

LAND DEVELOPMENT CODE



MODERNIZED. STREAMLINED. SIMPLIFIED.

DIAGNOSTIC REPORT OF EXISTING LAND DEVELOPMENT CODE

September 29, 2026



TABLE OF CONTENTS

Executive Summary

Diagnostic at a Glance	Page 3
At a High Level	Page 4
What We Found	Page 5

Setting the Stage

Introduction and Overview	Page 8
The Code Today	Page 11

Code and Land Use Diagnostic

Theme 1: Modernize and Simplify the Land Development Code to Make it More Approachable, User-Friendly, and Concise	Page 14
1.1: Consolidate the Document Structure	Page 15
1.2: Modernize Language and Document Formatting	Page 16
1.3: Incorporate Graphics, Illustrations, Tables, and Charts	Page 17
1.4: Refine, Consolidate, and Relocate Definitions	Page 19
1.5: Consolidate Review Procedures; Evaluate a Standalone Procedures Manual	Page 20
Theme 2: Update the Zoning Districts, Form Districts, and Development Standards to Simplify, Consolidate, and Reduce Confusion of Multi-Layered Regulations	Page 22
2.1: Overview of Existing Zoning Regulations	Page 23
2.2: Overview of Existing Form District Regulations	Page 25
2.3: Overlapping Regulations on a Single Property	Page 28
2.4: Existing Non-Conforming Structures, Lots, and Uses	Page 30
2.5: TNZD as Evidence the Base Zoning System Under-Performs	Page 32
Theme 3: Update Regulations to Encourage a More Diverse Array of Housing Types, Guide Authentic Contextual Form, and Incorporate Mixed-Use and Open Space to Encourage Healthy Communities	Page 34
3.1: Housing Diversity, By-Right Allowances, and Overlapping Incentive Systems	Page 35
3.2: Community Form Goals	Page 38
3.3: Form District Pattern and Special Character for Site Design	Page 39
3.4: Contextual and Compatible Design	Page 40
3.5: Transitions Between Districts and Development Intensities	Page 42
Theme 4: Make the Development Standards Consistent with the CHASE Principles in Plan 2040	Page 44
4.1: Connected — Mobility, Circulation, and Street Standards	Page 45
4.2: Healthy — Open Space and Landscape Standards	Page 47
4.3: Authentic — Building and Site Design Standards	Page 49
4.4: Sustainable — Resilience and Environmental Standards	Page 51
4.5: Equitable — Transfer of Development Rights and Inclusionary Tools	Page 53

Appendix

Quick References	Page 57
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EXECUTIVE SUMMARY

Key Findings from the Diagnostic Process

DIAGNOSTIC AT A GLANCE

What is a Diagnostic Report?

Louisville Metro is undertaking a comprehensive update to the Land Development Code (LDC), the regulatory framework that translates the vision of Louisville Metro's Comprehensive Plan, Plan 2040, into the standards that govern what can be built on a given property. This Diagnostic Report is the first step in that effort. It establishes a shared understanding of how the current Code is organized, assesses how it performs, and catalogs where it creates friction for the residents, applicants, and staff who use it every day.

How is it organized?

The vision for the Code update is a modernized, streamlined, and simplified LDC that is easy for users to navigate, positively impacts development, and encourages higher standards in new development.

Four themes, developed in collaboration with Metro staff, guide this process:

THEME 1: MODERNIZE

Modernize and simplify the Land Development Code to make it more approachable, user-friendly, and concise.

THEME 2: SIMPLIFY

Update the zoning districts, form districts, and development standards to simplify, consolidate, and reduce confusion of multi-layered regulations.

THEME 3: UPDATE

Update regulations to encourage a more diverse array of housing types, guide authentic contextual form, and incorporate mixed-use and open space to encourage healthy communities.

THEME 4: CONSISTENT

Make the development standards consistent with the CHASE (Connected, Healthy, Authentic, Sustainable, Equitable) Principles in Plan 2040.

How do you use the findings of this Report?

The findings in this Diagnostic Report identify patterns and major structural issues, and are not an exhaustive inventory. While the report is grounded in a line-by-line review of the existing Land Development Code, it focuses on the conditions that recur across chapters and shape how the Code performs as a whole. Where a finding cites a specific section, that citation is an example of a condition found elsewhere in the Code as well. These findings are not recommendations. They establish a shared understanding of how the Code currently functions and surface the questions that need to be resolved as the update process proceeds.

Continuing Investigation

Each section of this Diagnostic Report closes with a set of open questions under the heading "Continue Investigating." These are some of the questions the project team is carrying into the next phases of the Code update process. They identify key focal points for collaboration with Metro staff and community members. Making them visible here intends to invite Metro staff, stakeholders, and residents into the decision-making process. They will be addressed through staff interviews, technical analysis, and community engagement, and this process will shape the future of the LDC.

CONTINUE INVESTIGATING:

- ❑ Through community engagement and collaboration with Metro staff, explore what graphic approach or style would best support the goals of modernizing, streamlining, and simplifying the LDC.
- ❑ Collect best practice examples for reference in developing graphics for the future LDC.

CONTINUE INVESTIGATING:

- ❑ What is the most appropriate way for the LDC to incorporate contextual and compatible standards?
- ❑ Examine whether the goals of density and FAR are better handled by building-type and building-envelope standards, since neither density nor FAR reliably predicts built form.

Examples of "Continue Investigating" questions

AT A HIGH LEVEL...

THE CODE IS DIFFICULT TO NAVIGATE.

Definitions and standards are scattered across chapters, often appearing in footnotes, note boxes, and use tables rather than in the sections where users would think to look for them. Inconsistencies in formatting, chapter structure, labeling and language further compound navigation issues and make it challenging to track down all of the regulations that apply to a single property. Procedures (the steps required to get a proposal approved) are spread across many of the Code's chapters, so no single place describes the full review process. Dense paragraphs narrate standards that a graphic or table would convey more directly.

THE LDC HAS MANY LAYERS OF REGULATIONS THAT CAN ALL APPLY TO A SINGLE PROPERTY.

Base zoning, form districts, overlays, incentive programs, transition standards, landscape standards, and parcel-specific binding elements each have regulatory impact on a property, and the Code does not always clearly state how they relate. Several zoning districts feature nearly identical regulations, while several form districts carry almost no substantive regulations of their own.

THE CODE MAKES THE HOUSING TYPES PLAN 2040 ENCOURAGES DIFFICULT TO BUILD.

Smaller, denser housing is generally available only through planned development districts or incentive programs, and density caps expressed in dwellings per acre penalize smaller units. Form districts sometimes do not match the development patterns and built character on the ground. Compatibility between districts and uses is administered through several disconnected mechanisms. Variance and waiver volume indicates where standards are not performing as intended.

DEVELOPMENT STANDARDS ALIGN UNEVENLY WITH PLAN 2040'S CHASE PRINCIPLES: CONNECTED, HEALTHY, AUTHENTIC, SUSTAINABLE, EQUITABLE.

Standards are often calibrated to something other than the outcome they are meant to produce: parking to eligibility categories rather than demand, streets to functional classification rather than land use context, and stream buffers to form district rather than stream type. Requirements that apply uniformly across urban, suburban, and rural areas sometimes lack the context-sensitivity needed to guide authentic development in each. Tools such as transfer of development rights and inclusionary zoning are absent from the Code, though both could advance sustainable growth and more equitable housing outcomes.

WHAT WE FOUND

THEME 1: MODERNIZE AND SIMPLIFY THE LAND DEVELOPMENT CODE TO MAKE IT MORE APPROACHABLE, USER-FRIENDLY, AND CONCISE.

1.1: Consolidate the Document Structure

Content sits where users wouldn't think to look for it, and inconsistent organization, unfilled placeholders, and mismatched cross-references compound the problem.

1.2: Modernize Language and Document Formatting

Imprecise and inconsistent language and formatting obscure what the Code actually requires.

1.3: Incorporate Graphics, Illustrations, Tables, and Charts

The Code relies on lengthy narrative text rather than graphics to illustrate standards, making it unapproachable and overly dense.

1.4: Refine, Consolidate, and Relocate Definitions

Defined terms hold standards that belong elsewhere, conflict with terms redefined in individual chapters, and are formatted inconsistently.

1.5: Consolidate Review Procedures; Evaluate a Standalone Procedures Manual

No single place in the Code tells applicants what they need to do to get projects reviewed and approved.

THEME 2: UPDATE THE ZONING DISTRICTS, FORM DISTRICTS, AND DEVELOPMENT STANDARDS TO SIMPLIFY, CONSOLIDATE, AND REDUCE CONFUSION OF MULTI-LAYERED REGULATIONS

2.1: Overview of Existing Zoning Regulations

Base zoning distinguishes districts by density and permitted uses, but some districts differ from one another only slightly while the use categories are so specific that a proposed use may not clearly fall into any one of them.

2.2: Overview of Existing Form District Regulations

Form districts regulate building shape but not use or density, so what a district contains can diverge from what its name implies.

2.3: Overlapping Regulations on a Single Property

Base zoning, form district, overlays, and prior approvals all govern the same parcel, making it difficult for users to determine which regulations prevail.

2.4: Existing Non-Conforming Structures, Lots, and Uses and Consolidation

Nonconformity is addressed in multiple places using different terms and cutoff dates, so an owner cannot easily determine a property's status.

2.5: TNZD as Evidence the Base Zoning System Underperforms

One neighborhood has its own code within the Code, demonstrating precedent for context-sensitive standards in Louisville and that the base system could not deliver them.

WHAT WE FOUND

THEME 3: UPDATE REGULATIONS TO ENCOURAGE A MORE DIVERSE ARRAY OF HOUSING TYPES, GUIDE AUTHENTIC CONTEXTUAL FORM, AND INCORPORATE MIXED-USE AND OPEN SPACE TO ENCOURAGE HEALTHY COMMUNITIES

3.1: Housing Diversity, By-Right Allowances, and Overlapping Incentive Systems

Almost none of the housing Plan 2040 calls for can be built by right; it runs instead through conditional use permits, planned districts, and two overlapping incentive programs.

3.2: Community Form Goals

The Community Form Goals connect Plan 2040 to the Code, but traditional and downtown areas align closely while suburban areas depart furthest from what the plan's policy objectives describe.

3.3: Form District Pattern and Special Character for Site Design

Some properties carry a form district that does not match what is built around them, making it difficult to apply standards written for a character the area does not have.

3.4: Contextual and Compatible Design

Compatibility is handled by four separate mechanisms that are loosely defined and not tied to one another.

3.5: Transitions Between Districts and Development Intensities

Transition zones add restrictions where districts of different intensity meet, but they are hard to interpret, constrain development along district edges, and often require relief.

THEME 4: MAKE THE DEVELOPMENT STANDARDS CONSISTENT WITH THE CHASE PRINCIPLES IN PLAN 2040

4.1: Connected — Mobility, Circulation, and Street Standards

Parking and mobility standards are calibrated to categories rather than to need or actual travel behavior, and street design has little flexibility to respond to its surroundings.

4.2: Healthy — Open Space and Landscape Standards

Open space and landscape standards apply uniformly across different contexts, which makes them difficult to satisfy in some places and undemanding in others, and their organization makes the applicable requirements hard to locate.

4.3: Authentic — Building and Site Design Standards

Most of Louisville's housing stock is subject to no design standards, while the standards that do apply mix subjective language with precise dimensions, making the regulations difficult to interpret.

4.4: Sustainable — Resilience and Environmental Standards

Environmental protections are scattered across the Code and keyed to form district rather than to the conditions they are meant to protect.

4.5: Equitable — Transfer of Development Rights and Inclusionary Tools

The Code does not use tools such as transfer of development rights or inclusionary zoning to encourage more equitable development outcomes.

SETTING THE STAGE

Overview of the Process, Relationship to other Plans,
Purpose and Development of Themes, and Our
Understanding of the Code Today

INTRODUCTION AND OVERVIEW

Introduction

Louisville Metro is undertaking a major update to the Land Development Code (LDC), the regulatory framework that guides growth, development, and built form. The Code Update is a comprehensive, multi-year initiative to modernize, streamline, and simplify development regulations in support of a more context-sensitive, equitable, and housing-supportive land use system.

Overview

The Louisville Metro Land Development Code has informed growth and development across the community for many years, implementing adopted planning policies while providing the regulatory and administrative framework for new development and redevelopment. As Louisville Metro has evolved, the LDC has been amended numerous times to respond to emerging priorities and community needs. While these amendments have addressed specific issues over time, they have resulted in a regulatory framework that has become increasingly complex with layered requirements, conflicting standards, and organizational challenges that make the Code difficult to interpret and administer. That complexity falls on everyone who uses the Code: residents trying to understand what can be built near them, property owners and applicants navigating approvals, and the staff who apply and explain the regulations daily. At the same time, Louisville Metro's vision for future growth has continued to evolve. The adoption of Plan 2040, Louisville Metro's comprehensive plan, established a renewed vision for growth. Guided by the vision and goals of Plan 2040, the LDC Update will evaluate existing regulations, development processes, and land use patterns to identify opportunities for simplification and improved usability. Through a robust community engagement process, rigorous technical analysis, and close collaboration between Metro staff, consultants, stakeholders, and residents, the effort will result in a graphically rich, form-based Land Development Code. The updated Code will be more accessible to the public and easier to use, with clearer standards and a more predictable review process. It will reflect Louisville's diverse urban, suburban, and rural contexts while advancing housing choice, promoting sustainable growth, and preserving authentic character.

Implementing Plan 2040 Goals

Adopted in 2019, Plan 2040 is the document that sets a long-range vision for how and where the community grows. A comprehensive plan describes desired outcomes, but it does not regulate development. The Land Development Code is the tool that carries the vision into effect, translating it into the standards that govern what can be built on a given property. Plan 2040 is driven by five key principles: Connected, Healthy, Authentic, Sustainable, and Equitable (CHASE). The Land Development Code Update aims to align development standards with those principles.

CONNECTED:

"Louisville Metro is connected through a multi-modal transportation system that considers users of all abilities, all modes, and provides safe, convenient access to jobs, housing opportunities, and regional and national transportation facilities. Louisville Metro is also primed for technological advances that will offer more opportunities for citizens and business. Louisville Metro leverages its natural environment and geographic position to improve quality of life for all citizens."

HEALTHY:

"Louisville Metro's built environment supports active lifestyles by ensuring that all neighborhoods promote a state of complete physical, mental, and social well-being. The built environment supports the natural environment by considering air, water, and soil quality while allowing for appropriate growth and development. Citizens' quality and quantity of life is enhanced through equitable access to parks and open space, recreation, healthcare, and healthy food with no systematic and changeable differences in health between socially, economically, demographically, or geographically defined populations."

AUTHENTIC:

“Louisville Metro is a compassionate community that recognizes its unique culture by supporting the evolution of its neighborhoods through engaging all citizens, encouraging local businesses, promoting art and culture, and recognizing important features such as buildings, parks, waterways, among others in the built and natural environment. Promoting preservation and adaptive re-use of historic structures to support the community’s growth and development aids in maintaining Louisville Metro’s unique character.”

