of bank of the perennial stream and within an open space area may be approved at the discretion of the Planning Director or designated staff for a 5% bonus for tree canopy calculations.

10.2.10 Vehicular Use Area Landscape Buffer Areas

Landscape Buffer Areas have been established to reduce the visual impact of Vehicular Use Areas including parking lots, loading docks and service areas. VUA Landscape Buffer Area requirements have been established for each form district based on intensity. These Landscape Buffer Areas shall be provided between any lot containing a VUA and a roadway; and between any lot containing a VUA and any lot zoned for residential use.

Table 10.2.6 VUA Landscape Buffer Area Requirements		
Area of VUA (sf)	Form District	Form District

	Downtown; Village Center; Traditional Neighborhood; Traditional Marketplace Corridor; Traditional Workplace; Town Center; Traditional Marketplace Corridor; Traditional Neighborhood; Traditional Workplace; Urban Center Neighborhood; and Village "Center"	<u>Campus; Neighborhood; Regional Center; Suburban Marketplace Corridor; Neighborhood; Suburban Workplace; and; Campus; Village "Outlying"</u>
up to 10,000	5-FT	5-FT
10,001-30,000	5-FT	10-FT
>30,000	10-FT	15-FT

10.2.12 Vehicular Use Area Interior Landscape Areas

Landscape areas shall be provided within all Vehicular Use Areas to break up large impervious areas and allow for a greater distribution of tree canopy coverage and to provide the opportunity: to capture parking lot stormwater runoff, thus increasing water quality; and retaining greater amounts of storm water on site through infiltration. Dimensional requirements have been established to ensure that interior landscape areas serve the intended goals and provide enough ground area to support required plant material. Interior landscape areas shall not be required for VUAs used for storage, loading docks or their associated maneuvering areas in an industrial zone, PD (industrial uses), C-M, M-1, M-2, M-3, PEC, and EZ-1 or in loading dock and truck maneuvering areas in Commercial and Office zones. These VUA areas shall still count toward the overall ILA requirement for the development site.

ILA shall be provided that in total area equals or exceeds the applicable minimum percentage of the vehicular use area, as specified in the following table:

VUA Size	ILA Area
--under 6,000 sq. ft. or containing < 10 parking spaces	0%
--6,000 - 12,000 sq. ft. or up to 20 parking spaces	5% (2.5%)
--if in a Traditional or Downtown <u>Urban</u> Core/Center Form District	
--12,001 - 30,000 sq. ft. or up to 100 parking spaces	7.5% (5%)
-- if in a Traditional or Downtown <u>Urban</u> Core/Center Form District	
--over 30,000 sq. ft. or 100 parking spaces	7.5%

Any landscape area surrounded by or projecting into a Vehicular Use Area can be used to meet interior landscape area requirements provided they are no less than 290 sq. ft. in area and no less than 8 feet

in either dimension. Smaller interior landscape areas are not prohibited but will not count toward interior landscape area requirements.

The maximum distance between interior landscape areas shall apply as follows:

- A. VUAs under 12,000 sq. ft. or less than 20 parking spaces - no maximum
- B. VUAs of 12,000 sq. ft. or over or 20 or more parking spaces – 20 spaces

The maximum distance shall be determined by measuring both:

- A. Radially from the closest perimeter landscaping area curb edge, and
- B. Lineally in each row of parking spaces from the closest curb edge of each ILA.

Chapter 11 Part 6 Development Plans

11.6.1 Development Plan Review Categories

For purposes of review procedure, developments are divided into three distinct review categories based upon the size and impact thresholds established in the Chapter 5 Form District regulations applicable to the location of the proposed development. The development plan review categories are:

- A. ~~Category 1 Construction Review-~~ Development proposals which do not meet the threshold for Planning Review, though certain provisions of this Land Development Code may still apply. Refer to the applicable threshold table in each Form District (Chapter 5, Parts 2 and 3) for more information. ~~size threshold for applicability of Form District design standards.~~
- B. ~~Category 2 Planning Review-~~ Development proposals which meet the minimum size threshold for review by the Office of Planning prior to submitting any applications to Construction Review. ~~applicability of Form District design standards but do not meet the size threshold for completing the Community Design Review process.~~
- C. ~~Category 3 Transportation Review-~~ Development proposals which meet the threshold for Chapter 5, Part 10: Traffic Impacts and may require a traffic impact study, at the review and request of Louisville Metro Public Works or the Kentucky Transportation Cabinet. Development proposals which meet the size threshold for completing the Community Design Review Process.

The review process for each category of development is outlined in the sections below. Initial or revised submissions shall follow the procedure determined by the size of the new or additional development proposed unless a higher level of review is required by another section of this code.