SUSTAINABLE:

“Louisville Metro is a resilient community that improves quality of life for all citizens by encouraging green practices in development and redevelopment of buildings, transportation, and infrastructure. Louisville Metro maintains its existing infrastructure and encourages sustainable, high-quality development practices that provide livable, walkable communities while being harmonious with the natural environment.”

EQUITABLE:

“Louisville Metro is a community that values diversity and recognizes that resources, opportunities, and outcomes must be shared by all. Louisville Metro seeks to engage all citizens in the decision-making process and address the history of inequities and their ongoing impacts, particularly among communities of color. Louisville Metro’s built environment supports the creation of safe neighborhoods while providing equitable access to quality education, employment, and affordable housing of choice for all citizens. The community enjoys the benefits of economic growth and improvements to the built and natural environment in and across neighborhoods.”

Purpose of the Diagnostic

This Existing Code and Land Use Diagnostic examines the organization and usability of the Code, the relationship between zoning and form districts, the effectiveness of development standards, and the extent to which existing regulations support the policies and implementation strategies of Plan 2040. These findings establish a baseline for the existing Code and define priorities for the update that follows.

Development of Themes

The consultant team engaged Louisville Metro Economic Development and Planning Staff in a project kick-off meeting in April 2026 to discuss the vision, objectives, and goals for a successful Land Development Code update. In this kick-off meeting, Metro staff shared their overarching vision of a modernized, streamlined, and simplified LDC that would be easy for users to navigate, positively impact development, and encourage higher standards in new development. The knowledge shared in this discussion was synthesized into four major Themes, outlined below, intended to guide the Code update process.

1. Modernize and simplify the Land Development Code to make it more approachable, user-friendly, and concise.
2. Update the zoning districts, form districts, and development standards to simplify, consolidate, and reduce confusion of multi-layered regulations.
3. Update regulations to encourage a more diverse array of housing types, guide authentic contextual form, and incorporate mixed-use and open space to encourage healthy communities.
4. Make the development standards consistent with the CHASE Principles in Plan 2040.

Discovery Tour

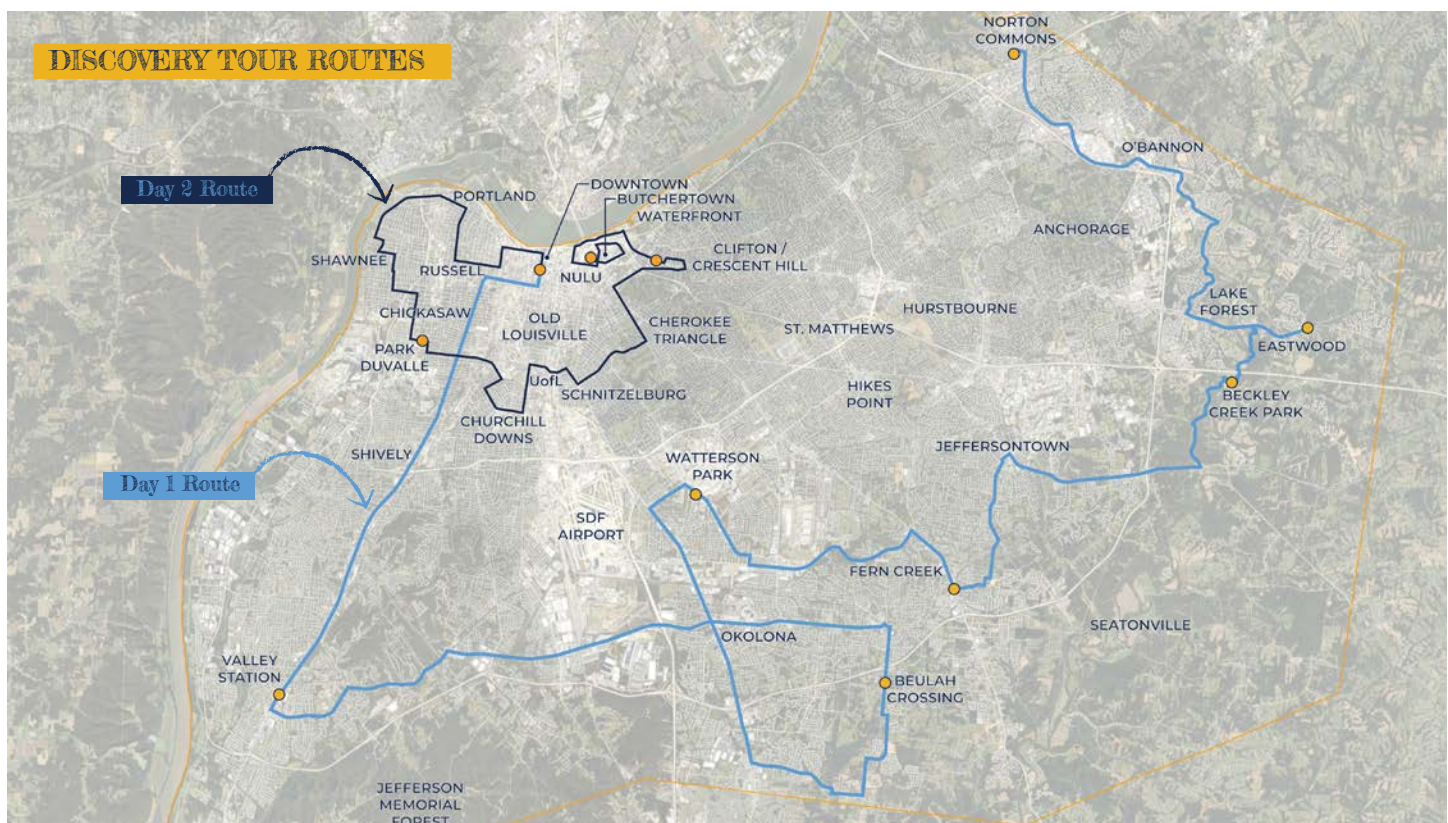
Metro Planning Staff and the consultant team participated in a 2-day Discovery Tour where the group ventured through many of Louisville's iconic neighborhoods, business districts, and scenic vistas to catalogue strengths and opportunities to inform the next evolution of the LDC. The intent of the tour was to experience existing land use patterns within areas throughout Louisville Metro's jurisdiction. The team explored historic areas and new development sites, discussing recurring issues or inconsistencies with the Land Development Code. Through a series of eleven stops, the consultant team identified issues that directly impact the LDC update including parking minimums and maximums, disconnect between Form District standards and market-reality development, and the need for accessible neighborhood housing consistent with Plan 2040.

Process

This Diagnostic is grounded in a line-by-line review of the existing LDC by the consultant team.

Reviewers logged comments across all chapters and appendices, tagging each issue by topic area, issue type, relationship to the Comprehensive Plan principles, and support to the four themes outlined in this document. This tagging approach allows individual line-item comments to be aggregated, filtered, and analyzed across chapters. This revealed patterns that might not be visible from a single-chapter review alone. Key issues that reviewers identified fell under the following types: Redundancy, Complexity / Usability, Housing Barrier, Mixed Process + Standard, Internal Conflict, Outdated Standard, Organizational Problem, Missing Standard, Equity / Access Concern, Implementation Concern, and Other.

These issue types serve as a framework to guide the development of the diagnostic, allowing the findings presented in each section to be understood as part of a broader picture of the friction that exists in the current LDC. This structure is intended to help the project team and Metro staff diagnose challenges across the Code while providing a sense of the relative scale and prevalence of the various issues.



THE CODE TODAY

Prior Studies

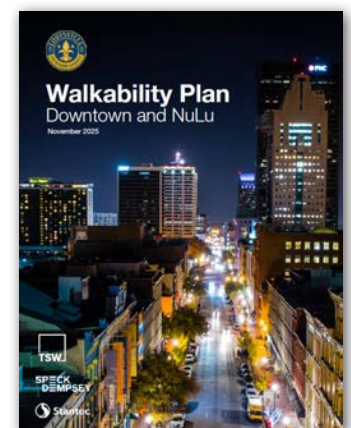
Early in the process, the consultant team requested all relevant plans and studies of Metro Planning Staff to review and provide an overview of planning efforts in Louisville and Jefferson County. These plans included Plan 2040, high-level transportation studies, specific mobility and walkability reports, and individual neighborhood plans. Louisville Metro and its distinct neighborhoods have engaged in many planning efforts over the decades since implementing Metro's former Comprehensive Plan, Cornerstone 2020, and the majority of those efforts are aligned in intent and vision. Throughout the consultant team's review, many of the observations related to the Land Development Code were consistent with the four themes that were formed to guide the update process and organize this diagnostic.

The consultant team reviewed neighborhood plans available on Louisville Metro's website. Most emphasized contextual design and continuation of each neighborhood's established development pattern: block structure, lot pattern, building placement, and the relationship of buildings to the street. Several plans requested revisions to form-based standards so that new development reflects that pattern. Alongside preserving individual neighborhood character, most plans encouraged redevelopment, diversifying housing types, and concentrating density along major corridors through or adjacent to the neighborhood. A few plans called for the use of Planned Development District (PDD) zoning to accomplish more walkable, mixed-use neighborhoods. Several plans called for an examination of form district boundaries to align intent with existing uses, an issue that was experienced by the consultant team on the Discovery Tour. Several relevant plans emphasized the importance of providing housing products for the lowest earners and updating the LDC to ensure that accessible housing types can be built on existing lots, a direct connection to Themes 3 in this diagnostic. The neighborhood plans connect directly to the Plan 2040 CHASE principles and support carrying those principles into the LDC update.

The Relevant Plans and Studies Metro Planning Staff shared for review were consistent with the neighborhood plans, the Plan 2040 CHASE principles, and emphasized the importance of

connecting people to major destinations and activity centers. These connections are strengthened through revisions to form district boundaries, focusing density around mixed-use, walkable centers, and integrating Complete Streets standards in the LDC with this update. High-level mobility and transportation studies call for increased flexibility for existing street types, converting one-way to two-way streets, incorporating multi-modal elements within streets, and coordinating between street types and form districts. The consultant team observed conflicts between transportation plans' emphasis of multi-modal and pedestrian activity in areas where existing zoning, incentives, form district standards, and procedures would not allow for appropriate infill development or redevelopment, creating a barrier to the long-term success of the plan's vision. Most of the relevant plans require consideration and revision of the LDC's parking minimums, required space for parking, and shared parking requirements.

The consultant team's review of Relevant Plans and Studies provides a high-level overview of prior planning efforts in the Metro and a foundation for the Land Development Code update. Several of the reviewed studies requested an increase in notification and engagement of residents in the Land Development Code, and the public engagement events will be opportunities to learn from the Code-related experiences of residents.



Examples of Relevant Plans and Prior Studies Reviewed

Source: Louisville Metro Government

NEIGHBORHOOD HOUSING

Louisville Metro is reviewing proposed changes to the Land Development Code regarding Neighborhood Housing. Metro planning staff have engaged the community through public meetings, forums, and public comment forms, and have revised proposed regulations based on community input.

Current Planning Context

The proposed Neighborhood Housing regulations (July 2026) are the latest in a process that began in 2021 with a Health Impact Report for Middle Housing, included county-wide studies to locate activity centers, and collected community comments over the course of a year. The proposed refinements to the LDC seek to increase opportunities for housing and mixed-use development along corridors and within activity centers by including a range of housing choices with multiple units between single-family homes and larger apartment buildings. The regulations include updates to permitted uses for several Residential Zoning Districts, Office/Residential Districts, and several Commercial Districts as well as Site Design Standards that dictate lot size, setbacks, building size, orientation, access & parking, and landscape & tree canopy regulations. The intent of the proposed regulation is to meet the CHASE principles (Connected, Healthy, Authentic, Sustainable, and Equitable) by allowing diversity in attainable housing types across Louisville Metro.

What the Current Code Does Well

Despite its complexity, the current LDC features a number of well-intentioned and functioning aspects worth preserving and building on through this process. Context-sensitivity, embedded public realm and environmental protections, and purpose-driven standards reveal thoughtful intent and ongoing institutional commitment to improvement. The following examples illustrate effective features of the existing LDC:

- Form district standards establish a place-based regulatory layer on top of conventional zoning, giving this Code update a structure to build on.
- Form district standards and design standards, especially in Traditional Form Districts, are intended to benefit the public realm.
- Several sections are specifically designed to conserve rural landscapes and protect environmentally sensitive areas while promoting compatible development with minimal impact. These protections can be strengthened and better organized through this process.
- Although complex, the current LDC intends to be comprehensive. Through one framework, it regulates land use, design standards, environmental protection, and development procedures.
- The current LDC already touches on many Comprehensive Plan goals and has been regularly updated over time, demonstrating both the capacity and commitment to continue improving the Code.
- Where form districts open with a substantive purpose statement, that statement gives decision-makers something to test standards against. This may be worth applying uniformly across all form district sections.

"[I LIKE] THE MIX OF ZONING AND FORM DISTRICTS GENERALLY AS A CONCEPT."

"INFILL HAS PUSHED FOR BETTER DEVELOPMENT, EVEN IN SOME SUBURBAN CONTEXTS."

"EARNEST ATTEMPT AT USING SEVERAL TYPES OF CODE TO SOLVE SEVERAL TYPES OF PROBLEMS."

"...THE REWRITE SHOULD BE VERY CLEAR IN WHAT IS INTENDED AND WHAT MUST OCCUR BY LAW."

"I WOULD LOVE TO HAVE VISUALS, ESPECIALLY FOR PUBLIC USE. WE MAY UNDERSTAND EXACTLY WHAT A SETBACK IS, BUT THE PUBLIC MORE THAN OFTEN DOES NOT. THEY THINK AN EASEMENT = A SETBACK."

Metro Staff Code Survey

Metro Office of Planning staff were invited to share their experience working with the Land Development Code through an online survey conducted in April and May 2026. The sample of staff responses is small, so the results are best read as informed observations from experienced users rather than as a representative measure of staff opinion. Staff apply the Code daily, interpret it under deadline, and explain it to applicants and the public. Their observations carry a level of practical detail that no amount of outside Code reading can replicate, and the responses received were substantive and candid.

Most respondents described the Code as difficult to navigate, with only one rating navigability above the midpoint of the scale provided. Chapter 5: Form Districts, was the chapter used most often, followed by Chapter 2: Zoning Districts. Chapter 10: Tree Canopy, Landscaping and Open Space was most often named the hardest to understand. Notably, several chapters appear on both the most used and hardest to understand lists, including Chapters 4, 5, 7, and 10. The provisions staff reach for most frequently are also the ones causing the most difficulty.

Written comments went well beyond identifying difficult chapters. Staff described specific provisions that are unclear on their face, applicability language that produces inconsistent results depending on how strictly it is read, standards that are routinely waived, requirements that appear in the Code but rarely surface in review, and cross-references that require moving between multiple chapters to answer a single question. Several respondents offered concrete suggestions for improvement, including summary tables, direct links between related sections, updated graphics for public use, and clearer dimensional standards where tables are currently left blank. Comments also addressed the number of zoning districts, by-right housing allowances, parking, transit, and landscape standards.

These observations are illustrative rather than exhaustive, and more detailed conversations with staff are underway and will continue throughout the update process.

Staff comments about the LDC

THEME 1:

Modernize and Simplify the Land Development Code
to Make it More Approachable, User-Friendly, and
Concise

THEME 1:

Modernize and Simplify the Land Development Code to Make it More Approachable, User-Friendly, and Concise

1.1: Consolidate the Document Structure

KEY TAKEAWAYS:

Standards, definitions, and use lists are inconsistently located, appearing in use tables, footnotes, and note boxes rather than in the sections where users would look for them. Parallel sections within a chapter follow no common order, so the same category of content sits in a different place from one district to the next. Reserved placeholders, unfilled effective dates, and cross-references that point to the wrong paragraph or a mismatched title complicate navigation further. Appendices are often disconnected from the sections they support.

- Parallel sections within chapters lack consistent organization of content. For example, Chapter 2 contains a series of parallel base zoning district sections that are not organized consistently from one section to the next. The order and numbering of content (ex: purpose/intent, permitted uses, conditional uses) is not consistent across every district.
- Numbers that function as requirements, such as numeric thresholds and development standards, are at times embedded directly within permitted use sections in Chapter 2, rather than located in the standards sections where users might expect to find them.
- Reserved, deleted, and placeholder provisions exist in the text. Several sections in Chapter 5 carry an unfilled effective date.
- Some sections place definitions or use lists in footnotes rather than in the body text or definitions section, making them easy to miss.

- Several appendices are not clearly linked to the sections they support. For example, appendices 4A through 4E (acceptable luminaries, lumen output, sample light readings, illuminance recommendations) follow the Community Facility Review section without explanation of their relationship to it.
- Several internal citations point to the wrong paragraph, an ambiguous section, or a mismatched title. Examples include a Comprehensive Plan cross-reference with an unclear relationship to the underlying provision, a paragraph range that conflicts with its own location, and an appendix cross-reference whose title does not match the appendix it points to.
- “Note” boxes throughout Chapters 5, 8, and 9 often carry substantive regulatory content. In at least one instance, a note reverses the provision it accompanies.
- Nonconformity thresholds tied to specific dates appear throughout the Code without clear organization and explanation.

CONTINUE INVESTIGATING:

- **For reserved sections, is there an intent to add content in the updated Code, or should these be removed entirely?**
- **Review legacy provisions tied to specific dates to determine if they remain necessary.**

1.2: Modernize Language and Document Formatting

KEY TAKEAWAYS:

Language and formatting inconsistencies throughout the Code affect what the regulations require, not just how they read. Mandatory and advisory terms are used interchangeably for what appears to be the same requirement. Table symbols and legends vary between chapters. Recurring terms are abbreviated inconsistently or left undefined on first use. Catch-all phrasing such as the similar use provision leaves outcomes to interpretation in a chapter that is otherwise highly specific. Spelling errors, broken hyphenation, inconsistent capitalization, and inactive hyperlinks compound the difficulty.

- Language and formatting issues exist throughout the Code. Recurring issues include spelling errors, missing or misplaced punctuation, incomplete sentences, list items that run together, broken hyphenations, inconsistent bolding and capitalization, mid-section font changes, and inconsistent treatment of editor's notes.
- Tables use inconsistent symbols and legends. "NP" denotes a use not permitted in some tables where "X" is used in others. Several legends do not match the contents of the table they accompany, and a number of cross-references point to the wrong table number.
- Mandatory and advisory language are used interchangeably and not clearly defined. "Shall," "should," and "should be discouraged" appear for what reads as the same requirement. Best practice is to define both sets of terms in the definitions section and apply them consistently.
- Recurring terms are abbreviated inconsistently throughout the document. For example, "LDC" and "Land Development Code" both appear, sometimes bolded and sometimes not. Other acronyms such as "LD&T" and "VUA" appear without being defined.
- Catch-all language is used inconsistently, especially with allowable uses. Phrasing such as the "similar use" provision in Section 2.4.4 leaves the outcome up to interpretation, which is inconsistent with the extreme specificity of uses defined elsewhere in the chapter.
- The Code inconsistently names and references reviewing authorities (e.g., Planning Commission, Office of Planning, Planning Director, Planning Staff) and other variants (e.g. Director of Works as opposed to Director of Public Works).
- References to Kentucky's former six-tier city classification system are still present in the Code and do not reflect the current two-class system (first class and home rule cities).
- Several provisions reference obsolete technology (e.g., videocassettes in Section 2.4.3). Additionally, outdated terminology exists in various locations. For example, "handicapped" and generic masculine pronouns are used throughout the Code.
- Links are missing or broken. Reviewers noted that internal links would make the document easier to navigate, and that links to frequently cited outside documents would save readers time.

CONTINUE INVESTIGATING:

- ❑ What is the best practice for maintaining hyperlinks to resources that are not managed by Metro Staff?
- ❑ Review procedures with Metro Staff to verify accuracy of references to reviewing authorities.
- ❑ Should specific KRS citations be replaced with general references to state law, so the Code does not require amendment each time a section is renumbered or superseded?

1.3: Incorporate Graphics, Illustrations, Tables, and Charts

KEY TAKEAWAYS:

The Code relies on dense narrative text in places where a graphic, table, or diagram would convey the standard more directly. Standards including maximum setback alternatives, façade length, and buffer area measurement are described only in prose or illustrated ambiguously. Existing figures vary in graphic style, and several are unlabeled or omit the dimension callouts the standard depends on. Permitted use lists dispersed across Chapters 2 and 4, and tables spanning seven or more pages in Chapters 8 and 9, are the clearest candidates for consolidation.

- Illustrations and diagrams help users understand and implement a standard, particularly where the subject is building form or design intent. Many of the figures in Chapter 5 are unlabeled or labeled inconsistently. Graphic style varies considerably from one illustration to the next.
- Chapter 8 carries “ILLUSTRATION” placeholders in editor’s notes. These placeholders indicate that graphics were intended but never added.
- Several sections describe permitted uses, standards, or procedures in lengthy prose that could be restructured as tables or diagrams for clarity. For example, the street and roadside design standards across form districts in Chapter 5 would be a good candidate for graphic clarification.
- There are several long and unwieldy tables that span many pages and could be consolidated or restructured for usability. For example, the sign standards in Chapter 8 include eleven tables and the parking requirements table in Chapter 9 span seven pages.
- Several standards are described only in narrative form or illustrated ambiguously, including maximum setback alternatives, façade length calculations, and buffer area measurements. Several would benefit from showing a compliant and a non-compliant example side by side. Peer codes use diagrams for this purpose. The need is greatest in the form districts and related design standards, since those provisions carry much of the Code’s contextual intent.
- Permitted use tables in Chapters 2 and 4 present a significant opportunity for streamlining, consolidation, and improving cross-referencing. A unified Land Use Table that anchors this section could consolidate the currently dispersed permitted-use lists across Chapter 2 and Chapter 4.

CONTINUE INVESTIGATING:

- Through community engagement and collaboration with Metro staff, explore what graphic approach or style would best support the goals of modernizing, streamlining, and simplifying the LDC.
- Collect best practice examples for reference in developing graphics for the future LDC.

Example Graphics from Peer Codes

[illegible]

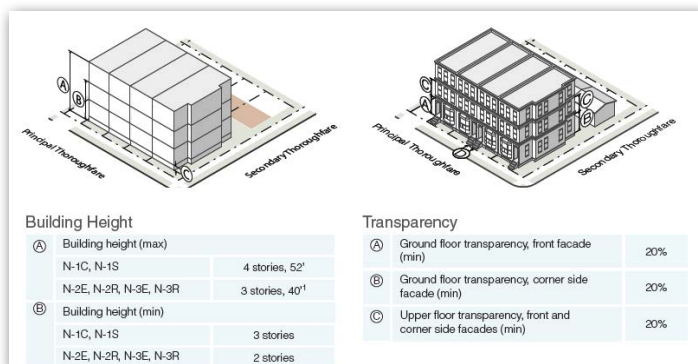
Example allowable use matrix.

Source: Memphis + Shelby County Code Update



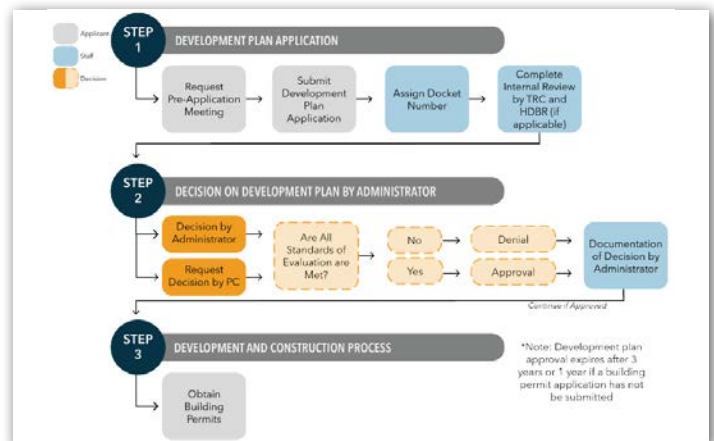
Example graphic illustrating form intent.

Source: Cincinnati Form-Based Code



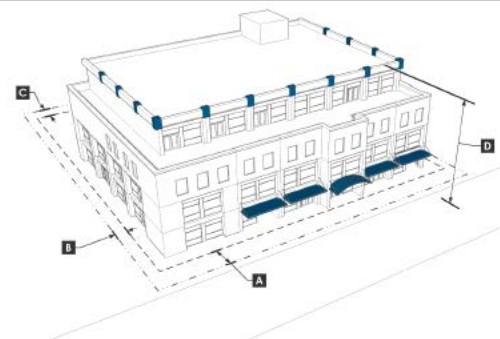
Example form and facade illustrations.

Source: Buffalo Green Code



Example procedure flow chart.

Source: Madison, Indiana UDO



The following table is a summary of the district-specific dimensional standards. Complete dimensional standards are included in Section 11-04-03, *Lot and Building Design and Dimensions*.

TABLE 11-02.23: MX-U LOT AND BUILDING STANDARDS		
LOT STANDARDS		
	Lot Area (minimum)	N/A
	Street Frontage (minimum)	30 ft.
BUILDING SETBACKS (MINIMUM)		
A	Front	0 ft. [1]
	Street Side	10 ft. [1]
B	Interior Side	N/A
C	Rear Yard	20 ft. [1]
PARKING SETBACKS (MINIMUM)		
	Front	10 ft. [1]
	Street Side	10 ft. [1]
	Interior Side	10 ft. [1]
	Rear	10 ft. [1]
	Any Yard Adjacent to Interstate (I-84 & I-184)	N/A
HEIGHT (MAXIMUM)		
D	Building Height	Unlimited [2]; 70 ft. [3]; or 45 ft. or the maximum height of the Residential zoning district, whichever is greater [4]

Example bulk standards table paired with form illustration.

Source: Boise Zoning Code

1.4: Refine, Consolidate, and Relocate Definitions

KEY TAKEAWAYS:

Definitions do not function as a single reference. Several carry substantive regulatory content, including dimensional standards that belong in the standards sections rather than among defined terms. Individual chapters define terms locally that duplicate or diverge from Chapter 1, with Chapter 5 defining height differently across form districts and describing front yard and corner lot informally within district text. Defined terms are not formatted uniformly, so a user cannot tell from the text when a term carries a defined meaning.

- Several definitions contain substantive regulatory provisions. For example, dimensional standards exist in definitions that should instead be located within the relevant standards sections, not buried among defined terms.
- Several chapters define terms locally that contradict or diverge from definitions already established in Chapter 1. For example, Chapter 5 not only defines "Height" differently across

different form districts, it also defines several other terms informally (e.g., "Front Yard," "Corner Lot"), rather than being referred to and/or defined in Chapter 1.

- Defined terms are not formatted uniformly (e.g., capitalization, italics) across the Code. Best practice is to implement a consistent formatting convention so users can readily identify when a term has a defined meaning and locate it in the definitions section.
- Many peer zoning and land development codes locate definitions at the end of the document, which avoids interrupting the regulatory flow of text.

CONTINUE INVESTIGATING:

- ❑ Are there frequently used terms that are currently undefined that inhibit the Code's usability? Chapter 5 alone surfaces several candidates, including "through lot," "short distance," "major" (as in major subdivision), "gross site area," and others.
- ❑ Can duplicative terms be consolidated to eliminate inconsistency and redundancy throughout the Code?

Private Yard Area-In the context of the traditional form districts, the Private Yard Area is the area of the lot located between the Principal Structure Area and Accessory Structure/ Use Area. The Private Yard Area must be unenclosed and open to the sky except for permitted fences, decks, and small sheds. Sheds may not exceed 120 square feet. Unroofed pools, atriums, gardens, garden courts, walks, patios, and other similar uses are acceptable. No other uses may be located within this area, including off-street parking.

EXAMPLE: DIMENSIONAL REQUIREMENT FOR SHEDS IS LOCATED IN THE "PRIVATE YARD AREA" DEFINITION

SOME TERMS, SUCH "A SHORT DISTANCE" ARE UNDEFINED AND VAGUE

- 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.

Examples from the Land Development Code

1.5: Consolidate Review Procedures; Evaluate a Standalone Procedures Manual

KEY TAKEAWAYS:

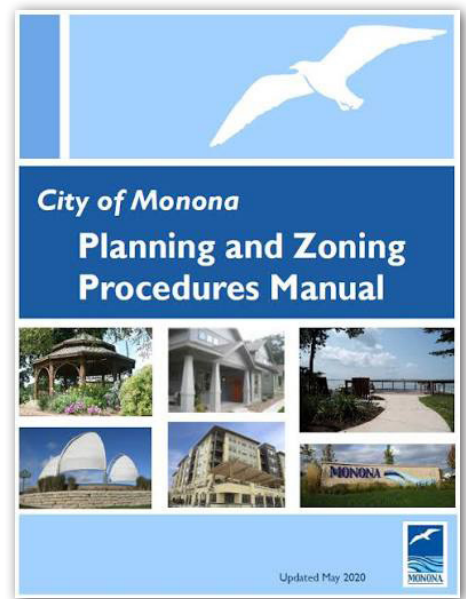
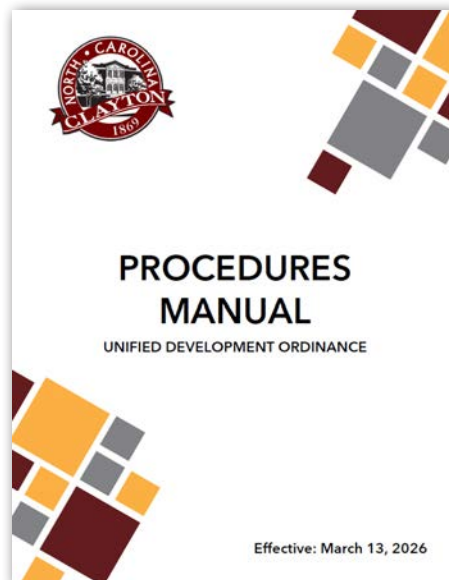
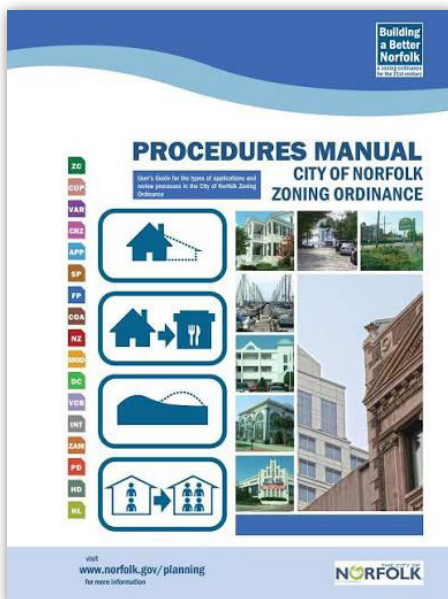
Procedural requirements present two conditions. First, they are distributed across eight of eleven chapters rather than consolidated in Chapter 11, so no single location establishes a project's full review path. Second, Chapter 11 writes each application type as a freestanding procedure, restating common provisions in full within every section.