<i>NOTE: Plans filed before the effective date of the LDC shall be reviewed for compliance with these regulations in effect at the time of filing. See Section 1.1.8.</i>

11.6.2 Category 1 Construction Review Procedure

Prior to issuance of building permits, the local building official shall assure the plan is in compliance with the applicable provisions of this code and all binding elements and conditions of approval. These provisions include but are not limited to: allowable uses; yard and setback requirements; height; landscaping; environmental assessment; and parking. In cases in which the building official has reason to question the development plan's compliance with any provision of the Land

Development Code, applicable binding elements and conditions of approval, the building official may forward the development plan to the Planning Director for a review and action on the plan.

11.6.3 Category 2 Planning Review Procedure

NOTE: Category 2 procedure outlined within PDS information handout

A. Application for Planning Director Approval

Applications for ~~Category 2 development approval~~ that require Planning Review shall be submitted on forms supplied by the department. Applications shall be signed by the property owner or ~~his/her~~ their agent and filed with ~~the Office of Planning Planning and Design Services~~. Applications shall be accompanied by supporting material determined appropriate by the Planning Director and by the appropriate fee. The list of required supporting materials shall be available from the Office of Planning ~~offices of Planning and Design Services~~. Failure to submit all required material may result in delay of the application review. At a minimum, the application shall be accompanied by a development plan of sufficient detail to demonstrate to the Planning Director that the proposed development is in compliance with the applicable requirements of these regulations and any applicable binding elements or conditions of approval. The Planning Director shall approve the proposed development if it complies with the requirements of this code; ~~associated binding elements, if any;~~ and other applicable law. In cases in which the Planning Director has reason to question the development plan's compliance with any provision of the Land Development Code, ~~applicable binding elements and conditions of approval~~, the Director may forward the development plan to the Planning Commission, or designated committee thereof, for review and action on the plan.

B. Notice Requirement

Prior to approval of the proposed development plan, notice shall be provided to 1st tier property owners and persons and groups that have registered with the Office of Planning to receive notices of development actions. In addition, a supplemental notice to be addressed to "Current Resident" shall be mailed to all dwelling units located on properties where notice of adjoining property owners is required by this part. Addresses shall be obtained using available data from Louisville Metro Government, and those records may be relied upon conclusively to determine the dwelling units to be included in the supplemental notice.

The notice shall be sent by first class mail not less than fourteen (14) calendar days prior to the date of final action by the Planning Director or designee. The applicant and property owner should consider any comments and feedback received and make any reasonable and permitted change to the proposed development plan.

CB. Issuance of Building Permits

In addition to those materials required by the appropriate building code, applications for permit for construction activity meeting the ~~Category 2 Planning Review~~ thresholds shall be accompanied by a development plan which has been approved by the Planning Director. Building permits for ~~Category 2~~ any development shall be issued only in conformance with the development plan approved by the Planning Director or designee ~~and any applicable binding elements or conditions of approval of a district development plan.~~

11.6.4 Category 3 Transportation Review Procedure

Louisville Metro Department of Transportation or its successor shall review and determine the need for a traffic impact study based on the thresholds set forth in Chapter 5, Part 10. All traffic impact studies shall meet the standards and requirements of Chapter 6 of this code.

A. ~~Commission Approval Required~~

~~In addition to those materials required by the appropriate building code, applications for permit for construction activity meeting the Category 3 thresholds shall be accompanied by a development plan, which has been approved by the Planning Commission under the Community Design Review Procedure outlined below. The Planning Commission may delegate this review process to a Committee of the Commission. The Technical Review Committee process defined in Chapter 7 shall satisfy the Community Design Review Process required for subdivisions that meet the threshold established in the form district regulations. In conjunction with its review of development proposals that require Conditional Use Permits or Variances, the Board of Zoning Adjustment is authorized to review and approved Category 3 reviews in accordance with this part.~~