The resulting duplication produces a divergence between sections intended to operate identically, an incorrect cross-reference, and requirements that have been amended in one location without carrying to their counterparts elsewhere.

- Procedural requirements appear throughout the Code, not only in Chapter 11. This means an applicant cannot determine the full review path from one place. Planned development district procedures sit in Chapter 2, subdivision procedures in Chapter 7, and parking waiver procedures in Chapter 9, among others.
- Some procedures are not written for the person likely to be reading them. Section 2.7.4 (Traditional Neighborhood Zoning District, General Provisions) explains how to create or amend the district, not how to develop a property within it, but it sits in the section a property owner would consult.
- Requirements common to multiple application types are written out separately and repeated in each procedure. Amending one requires locating and amending all of them.
- Waiver requirements are fragmented and inconsistent. Section 11.8.1 states that a waiver procedure written elsewhere overrides the general procedure, without saying where those procedures are.
- Hearing requirements conflict as well: Section 11.8.4 leaves the hearing to Commission discretion, while Section 11.11.5 requires one.
- Appeals are organized by deciding body rather than by application type. To find the right section, an applicant must already know which body issues the decision and which body hears appeals from it.
- Procedural deadlines are not collected anywhere in the Code, so users must assemble the applicable schedule themselves. For example, section 2.7.4 (Traditional Neighborhood Zoning District, General Provisions) carries several different notice and appeal clocks.
- The division between the Code and administrative practice is inconsistent. Routine process details are written into the ordinance, so changing it requires a Code amendment.
- Some procedures sit outside the Code. For example, the Category 2 review procedure referenced in Section 11.6.3 resides in a Office of Planning handout.
- Chapter 11 mixes procedures applicants use with content written for Metro's own operation. Part 1 (Administrative Officials), Part 9 (Fees), Part 10 (Enforcement), and Appendix 11A (Fee Schedule) sit alongside the application procedures in Parts 2 through 8 and 11, with no division between the two.

CONTINUE INVESTIGATING:

- ❑ Which procedural requirements come from KRS Chapter 100 and must remain in the Code, and which could move to a staff-maintained Procedures Manual?
- ❑ If procedures remain in the Code, would a companion Development Review Playbook, illustrating review paths, address the navigation problems without relocating regulatory content?
- ❑ Are the differences between parallel procedures intentional, or the result of amendments applied to one section and not the others?
- ❑ Which procedural steps are working for Metro staff, and where can administrative burden be reduced?
- ❑ Would a summary table of application types, mapped to review body, notice requirement, hearing requirement, decision authority, appeal path, and timeline, resolve the navigation problems identified above? Raleigh, Charlotte, and Nashville open their administration articles with a table of this kind.
- ❑ Should each application procedure follow a uniform template of purpose, applicability, procedure, criteria, and effect, so that parallel procedures cannot drift apart as they have in Sections 11.4.3 and 11.5A.3?



Examples of Procedures Manuals

Source (Left to Right): City of Norfolk, Town of Clayton, City of Monona

THEME 2:

Update the Zoning Districts, Form Districts, and Development Standards to Simplify, Consolidate, and Reduce Confusion of Multi-Layered Regulations

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Update the Zoning Districts, Form Districts, and Development Standards to Simplify, Consolidate, and Reduce Confusion of Multi-Layered Regulations

2.1: Overview of Existing Zoning Regulations

KEY TAKEAWAYS:

Base zoning regulates development primarily through cumulative use permissions and density standards. Residential districts are distinguished largely by dwelling-unit caps and commercial, industrial, and special purpose districts by permitted uses. Many districts differ from one another only in density or a handful of uses. Density itself is expressed through at least four mechanisms with no stated rule governing which district receives which.

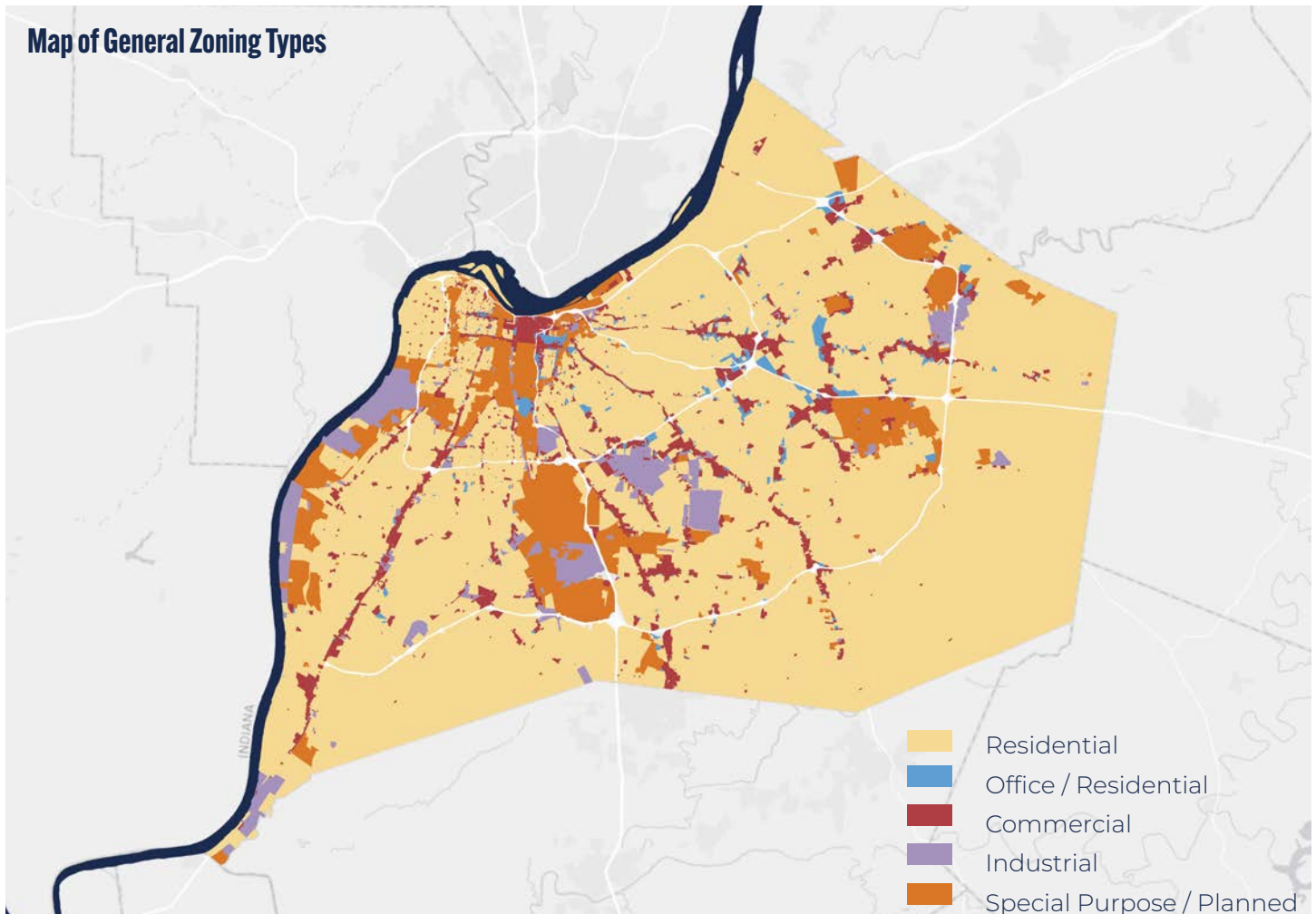
Overlays, incentive mechanisms, form districts, and transition standards add further layers that blur which standards govern a given property, and the resulting friction surfaces as variances and waivers. The Traditional Neighborhood Zoning District is the Code's response to a range of neighborhood types base zoning does not reach. Section 2.5 of this report examines this issue in more detail.

- Use permissions are cumulative, which means a user cannot determine what is permitted in a district by reading that district's section alone. For example, C-M permits the uses allowed in C-2, which permits the uses allowed in C-1.
- Purpose statements explain why a zoning district exists and what it intends to regulate, but they are used inconsistently across Chapter 2. For example, R-E and R-1 open with none at all, while C-R carries one substantially longer than its others. PRO is among the few whose purpose statement sets out goals specific enough that the district's standards can be tested against them.
- Development standards and numeric thresholds are at times embedded in lists of permitted uses. This is especially evident in Section 2.4.3 C-1 Commercial Districts, where standards are attached to permitted uses, instead of outlined in Special Standards or Development Regulations sections.
- Density is expressed through at least four different mechanisms, with no stated rule governing which zoning district receives which.
 - Flat dwellings-per-acre caps are used in most residential districts
 - Bedroom-tiered density is used in C-2 and OR districts
 - Density is sized by unit type in OR-3
 - Flat per-lot density caps that do not scale with lot size are used in R-5B
- FAR and density move independently of each other, and it is unclear if this produces desirable outcomes. No single methodology governs the FAR-based districts. Additionally, Chapter 2 Part 1 adds a second, land-area-based density calculation.
- There are more residential districts than there are substantive differences between them. R-1, R-2, and R-3 are identical in permitted uses, conditional uses, and development standards, differing only in maximum density. R-1 and R-E carry the same maximum density and differ only in whether home occupations, garage and yard sales, and country clubs are permitted.
- Use categories are so specific, particularly in the industrial zones, that it can be difficult to determine whether a proposed use is permitted. The specificity of the lists does not produce a more predictable answer, and it places the burden on staff to reconcile new uses against categories written for an earlier set of industries.

- Non-conforming lot protections are restated district by district rather than consolidated in general provisions, resulting in repetitive language that could instead be addressed once and applied consistently across districts.
- Overlay and incentive mechanisms layer additional complexity on top of base zoning, complicating which standards actually govern. When Alternative Development Incentive (ADI) regulations are used, they are effectively treated as a distinct base zone.
- Other mechanisms, such as subdivision regulations, at times override or supersede base zoning standards without a clearly defined hierarchy.

CONTINUE INVESTIGATING:

- How frequently are waivers and variances requested for issues related to base zoning versus issues relating to form districts and transition standards? Are there specific districts or standards that generate more variance and waiver applications?
- What is the intent of using non-standard density mechanisms (dwellings-per-acre, unit-type-based, or FAR) across all districts? Are the different mechanisms producing outcomes that justify their continued use?



2.2: Overview of Existing Form District Regulations

KEY TAKEAWAYS:

Chapter 5 establishes twelve form districts intended to supplement base zoning with context-specific regulation. Unlike many land development codes, Louisville's form districts regulate bulk standards, the rules controlling the shape, size, and placement of buildings, but not use or density.

Because a district boundary can therefore enclose any mix of base zones, uses, and densities without the Code registering a conflict, several districts function more as place-based labels than as regulatory categories. Form districts also serve as a keying variable for standards in other chapters, so determining what applies to a property requires consulting multiple chapters.

- Chapter 5 of the LDC established twelve (12) form districts in two (2) major categories: traditional and suburban. See the Appendix of this report for more information. Form districts regulate form, dimensional standards, and some design characteristics, but not development capacity.
- Each form district opens with a statement of its relationship to the Comprehensive Plan. That statement is identical in all twelve except for the district's name, saying only that the district implements Code provisions consistent with the Comprehensive Plan's Goals, Objectives, and Policies in accordance with KRS Chapter 100. It conveys nothing specific to the district it introduces.
- The intent and applicability statement that follows it describes how a district should function and what development it should produce. These vary considerably in quality. The strongest are effective vision statements that are specific enough that the district's standards can be tested against them.
- Form districts are used as a keying variable throughout the LDC, meaning that standards outlined in other chapters are applicable by specific form district. For example, Chapter 10 sets tree canopy standards by form district. The intention of this is to produce context-sensitive regulations, but it creates hassle for Code users who have to track down and flip through numerous sections of the Code to find all applicable regulations for a property.
- Beyond bulk standards, Chapter 5 contains general provisions covering encroachments and permitted projections, height exceptions, accessory structures, fences and walls, and vision clearance, along with infill development standards addressing prevailing front yard setback and height conditions. These provisions appear to apply broadly to all uses regardless of base zone or form district, with only narrow exceptions, meaning their current location within individual sections implies a district-sensitivity that may not be necessary.
- Definitions are established piecemeal inside the general provisions in Chapter 5, including "front property line," "setback," "yard," and "corner lot," despite such terms being defined in the Definitions chapter.
- Some form districts have extremely limited applicability. For example, the only content genuinely unique to the Village Form District is the intent and applicability narrative, the pre-existing structure provisions, and its own open space standard. Otherwise, it functions as a place-based label sitting on top of Neighborhood Form District regulations, not as an independent district.
- Threshold tables determine which specific design, site, and form standards apply to a proposed development based on a project's intensity and scale. In several instances, similar thresholds recur across multiple districts with unexplained variation, and applicability standards tied to infill versus non-infill contexts require the reader to consult multiple tables and chapters to determine which standards govern a given property.

- The demand for relief through variances and waivers is evidence that elements of this chapter do not perform effectively.
- Through conversation with Metro staff and consultants, it is evident that some standards, such as Transition Standards, regularly generate variance and waiver applications.
- The same is true for Village and Village Center Form District standards. It is unclear whether this is due to the content of the regulations or the mapped geographies of the districts being incongruent with the existing built character of the places.

CONTINUE INVESTIGATING:

- How well do the standards in Chapter 5 actually deliver their intended built form, and why might form districts be misaligned with actual development outcomes?
- Are the regulations not specific enough about form and design to produce desired outcomes? Are form districts mapped onto some properties inappropriately? Is the intended form not currently desirable or feasible to deliver under prevailing market conditions?
- Do current Transition Standards effectively ensure compatibility between adjacent form districts of varying intensities, or does the ambiguity in how they are applied contribute to the volume of variance and waiver requests?
- To what extent do the design standards embedded in Chapter 5 that address specific uses – residential building types, private yard areas, and similar provisions – belong within the form district framework versus a separate use-based or development-pattern-based standards structure (via an applicability statement)?
- A table consolidating the bulk regulations across all 12 form districts would help identify where standards overlap and where there may be opportunities to consolidate regulations, or potentially districts, and to examine whether a single-tier approach could be viable. This analysis should also review density requirements alongside lot area and height standards to determine whether any of these measures are redundant with one another.
- A table consolidating the threshold tables by form district would help determine whether any thresholds are tied to use or development pattern rather than to form or district. If so, those threshold tables may need to be addressed separately from the broader form district consolidation, since a use-based or development-pattern-based threshold is a different kind of regulation than a form-based one.

ZONING AND FORM DISTRICT MATRIX

Zoning District	Form District	Percent of land area
R-4	Neighborhood Form District	48.7%
R-5	Neighborhood Form District	8.0%
EZ-1	Suburban Workplace Form District	4.2%
R-R	Neighborhood Form District	3.9%
R-5	Traditional Neighborhood Form District	2.6%
R-4	Village Form District	2.4%
R-1	Neighborhood Form District	2.2%
M-3	Suburban Workplace Form District	2.2%
PEC	Suburban Workplace Form District	2.1%
R-6	Neighborhood Form District	1.8%
R-5A	Neighborhood Form District	1.1%
EZ-1	Traditional Neighborhood Form District	1.1%
M-2	Suburban Workplace Form District	1.0%
R-6	Traditional Neighborhood Form District	1.0%
R-7	Neighborhood Form District	1.0%
C-2	Suburban Marketplace Corridor Form District	0.9%
R-4	Campus Form District	0.8%
R-4	Suburban Workplace Form District	0.8%
R-1	Traditional Neighborhood Form District	0.8%
C-1	Suburban Marketplace Corridor Form District	0.7%
C-1	Neighborhood Form District	0.6%
R-7	Traditional Neighborhood Form District	0.5%
R-3	Neighborhood Form District	0.5%
C-2	Regional Center Form District	0.5%
R-E	Village Form District	0.4%

ZONING AND FORM DISTRICT COMBINATIONS:

Because base zoning and form districts are mapped independently, every parcel carries one of each. The matrix above shows the 25 combinations of zoning and form districts that cover the most land area, which together account for roughly 90 percent of Louisville Metro. The remaining combinations divide the last 10 percent of land area. GIS analysis identifies more than 240 unique combinations across Louisville Metro. More than 240 combinations means more than 240 distinct regulatory outcomes to administer. Land area is heavily concentrated within this set. R-4 in the Neighborhood Form District alone covers approximately 49 percent of Louisville Metro, and R-5 in the Neighborhood Form District covers eight percent. No other combination reaches five percent. The matrix also shows residential zoning mapped inside non-residential form districts at measurable scale, including R-4 with Suburban Workplace and R-4 with Campus. Because several form districts have limited applicability and carry few substantive regulations of their own, it is worth questioning whether these 240-plus combinations produce meaningfully different outcomes.

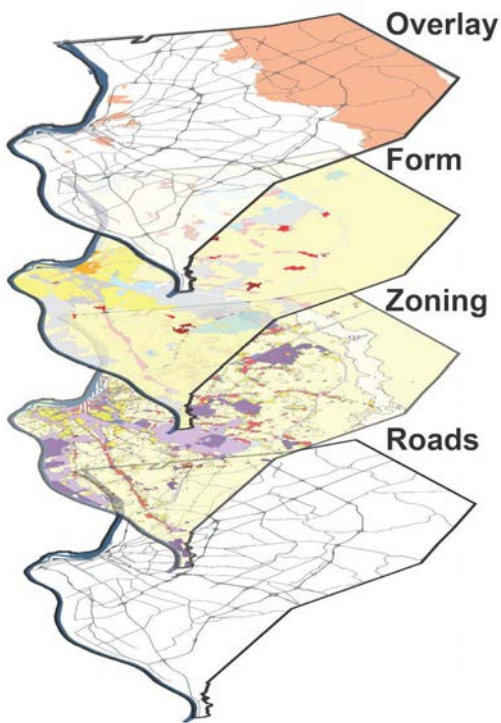
2.3: Overlapping Regulations on a Single Property

KEY TAKEAWAYS:

Development standards are established by several concurrent regulatory layers rather than by one. Base zoning sets use and density, the form district sets dimensional standards, and additional layers apply depending on location, application type, whether an incentive is used, and what was approved on the parcel previously. The Code does not state how these layers relate to one another. Conflicts are resolved in individual sections using different formulations, so a user cannot predict how an unaddressed conflict resolves. One set of requirements, designated through Plan Certain, is not in the Code at all and is specific to the parcel.

- The Code has no general rule of precedence among its layers. Section 11.8.1 provides that a waiver procedure written into any other chapter, part, or section overrides the general procedure. Section 5.7.1.B.2 provides that where non-transition setback requirements are more restrictive than transition zone requirements, the more restrictive requirement applies. Section 5.1.2 exempts preexisting structures from the form district standards entirely. Each resolves a specific conflict without establishing a general principle.
- Where a hierarchy is stated, it is often stated more than once in different terms. Section 2.8.4 (Applicability of Land Development Code) establishes the relationship between the Land Development Code, the form district, and the planned development plan across three subsections with slightly different framing, requiring a user to reconcile all three.
- Development standards for a property may be established by a prior approval rather than by the Code. Plan Certain, defined in Chapter 1 as the procedure by which the Planning Commission or legislative body designates elements and restrictions of an approved development plan that are binding on the use and development of the property, produces requirements recorded in the approval rather than stated in the Code. Under Section 11.4.7, those elements become a permanent part of the plan and apply to all development plans subsequently prepared for the property. A user cannot determine from the Code whether such elements apply to a given parcel or what they require.
- “Binding element” is used throughout the Code without being defined, appearing nearly 50 times in Chapter 11 alone. The Definitions chapter defines Plan Certain, the procedure by which binding elements are designated, but not the term itself. The relationship is stated in one direction only: binding elements are strictly enforceable and permanent unless waived or released by the Planning Commission, but the Code does not address whether a binding element may be less restrictive than an applicable Code standard, or how binding elements are treated when the underlying provision is amended or repealed.
- Some layers are discoverable only by reading a section that does not appear to concern the property. Section 5.2.3.C.2 provides that residential lots and structures within the Traditional Marketplace Corridor Form District comply with Traditional Neighborhood Form District standards under Section 5.2.2. A residential property owner consulting the district in which the property is mapped is directed to the standards of a different district.

- Two layers can produce a different result for the same property without the Code stating which one controls. Section 5.1.12 (Infill Development Regulations) sets the front yard setback based on the prevailing range along the block face, which supersedes the form district dimensional requirement where it applies. The Code does not state the relationship between the two.
- Some layers rely on documents outside the Code. Section 5.7.1.A determines transition zone depth in part by roadway classification, referring users to Core Graphic 11 in the Comprehensive Plan. The Downtown Form District building design standards in Section 5.6.2 may overlap or conflict with the Historic Preservation District Design Guidelines, and the Code does not always address which applies.



Regulatory Layers of the LDC

Source: Plan 2040, Louisville Metro Government

CONTINUE INVESTIGATING:

- What are the implications when multiple regulations apply to a single property? Development scenarios should be explored to understand how the regulations interact and where the applicable standard becomes difficult to determine.
- Should the Code state a general rule of precedence among regulatory layers, so that conflicts resolve predictably rather than section by section?
- Chapter 5 resolves conflicts between regulatory layers provision by provision using various formulations such as — “the greater standard shall apply,” “the more restrictive requirements shall apply,” and “whichever is greater.” Should there be a generalized rule of precedence that clearly indicates which standards supersede others, so unaddressed conflicts resolve predictably?
- Should residential development in non-residential form districts be regulated by the standards of the mapped district, by a separate residential standard, or by the current carry-over to Traditional Neighborhood or Neighborhood standards?
- What are Metro’s views on Plan Certain development, and does it over-complicate or restrict development?
- How many properties in Metro carry binding elements, and is that information accessible to a prospective purchaser or applicant before an application is filed?

FOR LEGAL REVIEW:

- What becomes of binding elements that reference zoning districts, form districts, or Code sections that a rewrite eliminates or renumbers? Do they remain enforceable as written, and does the answer differ for elements that restate a Code standard versus those that impose an additional requirement?

2.4: Existing Non-Conforming Structures, Lots, and Uses

KEY TAKEAWAYS:

Nonconformity is addressed in Chapter 1 Part 3 and in at least five other locations, using different terms, vintage dates, and triggers, so a property owner cannot determine status from a single place. A substantial stock of buildings sits in areas developed before zoning and later downzoned, making them nonconforming as a result of regulatory history rather than incompatibility with their surroundings. The provisions governing those buildings are scattered, internally inconsistent, and in places undefined, and the burden of establishing status falls on the owner.

- Neighborhoods developed before zoning were later mapped to single-family districts, leaving buildings that predate the regulation with no path to permitting under it. Establishing nonconforming status requires an owner to document decades of continuous use, a burden that produces uncertain results. The framework offers no path at all for uses that began after the applicable regulation, regardless of how long they have operated.
- The Code uses at least four vintage thresholds with no stated basis for the differences: lots created before March 8, 1963 in Section 2.1.3, lots recorded before June 17, 1954 in Section 2.2.7, structures existing and in use on or before November 22, 1926 in the Traditional Neighborhood Zoning District provisions, and an undated reference to lots created before adoption of the regulations in Sections 1.3.3 and 5.1.10.A. Each date defines a separate class of property with distinct rights.
- Section 5.1.2 (Conformance with Form District Regulations) exempts structures existing before the chapter's effective date from its standards, which runs counter to the general principle that alterations should not increase a nonconformity. As written, a building that presently conforms could be altered in ways that make it nonconforming, and an already nonconforming structure could become more nonconforming still.
- The scope of Chapter 5's relief provisions is not clearly bounded. Section 5.1.10 permits a residential structure with an existing side or rear yard encroachment to add a first or second story addition continuing the same encroachment, but does not state whether residential structure includes multi-family buildings, and sets no minimum distance to prevent an addition from further reducing an already tight setback.
- A general provision addresses area requirements without defining them. It is unclear whether the term covers lot area, width, and depth collectively or also includes floor area. As written, the provision may prevent any construction on an undersized lot, including an addition to an otherwise conforming single-family home.
- Nonconformity provisions direct users to unrelated sections. Section 1.3.3 (Lot) permits changes that increase nonconformity with minimum lot area only in accordance with Section 7.1.85, a form-district-specific subdivision provision. Chapter 5's own nonconforming lot, setback, and structure provisions are scattered across multiple sections rather than organized into a single structured provision.

CONTINUE INVESTIGATING:

- ❑ The scope of applicability for nonconforming lot, setback, and structure relief needs clarification throughout Chapter 5. Is relief limited to single-family and two-family dwellings, does it extend to all uses, or does it extend to all uses except those specifically prohibited?
- ❑ Should nonconformity be consolidated into a single article covering use, structure, lot, setback, coverage, height, parking, and signs with the district-level and chapter-level provisions replaced by cross-references?
- ❑ Should the vintage thresholds be reconciled to a single date or a single formulation, and what is the basis for each of the existing dates?
- ❑ How many parcels, structures, and uses would be affected under the consolidation scenarios under consideration? This depends on the build-out scenario work and on parcel-level data from Metro.
- ❑ Do nonconforming density or height conditions warrant the same level of relief and review as an expansion of a nonconforming use, or should they be treated more permissively, consistent with how nonconforming lots and setbacks are currently handled in Chapter 5?

FOR LEGAL REVIEW:

- ❑ What changes to a property involving a nonconforming use may be approved administratively, and what requires Planning Commission or Board of Zoning Adjustment approval? This should be confirmed against KRS and relevant Kentucky case law.
- ❑ Metro's counsel has indicated that changing the process for establishing nonconformance going forward would require a change to state law. What is the scope of that constraint, and does it extend to re-legalizing existing buildings through form or building type definitions, or only to the process for establishing nonconforming status?
- ❑ KRS 100.253 is cited in Section 1.3.1.B as governing enlargement and change of nonconforming uses. Which aspects of the current framework are set by statute and which are within Metro's discretion, including the one-year abandonment presumption and the Board's authority to permit a change from one nonconforming use to another?
- ❑ What are the takings and vested rights considerations if consolidation creates new nonconformities, and does an overlay or opt-in structure that preserves existing development rights mitigate that exposure?

2.5: TNZD as Evidence the Base Zoning System Under-Performs

KEY TAKEAWAYS:

The Traditional Neighborhood Zoning District operates as a code within the Code. It is a self-contained regulatory island with its own use tables, site design standards, parking requirements, sign standards, amendment process, and appeal timelines, several of which duplicate or conflict with base LDC provisions. The district achieves strong contextual design outcomes at a cost to usability, consistency, and scalability, and it applies to a single neighborhood. Its existence establishes that the Code already has a precedent for context-sensitive design standards layered onto form districts.

- The district is divided into TNZD General, TNZD Transition Center, and TNZD Center, each regulating the character of a specific area. Where TNZD standards conflict with base zoning standards, the section repeatedly directs that the stricter standard applies, leaving the base standards little independent work to do inside the district.
- The section carries its own transition framework, set by the context of adjacent development patterns, use mix, and cultural or natural features. Where TNZD abuts another form district, use mix and density follow the adjacent district while design and development pattern follow TNZD.
- Section 2.7.5 layers permitted and conditional use tables, special standards, site design standards, and parking requirements by zone and use on top of the base LDC, and adds sign standards beyond those in Chapter 8 and the associated Preservation District Design Review Guidelines.
- The section establishes its own amendment process, plan requirements, and site plan review separate from the procedures governing the rest of the LDC, including notice and appeal clocks an applicant must reconcile independently.
- The district's stated intent aligns with the Goals, Objectives, and Policies of the Comprehensive Plan, but the permitted use tables do not carry that intent through. Limits on the conversion of units work against the diversity of uses the district is written to promote.
- Labeling, terminology, and formatting are inconsistent within the section and between tables, and several tables carry incomplete or incorrect formatting. A user cannot rely on a term or symbol carrying the same meaning from one table to the next.

CONTINUE INVESTIGATING:

- ❑ Based on comments from Metro Staff, it is evident that TNZD regulations produce extra complexity and burden for applicants and reviewers. What updates to the Code or procedures could simplify and streamline this process?
- ❑ Have the areas zoned TNZD experienced growth over and above / below the Metro area and is that in part due to the zoning?
- ❑ Has TNZD been successful in producing what is intended?
- ❑ Could an overlay district deliver the TNZD's design outcomes without a self-contained set of regulations?

THEME 2: SIMPLIFY



An example streetscape from the southeast edge of the TNZD district. Denser, historic residential properties sit adjacent to a corner commercial use.

Source: Google Earth Streetview



Attached and near-attached homes on narrow lots reflect a built character that would not be permitted under standards that apply in many other districts.

Source: Google Earth Streetview



An example of the existing residential fabric of the Old Louisville/Limerick neighborhood.

Source: Old Louisville Neighborhood



An example of an existing corner store within the broader residential context of the Old Louisville/Limerick neighborhood.

Source: Google Earth Streetview

THEME 3:

Update Regulations to Encourage a More Diverse Array of Housing Types, Guide Authentic Contextual Form, and Incorporate Mixed-Use and Open Space to Encourage Healthy Communities

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Update Regulations to Encourage a More Diverse Array of Housing Types, Guide Authentic Contextual Form, and Incorporate Mixed-Use and Open Space to Encourage Healthy Communities

3.1: Housing Diversity, By-Right Allowances, and Overlapping Incentive Systems

KEY TAKEAWAYS:

The Code permits a narrow range of housing types by right and routes most housing diversity through separate incentive and overlay systems layered on top of the base districts. Density caps expressed in dwellings per acre limit unit count regardless of unit size, so smaller units are penalized. The spectrum of housing between high and low density is difficult to achieve within the base districts. Where those types are permitted, permission typically runs through a conditional use permit, a planned development district, or participation in an incentive program. Multiple incentive programs operate in parallel, in different chapters, using different terminology for similar mechanics.