B. ~~Community Design Review Process~~

- ~~1. Application Required — Applications for development plan approval shall be submitted on forms supplied by the department. Applications shall be signed by the property owner or his/her agent and filed with Planning and Design Services in accordance with these regulations and the Planning Commission By-Laws and Rules of Procedure. Applications shall be accompanied by supporting material determined appropriate by the Planning Director and by the appropriate fee. The list of required supporting materials shall be available from the offices of the Commission. Failure to submit all required material may result in delay of the application review.~~
- ~~2. Notice — Not less than 10 calendar days prior to the proposed review session, notice of the proposed development and its scheduled review shall be given to adjoining property owners. In addition, a supplemental notice to be addressed to “Current Resident” shall be mailed to all dwelling units located on properties where notice of adjoining property owners is required by this part in accordance with Planning Commission bylaws and policies. Addresses shall be obtained using available data from Louisville Metro Government, and those records may be relied upon conclusively to determine the dwelling units to be included in the supplemental notice. In addition, staff shall endeavor to assure that notice is given to all neighborhood groups who have registered to receive notice of development applications. Failure of any person to receive a notice addressed to “Current Resident” mailed in compliance with Planning Commission and Board bylaws and policies shall not invalidate the actions of the Planning Commission.~~
- ~~3. Review Session — Review of and action on the proposal shall take place in a public meeting before the Planning Commission or Committee thereof. No less than ten (10) calendar days prior to an original or continued review session date, the applicant shall submit original or revised development plans, studies, reports, etc. which have been prepared in response to comments received during the review process. This section does not preclude the applicant from presenting, at the review session, changes to the plan in response to concerns of the neighbors, agency review staff or the Planning Commission. The Planning Commission or designated Committee shall approve the proposed development if it complies with the requirements of this code; associated binding elements, if any; and other applicable law.~~

C. ~~Issuance of Building Permits~~

~~In addition to those materials required by the appropriate building code, applications for permit for~~

~~construction activity meeting the Category 3 thresholds shall be accompanied by a development plan which has been approved by the Planning Director. Building permits for Category 3 development shall be issued only in conformance with the development plan approved by the Planning Director and any applicable binding elements or conditions of approval of a district development plan.~~

EXAMPLE: ~~If a site plan for a 300-unit apartment complex is approved under the Category 3 process building permits for each 10-unit building may be issued without additional Category 3 review.~~

~~D. Multiple Phase Projects~~

~~Developments that are constructed in multiple phases shall not be required to undergo the Category 3 review procedure more than once. If a plan has been approved in accordance with this section, building permits for construction of portions of the approved development may be issued without additional Category 3 review.~~

2. PROPOSED FINDINGS FOR THE PLANNING COMMISSION

WHEREAS, following the Louisville Metro Planning Commission's recommendation, on June 14, 2018, the Legislative Council of the Louisville/Jefferson County Metro Government passed *Ordinance No. 085, Series 2018* adopting the Comprehensive Plan, *Plan 2040*. *Plan 2040* was also forwarded to the 12 cities with zoning authority in the Louisville Metro planning unit. The plan was formally adopted by each of the legislative bodies or deemed to have been approved by operation of law pursuant to Kentucky Revised Statutes; and

WHEREAS, *Plan 2040* included five overarching principles that became the guiding force behind the development of the plan's goals, objectives, and policies. These guiding principles - Connected, Healthy, Authentic, Sustainable, and Equitable ("CHASE"), emerged from early public engagement activities and were further defined through the plan's public involvement process; and

WHEREAS, the population of Louisville Metro will continue to grow and become more diverse; and

WHEREAS, the Legislative Council of the Louisville/Jefferson County Metro Government passed *Resolution No. 082, Series 2020* requesting the Planning Commission review the Land Development Code (LDC) and develop recommendations for more equitable and inclusive development; and

WHEREAS, the amendments to the LDC that have been presented and reviewed by this Planning Commission build upon many years of outreach and engagement with the community, respond to feedback, and incorporate best practices, research, and data; and,

WHEREAS, many changes to the LDC have already been adopted to advance *Plan 2040* and *Resolution No. 082, Series 2020*, including accessory dwelling units, factory built housing, child care, and urban agriculture, and the proposed amendments represent a continuation of this work to update the zoning rules and allow new housing opportunities that fit more people's needs and create a stronger, more vibrant Louisville; and,

WHEREAS, the proposed text amendment is in conformance with *Plan 2040* and advances its goals, objectives, and policies; and

WHEREAS, the amendment respects the distinctive physical, historic, and cultural qualities across the unique form and design of existing neighborhoods. The proposed amendments focus on the form of neighborhoods, building types, and design compatibility. Innovative methods for housing based on building types are more responsive to the pattern of existing neighborhoods, future trends, and community needs (Community Form Goal 1); and

WHEREAS, the amendment encourages sustainable growth and density around mixed-use centers and corridors. The amendments support vibrant street life, alternative forms of transportation, and mixed-use development that radiates from the urban core (Community Form Goal 2).

WHEREAS, the amendment supports the Mobility Goals of Plan 2040 that encourage land use and transportation patterns that connect Louisville Metro and support future growth by focusing on the utilization of existing infrastructure, including a complete street and pedestrian network, and promotes multi-modal transportation to reduce vehicles miles traveled (Mobility Goals 2 & 3); and

WHEREAS, the text amendment is focused on areas with existing infrastructure, like sewers, water, streets, and sidewalks, allowing the natural environment to be protected (Livability Goal 1); and