- Approximately 6 percent of the total land area in Louisville Metro is zoned for multi-family residential use. Within those zones, density regulations paired with minimum lot sizes set by form district can make multi-family projects at the maximum allowable density infeasible.
- The Code already scales density by unit size in five districts, without stating why those five. Sections 2.3.4 (OR-3), 2.3.5 (OTF), 2.4.4 (C-2), 2.6.4 (W-1), and 2.6.5 (W-2) set maximum density in three tiers using identical figures: 435 dwellings per acre for studio units, 217 for one-bedroom units, and 145 for two or more bedrooms. This approximates a land-area-per-dwelling-unit standard, which does not penalize smaller units. The residential districts, where most housing is built, use flat per-acre caps instead.
- Housing types associated with missing middle development are generally not permitted by right. Duplexes, townhouses, and zero-lot-line homes are available in the Traditional Neighborhood Form District only through the Planned Residential Development district or an incentive program. Section 4.2.62 (Duplex Dwelling Units) permits conversion back to duplex use only for buildings originally constructed as duplexes, and requires a conditional use permit to do so.
- Section 4.2.3 (Accessory Dwelling Unit) likewise requires a conditional use permit unless the unit meets the standards in Section 4.3.27, which prohibit ADUs on any lot area carrying environmental constraints under Section 4.6.2.A.
- Standards for the housing types the Comprehensive Plan encourages exist in only two of twelve form districts, and they grant no permission on their own. Section 5.2.2.D (Traditional Neighborhood Form District) and Section 5.3.1.D (Neighborhood Form District) set lot area, width, and setback standards for zero lot line, duplex, townhouse, semi-detached, and patio home units, but apply only where those units are already permitted through the Planned Residential Development District (Section 2.7.3) or the Alternative Development Incentives (Chapter 4 Part 5).
- The standards also differ by approval route: a detached unit in the Traditional Neighborhood district requires a 2,500 square foot lot through PRD and 4,500 square feet in R-4 or 3,000 square feet in R-5 through ADI. The resulting built form depends on which approval route the applicant used rather than on the housing type or its context.

- Housing diversity is routed through multiple incentive programs rather than the base districts, and those programs overlap. The Mixed Residential Development Incentive in Section 4.3.20 and the Alternative Development Incentives in Chapter 4 Part 5 both apply to R-4 and R-5, both use point systems rewarding open space, housing diversity, transit proximity, historic preservation, and brownfield reuse, and both cap at approximately the same densities, but they use different terminology and different mechanics for similar outcomes.
- Incentive provisions are distributed across the Code rather than collected in one place. In addition to Section 4.3.20 and Chapter 4 Part 5, density and intensity bonuses appear in the Building Height Incentive in Section 5.5.6, the conservation subdivision standards in Section 7.11.10, and within the Planned Residential Development district provisions in Section 2.7.3. A user evaluating available incentives must locate them individually.
- Density bonus programs conventionally increase the bonus as the affordability commitment increases. The MRDI point system in Section 4.3.20 does the opposite above a threshold, awarding its highest scores at intermediate shares and no points at the highest shares. A proposal with 20 to 29.99 percent affordable units earns three points, while a proposal with 50 to 100 percent affordable units earns none. Within a qualifying development, the Code separates units by affordability level and provides no evident incentive to build at the more affordable level rather than the less affordable one.
- The affordability standards the incentives rely on cannot be determined from the Code as adopted. Section 4.3.20 refers to Diversity Levels 1, 2, and 3 as described in Chapter 4 Part 5, and an editor's note states that those levels are the subject of a pending text amendment, directing users to definitions in a staff report. Section 4.5.3 (Basis for Incentives) references fixed income figures rather than the annually published HUD data, so the standard becomes inaccurate as soon as the underlying figures change.
- Section 4.3.20 awards two points for siting in a census tract with less than 15 percent of its population below the poverty level. The provision directs incentive-supported affordable units toward lower-poverty areas, which warrants review against Plan 2040's Equitable principle and against how the incentive interacts with the districts where R-4 and R-5 land is concentrated.
- Group living uses are regulated redundantly across two parts of Chapter 4. Boarding and Lodging Houses (Section 4.2.11), Rehabilitation Home (Section 4.2.31), and Transitional Housing (Section 4.2.55) carry nearly identical licensing, revocation, separation distance, and application requirements. Homeless Shelter, Transitional Housing, and Rehabilitation Home each appear twice, once as a permitted use with standards in Part 3 and once as a conditional use in Part 2, without a clear rule for when each route applies. This is a fair housing sensitive area and any consolidation requires careful review.
- Manufactured and mobile housing is regulated across several sections using different terms, including mobile home, manufactured home, factory built home, and qualified manufactured home, none of which align consistently with the federal HUD-code definitions. These are affordability relevant housing types, and the inconsistent terminology makes the applicable standards difficult to identify.
- Conservation subdivisions, which produce smaller lots in exchange for preserved land, are unavailable in the districts where that trade would yield the most units. Section 7.11.4 (Applicability) excludes the Urban Center Neighborhood District and all two-family and multi-family residential zoning districts. Section 7.11.5 (Procedures) also requires applicants to submit a conventional subdivision layout alongside the conservation layout.

CONTINUE INVESTIGATING:

- ❑ Should the density cap be eliminated in FAR-governed districts, where building form and height already constrain unit count? Recent code updates in Charlotte and Cincinnati regulate unit count through building type and envelope standards rather than through a numeric density cap.
- ❑ What determined which districts received bedroom-tiered density and which received flat per-acre caps, and should density be expressed as land area per dwelling unit rather than as a bedroom-count tier, given that bedroom counts can change without a permit trigger?
- ❑ Which housing types should be permitted directly in the base or form districts rather than through incentive programs or conditional use? Charlotte, Portland, and Minneapolis permit two to four units by right in districts formerly limited to single-family use.
- ❑ Can the group living uses share one consolidated standards set, with a clear rule for when each is permitted by right and when a conditional use permit is required?
- ❑ Section 4.3.27 permits ADUs by right with a size cap consistent with model provisions, but layers on parking, environmental, and owner-occupancy conditions that model codes often omit. Have these regulations been shown to limit the potential development of ADUs?

Zoning with Permitted 2+ Family Residential Use with Maximum Density and Percent of Total Land Area in Louisville Metro		
Zone	Maximum Density	Percent of Land Area
R5A	12.01 Dwellings per Acre (D/A)	1.30%
R5B	2 Dwellings per Lot (D/L)	0.10%
R6	17.42 D/A	3.08%
R7	34.8 D/A	1.59%
R8A	58.08 (D/A)	0.04%
OR	12.1 D/A	0.03%
OR1	34.84 D/A	0.11%
OR2	58.08 D/A	0.24%
OR3	435 / 217 / 145 D/A *	0.69%
OTF	435 / 217 / 145 D/A *	0.07%
CN	17.42 D/A	0.06%
CR	34.8 D/A	0.02%
C1	34.84 D/A	2.00%
C2	435 / 217 / 145 D/A *	2.34%
C3	435 D/A	0.19%
CM	None	0.35%
W1	435 / 217 / 145 D/A *	0.01%
W2	435 / 217 / 145 D/A *	0.12%
PVD	5 D/A	0.17%
PTD	435 / 34.8 D/A **	0.00%
TN2D	53 / 34.8 D/A ***	0.22%
*0 Bedroom / 1 Bedroom / 2+ Bedroom		
**Center / Transition		
***Center / General		

3.2: Community Form Goals

KEY TAKEAWAYS:

Plan 2040 and the Land Development Code connect most directly through the Community Form Goals, which describe each form district and promote a hybrid model of zoning and form districts. That connection holds unevenly in practice. The Traditional and Downtown Form Districts align closely with the Community Form Goals, while the Suburban Form Districts depart from them, and the Neighborhood Form District departs furthest. Its policy objectives call for diverse housing types, a mixture of uses, and connectivity between adjacent uses, none of which the built environment consistently reflects.

- The Community Form Goals, outlined in Section 4.1 of Plan 2040, establish the hybrid model of base zoning paired with form districts and encourage redevelopment and flexibility of uses. The policy objectives for Plan 2040's Community Form Goals outline the different form districts of the LDC, providing general descriptions of each.
- Any proposed changes to the form districts must be carried through Plan 2040 as well as the Code. The policy objectives outlined in Community Form Goals allow new form districts to be added.
- The Traditional and Downtown Form Districts align with the Community Form Goals. The Downtown Form District promotes an extensive mixture of uses with design elements suited to the urban built environment, and its standards support the identity that Plan 2040 describes for these areas.

- The Neighborhood Form District departs furthest from the Plan 2040 Community Form Goals in both practice and implementation. Plan 2040 calls for diverse housing types, compatibility with nearby mixed land uses, and accessibility and connectivity between neighborhoods. The built environment does not generally match this intent.
- Mixed use and higher density proposals in the Neighborhood Form District draw substantial opposition from residents desiring separation of uses, so the gap between the plan's intent and the built result is sustained through the review process as well as through the standards.

CONTINUE INVESTIGATING:

- Should Louisville Metro consider consolidating the LDC into a single-tier zoning code to eliminate the layers and confusion they create? If this were possible, how would these revisions interact with Plan 2040 and other planning efforts that reference the form districts?
- In the Community Form Goals of Plan 2040, uses are clearly separated from design – is this helpful or detrimental to development and growth of Louisville Metro over the next two decades?
- How do we incorporate the five goals of Plan 2040 Section 4.1 into the LDC broadly?

3.3: Form District Pattern and Special Character for Site Design

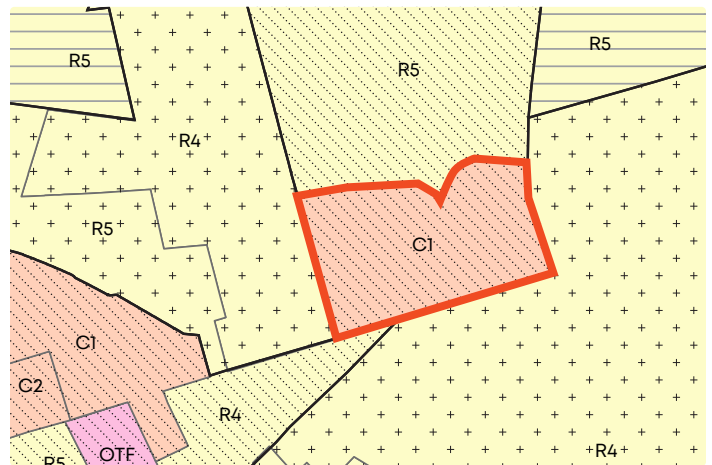
KEY TAKEAWAYS:

Form districts are intended to align regulations with development patterns, but in places the mapped district does not match the pattern on the ground. Some areas and properties carry a form district designation inconsistent with their built character, in part because residential properties within non-residential form districts are regulated by a different district's standards. Additionally, the dimensional standards within a single form district vary considerably across the base zoning districts it overlays, and several minimum lot areas appear large relative to existing patterns. Where a mismatch exists, the consequence falls on individual property owners. A lot that does not meet the applicable minimum becomes subject to Chapter 5's nonconforming lot provisions and the relief available under them.

- Residential-zoned properties located within non-residential form districts are regulated by Traditional Neighborhood or Neighborhood Form District standards rather than by the standards of the district in which they are mapped. The results are counter to the contextual intent of the form district system.
- The Town Center Form District is not producing its intended pattern. Most Town Center districts have not developed as the district description anticipates, with Jeffersontown as the notable exception. How the original Town Center boundaries were designated is not documented in the Code.
- One form district applies the same standards as another. The Village Form District Outlying uses the dimensional and design standards of the Neighborhood Form District, with the differences limited to a building footprint cap and an open space requirement. It carries no thresholds table. Separately, Village Center appears in Metro's GIS portal, Louisville-Jefferson County Information Consortium (LOJIC), but not as a distinct form district in the Comprehensive Plan.
- The Traditional Neighborhood Form District's dimensional standards in Section 5.2.2 vary in minimum lot area, lot width, setback, and height across the base zoning districts. Several of the minimum lot sizes appear large relative to typical single-family patterns, implying deep yards. Testing would confirm whether the Code should be revised to accommodate the prevailing pattern rather than the reverse, which matters most for lots subject to the nonconforming lot area standard in Section 5.1.10.A.
- The lot size mismatch is not limited to one district. The same question arises in the Neighborhood Form District, where minimum lot areas appear large relative to the 3,000 to 5,000 square foot lots common in existing neighborhoods.
- The Code contains a contextual setback mechanism but applies it narrowly. Section 5.1.12 (Infill Development Regulations) sets front yard setbacks from the prevailing range along the block face, superseding the form district requirement where it applies. This is not applicable Downtown where street wall consistency matters most.
- Variance and waiver volume indicates where standards do not match conditions on the ground. For example, the Village and Village Center Form Districts frequently generate variance and waiver requests rather than producing the small-scale walkable character they describe.

CONTINUE INVESTIGATING:

- ❑ Should the updated Code state, for each district, an intended-form graphic and desired-form characteristics (massing, setbacks, stories, ground-floor treatment) at the outset of the district's standards?
- ❑ Which specific locations best illustrate successful implementation and mismatch between mapped form district and built character, and what photographic documentation is available to support them?
- ❑ Built examples of development under Chapter 5's current form district boundaries and standards should be reviewed through application materials, photographic documentation, and site visits to determine whether form districts are producing their intended pattern outcomes and to identify recurring mismatches that should inform revisions. Application data, including variance and waiver volume by district and by standard, should be reviewed alongside them, since volume indicates where standards are not matching conditions on the ground.



Village Center Form District



On the Discovery Tour, the project team observed and discussed several sites where the development did not match the intent of the mapped form district. The development above is located in a Village Center Form District, however the building scale, large parking lot, and lack of pedestrian access do not accomplish the objectives of the Village Center.

3.4: Contextual and Compatible Design

KEY TAKEAWAYS:

Contextual and compatible design is administered through several separate mechanisms. Objective infill context standards in Section 5.1.12, transition zones in Chapter 5 Part 7, and covenants administered by private property owners' associations in planned development districts each address compatibility, but they sit in different sections and are not tied to one another. Infill regulations reach the Traditional and Suburban Form Districts but stop short of Downtown, non-residential and mixed use development in four suburban districts, and suburban lots over one acre. Where numeric standards are absent, the Code relies on compatibility language invoked during discretionary approval. "Compatible" and "context" appear in the definitions section only in passing, without technical standards attached.

- Section 5.1.12 (Infill Development Regulations) supplies the Code's only objective contextual standards. Front setback is set by the two nearest built lots, and building height by the range of existing structures on the block face. Corner lots follow separate rules, including where two block faces carry conflicting height ranges. The section does not reach Downtown, suburban lots over one acre, or non-residential and mixed use development in the Suburban Marketplace Corridor, Regional Center, Suburban Workplace, and Campus Form Districts.
- Every Traditional and Suburban Form District's dimensional table cross-references back to Section 5.1.12 with the same boilerplate: "Dimensional standards for development that is in an Infill Context are established in Section 5.1.12."
- Transition zones in Chapter 5 Part 7 address compatibility between form districts of differing intensity by extending a fixed depth into the more intense district, where height,

setback, and buffer requirements apply. See Section 3.5 of this Diagnostic Report for more information.

- Planned development districts delegate architectural compatibility to a property owners' association operating under Planning Commission-approved covenants.
- Chapter 4 provides a blanket compatibility requirement for all conditional uses and individual use-specific sections provide separation distances from residential zoning.
- Where reduced lot sizes are granted through Alternative Development Incentives, the Code requires "Compatibility with Adjacent Residential Development." This could translate to matching setback lines with adjacent existing subdivisions, requiring perimeter parcels to either match adjacent lot sizes/intensity, receiving neighbor permission, or installing a graduated buffer.
- Where objective standards are absent, the Code relies on compatibility language invoked during discretionary approval. The Downtown Form District section states that development should be consistent and compatible with the unique and diverse design elements of Louisville's downtown. The Traditional Neighborhood Form District section calls for appropriate and compatible integration of uses and compatible infill development.

CONTINUE INVESTIGATING:

- ❑ What is the most appropriate way for the LDC to incorporate contextual and compatible standards?
- ❑ Examine whether the goals of density and FAR are better handled by building-type and building-envelope standards, since neither density nor FAR reliably predicts built form.

3.5: Transitions Between Districts and Development Intensities

KEY TAKEAWAYS:

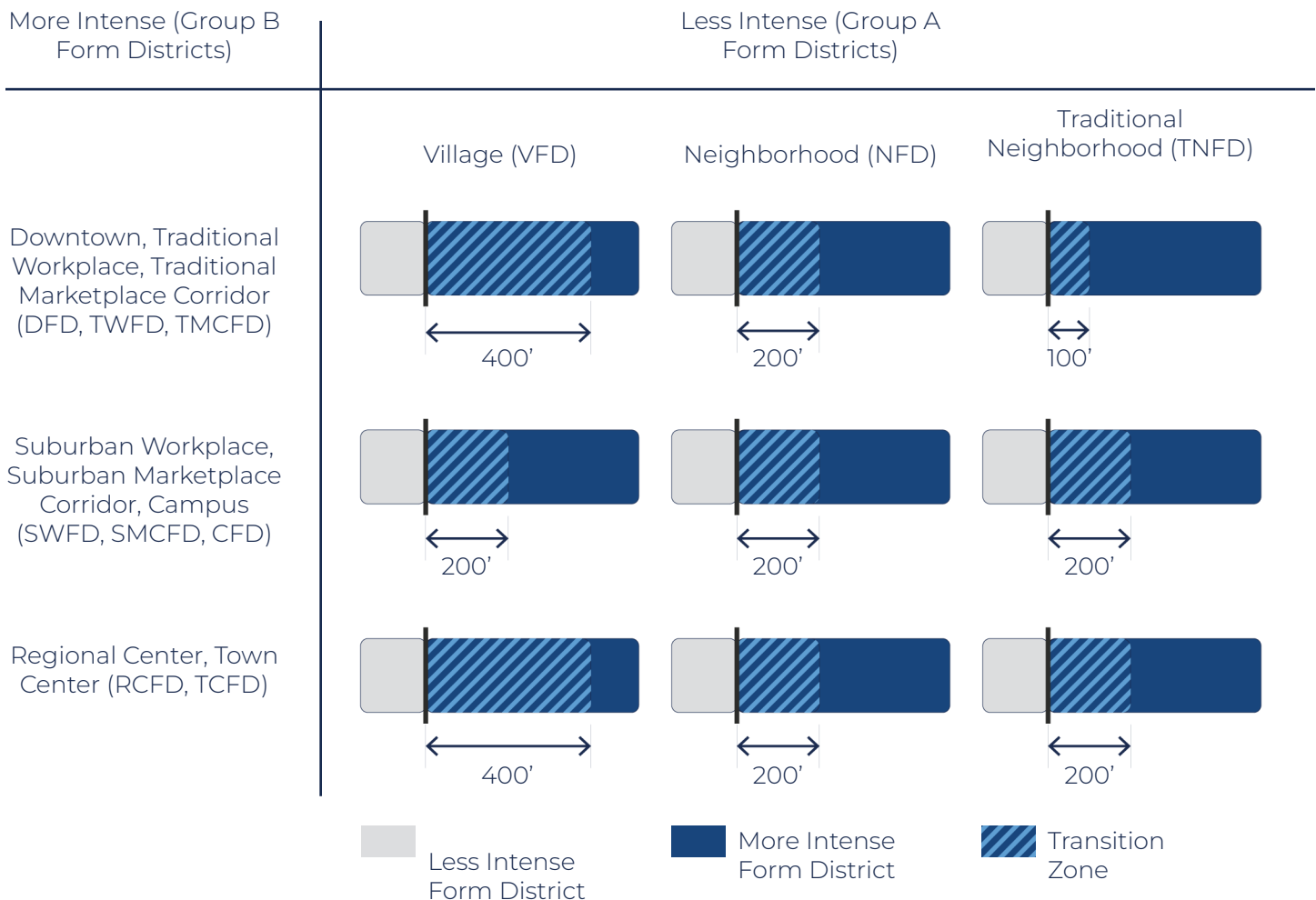
Transition standards regulate building height and setback more restrictively within a zone extending into the more intensive of two adjacent form districts. Determining what applies requires assembling a matrix-derived depth, a roadway classification adjustment, the percentage of the lot inside the zone, and the base zone limits, and the roadway classification is not in the Code at all. The standards interact rather than applying independently, and a site-wide trigger can pull an entire parcel into the more restrictive requirements where half of it falls inside the zone. Planning staff process a significant number of variances arising from these standards.

- Transition zone depth is determined by a matrix (Table 5.7.1) based on the pairing of Group A and Group B districts, resulting in a range of 100 to 400 feet. Group A form districts are defined as “less intensive,” and Group B form districts are defined as “more intensive.” The matrix-derived depth is then modified by the classification of any roadway separating the districts. See the Transition Zone Diagram on the following page for more information.
- The roadway adjustment can eliminate the transition entirely. Where an expressway separates the districts, no transition is required. An arterial reduces the zone by 50 percent, and collectors and local streets produce no reduction.
- A site-wide applicability trigger extends the standards beyond the zone itself. Where 50 percent or more of a site falls within the transition zone, the transitional design standards apply to the entire site. This can pull an entire parcel into more restrictive design standards.
- Transition zones add another layer of complexity in determining the most restrictive limitation. Within a transition zone, an applicant or reviewer must account for the base zone limits, the transition requirements based on the adjacent district, the percentage of the lot within the zone, and the roadway classification.
- The setback carry-over is ambiguous. It is unclear whether the standard refers to the adjacent property’s required minimum setback or its actual setback, how it applies to side yards, and what governs in cases where the adjacent lot is vacant.
- Transition depths for suburban districts do not vary by adjacency while those for traditional districts do. The Suburban Workplace, Suburban Marketplace Corridor, and Campus districts apply 200 feet regardless of which Group A district (less intense) adjoins them. The Downtown, Traditional Workplace, and Traditional Marketplace Corridor districts vary from 400 to 100 feet. The Code does not state the basis for the difference.
- Planning staff process a significant number of variances and relief requests arising from the transition zone standards, and the standards are identified as restricting future development.

CONTINUE INVESTIGATING:

- ❑ Should transition depth be determined by a matrix, or could a single depth per district pairing type, or a standard applied at the boundary regardless of district, achieve the same compatibility outcome with fewer cross references?
- ❑ Why does an expressway eliminate the transition requirement, and does that reflect current policy and best practices?
- ❑ Should the roadway classification be incorporated into the Code rather than referenced to the Comprehensive Plan?
- ❑ Is the 50 percent site-wide trigger working as intended, or discouraging development on parcels that straddle a boundary?
- ❑ What accounts for the Downtown to Traditional Neighborhood height exception, and is a transition standard that permits no height reduction serving its stated purpose?
- ❑ Which transition standards generate the most variance requests, and which are functioning as intended?
- ❑ Should transitional standards be consolidated into one location, with the buffer yard, lighting, and height requirements stated rather than cross referenced?

Transition Zone Diagram



THEME 4:

Make the Development Standards Consistent with the
CHASE Principles in Plan 2040

THEME 4:

Make the Development Standards Consistent with the CHASE Principles in Plan 2040

4.1: Connected – Mobility, Circulation, and Street Standards

KEY TAKEAWAYS:

The Code's mobility provisions support Plan 2040's transportation objectives unevenly. Parking and loading standards offer flexibility through shared parking, deferrals, transit proximity reductions, and mixed-use incentives. The available reductions are percentage-based and tied to fixed eligibility categories rather than to demonstrated demand or measured multimodal access. Bicycle parking standards are comparatively strong, applying consistent design and installation requirements across all form districts. Street, sidewalk, and access management standards are organized around conventional functional classifications with fixed dimensions. They correlate to only some form districts, and offer limited room to adapt to surrounding land use context.

- Off-street parking requirements include percentage reductions, deferral options, and administrative requirements tied to site design, land use, and operational strategies. Minimum and maximum space counts depend on the applicable form district and the standards in Tables 9.1.3.A and 9.1.3.B. All Land-Based Classifications carry conventional minimums and maximums in Table 9.1.3.B.
- Beyond conventional requirements, the parking standards incorporate transportation demand management, shared parking, deferred parking, transit proximity reductions, and mixed-use incentives. That framework could reduce parking demand and support more efficient land use, but the reductions are percentage-based and tied to eligibility categories rather than to demonstrated demand or measured multimodal access.
- Compared to motor vehicle parking, the bicycle parking standards establish consistent design and installation requirements across all form districts. This supports active transportation regardless of whether bicycle parking is required or voluntarily provided. Applicability, minimum quantities, and design and placement requirements are governed within Section 9.2.1-3, and compliance with the Bicycle Parking Facility Design Manual is required.
- Loading area requirements allow certain loading activities to occur on-street in the Downtown, Urban Center Neighborhood, and Planned Transit Development districts. As with parking, the standards offer alternative ways to comply in the densest and most walkable districts, where dedicated off-street loading can conflict with active frontages and pedestrian-oriented design.
- Street and sidewalk requirements are defined in Section 5.8.1.A-D and 5.8.4.A. Streets and alleys must connect to the existing community street network, and new development must retain existing back and side alleys for public, service, and vehicular access. Damaged or underutilized alleys are to be repaired as part of new development, and land should be acquired to build alleys where none exist.
- Street types are given as fixed dimensions in tabular format, with no ranges. New development must provide sidewalks in the abutting right-of-way connecting to the existing network, at least four feet wide on local roads and five on collectors and arterials. Section 5.8.1.C adds Downtown requirements for sidewalk and pedway widths and for the pedestrian, storefront, and streetscape zones. Section 5.8.1.D repeats that approach in the Traditional Marketplace Corridor, except that sidewalk width must match the corridor's prevailing pattern unless café seating or displays are present.

- There is limited discussion of land use contexts within street and sidewalk design parameters, and the street types available relate to conventional functional classification categories such as arterial, collector, and local. Street types are correlated to some form districts (such as Downtown, Traditional Marketplace), but not all. This offers limited flexibility to tailor street design to surrounding land use context or evolving multimodal transportation needs.
- Active transportation is central to Plan 2040's Connected principle, but the Code supports it unevenly. Pedestrian and bicycle provisions are scattered, with pathways in one part of Chapter 2 and transit standards in a separate manual. The street type palette includes no separated on-street bike facilities. Bus stops appear only as an exclusion from the on-street parking count, and development adjacent to a trail or greenway must provide public access but no bike parking.
- Access management standards support Plan 2040's goals of accessible and connected communities. Curb cuts and access to public rights-of-way require plan review by the Director and must meet AASHTO standards. This applies to new development as well as for replacing or expanding existing structures. Residential subdivisions must take access from alleys, frontage roads, or interior local roads, with driveways onto arterials and collectors allowed only where no alternative exists. Developments of 200 or more dwellings need at least two separate access roadways, and roadway segments may be designated as corridor access management zones to limit congestion.

CONTINUE INVESTIGATING:

- ❑ Is the LDC the appropriate place for parking standards, access management, and sidewalk design?
- ❑ Compare the regulatory elements in the LDC with the Louisville Metro Complete Street Policy and Manual.
- ❑ Consider National Association of City Transportation Officials (NACTO) guidance in addition to American Association of State Highway and Transportation Officials (AASHTO).
- ❑ Benchmark aspirational codes for best practices on connectivity requirement and parking minimums, maximums, and rates.
- ❑ Develop applicability matrix to correlate street types to form and context.
- ❑ Consider street type consolidation and creating illustrative sections for street types.
- ❑ Consider expansion of multi-modal facility design to incorporate emerging best practices such as separated bike lanes.

4.2: Healthy – Open Space and Landscape Standards

KEY TAKEAWAYS:

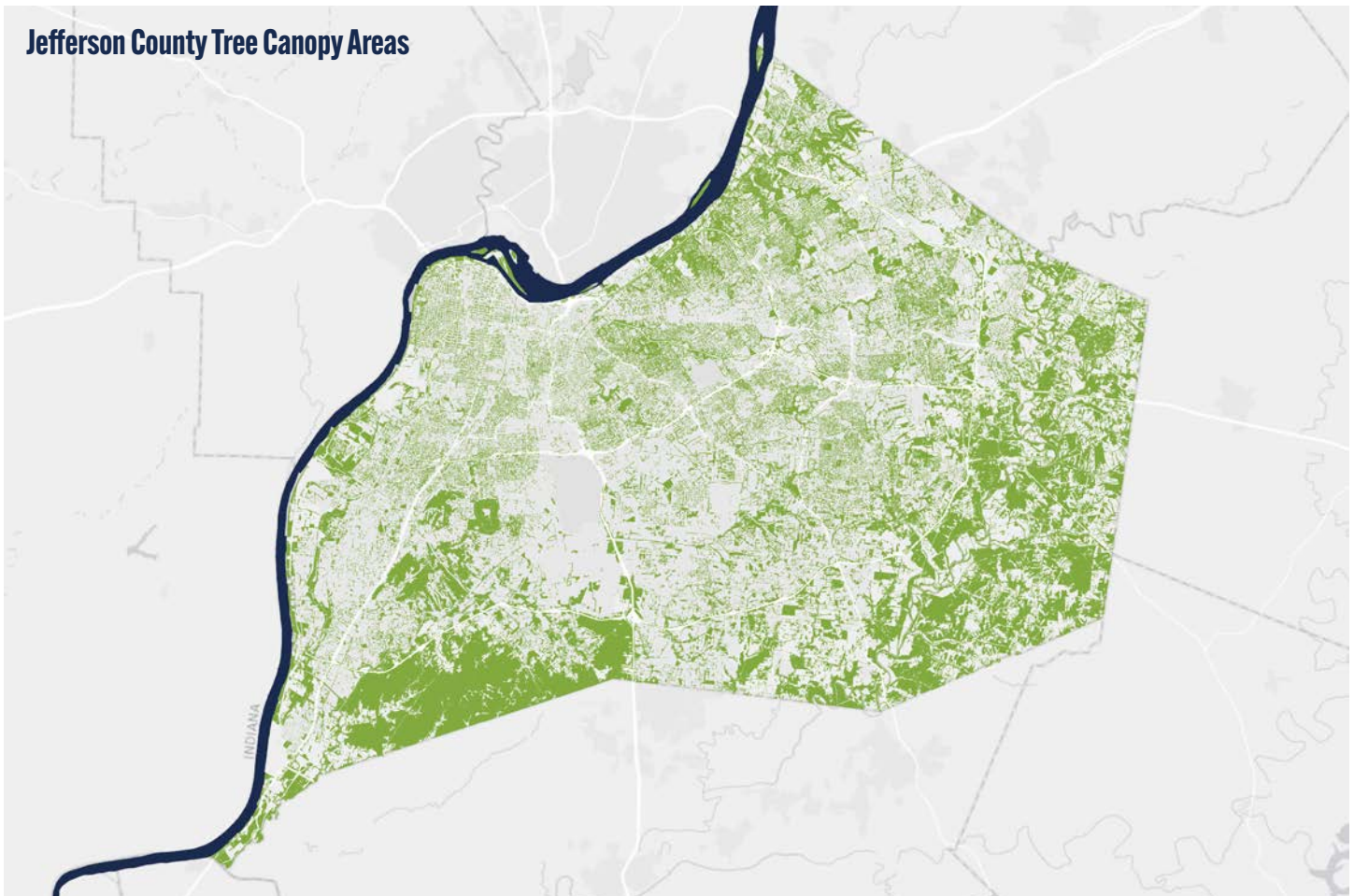
Form district open space standards in Chapter 5 Part 11 and landscape standards in Chapter 10 are separated from related requirements elsewhere in the Code. Chapter 5 Part 11 reaches only the Campus and Village Form Districts and the Planned Residential Development District, a narrower scope than Plan 2040's objectives. Chapter 10 applies uniform requirements across form districts, which makes some standards infeasible in the urban core and lenient in suburban contexts. Flexibility provisions such as fee in lieu and planting in lieu depend on Planning Commission approval rather than operating administratively. Metro Planning staff identified Chapter 10 as a source of confusion and repeated variances and waivers.

- Form district open space standards operate through an incentive structure rather than as a baseline requirement, so open space standards apply to a limited share of the development Plan 2040 addresses.
- The landscape regulations in Chapter 10 are difficult to comply with as organized. Requirements are distributed rather than sequenced, related provisions are restated across sections, and a user cannot easily assemble the applicable standard set for a site from a single location. Metro Planning staff identified Chapter 10 as a source of confusion, and the staff survey named it as one of the most difficult chapters to understand.
- Fee in lieu and planting in lieu are available where on-site compliance is impractical, but both depend on Planning Commission approval rather than administrative review, which places the alternative on the same discretionary footing as the requirement it is meant to relieve.
- Plan 2040 sets a 45 percent canopy goal for Louisville Metro, and the standards apply uniformly across form districts spanning urban to suburban conditions. The result is a requirement that is infeasible where existing cover is lowest and readily satisfied where existing mature canopy coverage is highest.
- For Downtown and Traditional Form Districts, it is difficult, bordering on impossible, to achieve 45% tree canopy cover for all new multi-family and non-residential development. This presents a barrier for development, especially in areas otherwise prime for investment. Options for compliance are to preserve existing trees on a potentially tight site, plant a large number of new trees, or participate in the "in-lieu of program." Where site conditions permit only street trees, the first two options are unavailable and the third is discretionary. The requirement is therefore most demanding in the areas Plan 2040 identifies for investment.
- Commercial development in Suburban Form Districts must provide 35 percent canopy coverage across the site's entire gross area. Suburban commercial sites are typically clear cut before and during construction, and even with new trees planted, the site's canopy will not match what was removed for roughly 10 to 15 years. A site that meets the standard by preserving existing trees and one that meets it by clear-cutting and replanting are treated identically at approval, though they deliver very different environmental benefit over the following decade.

- There are inconsistencies with the tree canopy standards. Chapter 10.1.2 states the tree canopy requirements apply to “all new residential subdivisions creating more than five (5) buildable lots and to all new multi-family and nonresidential development.” However, Table 10.1.1 only provides tree canopy requirements for Suburban Form Districts.
- A generalized landscape standard keyed to the character of the surrounding context, in place of a fixed canopy percentage, is one available direction. This approach would benefit from clear graphics to depict good/better/best or acceptable/preferred examples based on character, form, site constraints, and other factors.

CONTINUE INVESTIGATING:

- ❑ Who inspects for compliance after development is complete? Are there consequences for non-compliance?
- ❑ Could certain standards be moved into a “standards manual” to ensure best practices are updated and incorporated without an amendment to the LDC?
- ❑ What are examples of contextual based code approaches to landscaping and tree canopy?
- ❑ Are the requirements outlined in Plan 2040 implementable?



Data source: LOJIC

4.3: Authentic – Building and Site Design Standards

KEY TAKEAWAYS:

Building design standards apply to non-residential, mixed use, Downtown, and multi-family development, and not to single-family or two-family dwellings, which means the building type comprising most of the housing stock is subject to none. Where the standards do apply, they mix subjective language with precise dimensional requirements, and several dimensional ranges are broad enough that compliant buildings can differ substantially from one another. Because these standards sit in the zoning Code, a departure from any one of them requires zoning relief, so routine design choices can become variance cases. Reviewers seek objective standards and designers seek flexibility to respond to context, and the current standards attempt both without distinguishing which requirements are essential to form and which govern architectural expression.

- Design standards do not reach single- and two-family dwellings. Chapter 5 Part 6 contains three sections, addressing non-residential and mixed-use buildings (Section 5.6.1), the Downtown Form District (Section 5.6.2), and multi-family residential (Section 5.6.3). The building type that makes up most of the housing stock is subject to no design standards.
- Design standards are text heavy with minimal photographic examples / diagrams to explain the regulations.
- The Code mixes subjective and specific standards. Section 5.6.1.A.1 states buildings “shall be articulated to provide visual interest and a human scale,” with no measurable test. Section 5.6.2.A.2 sets a specific standard: “the horizontal line established through the use of such architectural elements shall vary in elevation by no more than 36 inches from one building to the next.”
- Some of the ranges of specific regulations are very broad and may not produce predictable results, such as vertical features spaced “no less than every 20 feet and no more than every 40 feet” (Section 5.6.2.A.1).
- There are a lot of dimensional requirements that an applicant would need to demonstrate as part of an application to ensure conformance, including window areas, shopfront areas, spacing of bays, and articulation.
- Reviewers generally desire objective standards, but developers and designers desire flexibility to match context and creativity.
- A residential form-based code for single- and two-family dwellings merits consideration. Predictable, clearly illustrated form standards can spare homeowners from seeking zoning relief for routine design choices. Peer residential form-based codes can regulate additional categories, including orientation, minimum fenestration, motor-court garages on large lots, foundation landscaping, tree standards scaled to the front yard, and driveway standards.
- The peer codes reviewed regulate how buildings look and how large they read from the street. Their standards cap overall massing and building length, require offsets or articulation to break up long facades, call for a defined base course and cornice on every side visible to the public, and set an approved palette of colors and materials.

CONTINUE INVESTIGATING:

- ❑ Should the treatment of standards differ by building type? For single- and two-family homes, form standards may be best kept as mandatory zoning requirements, since homeowners benefit from objective, enforceable rules to know what they can build. Larger buildings already go through discretionary site plan review, where illustrative guidance can shape the outcome without a routine design choice requiring a zoning variance.
- ❑ Larger buildings, including multi-family, mixed-use, and commercial development, warrant a deeper level of design review than single- and two-family dwellings, given their greater impact on the streetscape and surrounding neighborhood. Should Chapter 5's design standards for these building types first be consolidated to establish a clear picture of what is currently being regulated, then compared against how peer codes and applicable neighborhood or redevelopment plans address the same subject matter?
- ❑ Built examples of single- and two-family dwelling, and larger multi-family, mixed-use, and commercial developments constructed under Chapter 5's current design standards should be reviewed through a combination of application materials, photographic documentation, and site visits to determine whether those standards are producing their intended design outcomes.
- ❑ Would separate design standards be warranted as a more illustrative resource, showing best practices alongside examples of what does not conform?
- ❑ How are design standards applied / administered across the larger project area?

LDC

Chapter 5 Part 6

Building Design Standards

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 Traditional Form District (excludes DFD)

1. There shall be no blank walls facing public streets, sidewalks, and adjacent front yards of residential uses. Ground floor façades at these locations shall be articulated to provide visual interest and a human scale that are representative of the form district. Such façades shall employ the use of windows, columns, pilasters, piers, variation of material, entrances, storefront windows, and other animating features along no less than 75 percent of their length.

Exception:

Within the TWFD, animating features of the façade shall be designed along no less than 50% of the length of the façade.

B. Building Façade Treatment for buildings within the Suburban Form Districts

1. There shall be no blank walls facing public streets. Ground floor façades at these locations shall be articulated to provide visual interest and a human scale that are representative of the form district. Such façades shall employ the use of windows, columns, pilasters, piers, variation of material, entrances, storefront windows, and other animating features along no less than 60 percent of their length. In addition, façades greater than 100 feet in length, measured horizontally, shall incorporate any combination of the following features: wall plane projections having a depth of at least 18 inches or recesses having a depth of at least 3 feet, or building entrances/glassed in areas extending at least 20 percent of the length of the façade. No uninterrupted length of any façade shall exceed 100 horizontal feet.

The current LDC primarily uses lengthy prose to describe design standards based on use and form district.

Source: Louisville Metro LDC



ZONES		Additional/References
MX2		
3.30.8. PRIMARY & NON-PRIMARY FACADES. See Figure 3.20-E		
1	Ground Story Transparency on Primary Facades	75% min. No bays or 15 ft. wide sections of any story on a primary facade may be without transparency Ground story transparency must extend a min. 30 ft. around the corner, down any street-side facades
2	Transparency: Primary Facades Non-Primary Facades	18% min. 15% min. No bays or 15 ft. wide sections of any story on a primary facade may be without transparency
3	Building Entrance Location	One per every 60 feet of primary and main parking lot facade
4	Entrance Transition Type	Storefront
5	Ground Story Elevation	Within 24 in. of sidewalk elevation, except in floodplain locations
6	Horizontal Divisions with Shadow Lines	Within 3 ft. of the top of any story between the basement and 3rd; for buildings over 5 stories, one within 3 ft. of any story between 3rd and 6th
7	Vertical Divisions with Shadow Lines	One per every 60 ft. of ground story street facade

Peer codes effectively illustrate design standards with graphics keyed to building types.

Source: Zone Bridgeport

4.4: Sustainable – Resilience and Environmental Standards

KEY TAKEAWAYS:

Environmental and resilience provisions are spread across six chapters and appendices. Within them, resource agency references and professional qualification titles are named inconsistently, statutory citations are repeated with the same description restated many times, and numeric thresholds appear without stated basis. Stream and landscape buffer requirements are keyed to form district rather than to stream type or waterway, despite protection goals that are environmentally rather than form-based. The Green Development Design Criteria do not state whether they are advisory or mandatory.

- Sustainability, resiliency and environmental provisions are spread throughout the Code. Chapter 3 provides provision for Floyds Fork Special Zoning Overlay District, an environmentally sensitive watershed area. Chapter 4 provides regulations for sites with environmental constraints, steep slopes, waterways and wetlands, and karst terrain. Chapter 5, Appendix 5A outlines Green Development Design Criteria. Chapter 7, Part 11 regulates Conservation Subdivisions. Chapter 10 contains Tree Canopy, Landscaping, and Open Space standards.
- Resource agency and professional-title references are inconsistent and unclear. Chapter 4's environmentally focused sections cite a range of resource agencies (NRCS, MSD, KGS) without a consistent rationale for which agency applies to which review, and professional qualification requirements are named inconsistently across sections. For example, Chapter 4 lists "professional engineer with geotechnical training," "geotechnical engineer," and "soils engineer," and includes no reference to licensed professional geologists despite their relevance to geologic review.
- Statutory citations are repeated, adding unnecessary length and creating opportunities for inconsistency if sections are changed.
- Stream buffer and protection standards are tied to form districts rather than to scientific stream protection standards. These buffer requirements vary by form district rather than by stream type (ephemeral, intermittent, or perennial) or specific waterway (Floyds Fork, Fern Creek, Beargrass), despite the underlying protection goals being environmentally driven rather than form-based. Buffer tables also do not consistently include wetlands.
- Karst terrain provisions may not adequately address the full scope of feature discovery during construction. Current standards address discovery of karst features primarily through engineer and Planning Director sign-off without clearly incorporating other entities that may play a significant role such as the Kentucky Geological Survey or the Historic Preservation Office.
- Numeric environmental thresholds appear without explanation of their basis or intended effect. For example, Section 4.7.5 introduces a 30% slope threshold in addition to the existing 20% threshold. Both trigger the same geotechnical survey requirement. This raises a question of whether thresholds like this should be reviewed against current best practices and evidence of their environmental effect.
- The Green Development Design Criteria outlined in Appendix 5A are confusing and raise questions about whether they are suggestive or mandatory. This section mentions specific TARC routes, which may no longer exist or have a new route number. Façade design standards exist in this section, which may be better suited to a different section of the Code. Overall, this Appendix needs clarification about its intent and applicability and does not belong in Chapter 5.

- Tree canopy requirements are not well coordinated with stormwater management practices. Chapter 10 standards about landscaping and tree canopy would benefit from closer integration with Louisville/Jefferson County Metropolitan Sewer District's (MSD) Best Management Practice (BMP) requirements, as there are cases where stormwater BMPs and landscape buffers could be designed to jointly satisfy both sets of standards.
- Canopy coverage requirements may produce unintended housing outcomes. A 40% tree canopy coverage requirement for single-family residential development was flagged by reviewers as likely to favor large-lot development patterns. Because the requirement is calculated as a share of total site area, a smaller lot must devote the same proportion of a much tighter site to canopy, leaving less room for the building envelope. This potentially limits the feasibility of smaller-footprint housing.

CONTINUE INVESTIGATING:

- ❑ Is there data on how frequently canopy or landscaping standards trigger variance requests?
- ❑ What is the rationale for structuring stream and landscape buffer regulations around form districts rather than environmental considerations?

Table 4.8.1

Type of Protected Waterway	Buffer Area Type & Minimum Buffer Area Width (Feet) By Form District	
	Type "A" Buffer Area Applies in the Following Form Districts	Type "B" Buffer Area Applies in the Following Form Districts:
	• Downtown • Traditional Neighborhood • Traditional Marketplace Corridor • Traditional Workplace • Village FD Center	• Regional Marketplace Center • Town Center • Suburban Marketplace Corridor • Neighborhood • Suburban Workplace • Campus • Village FD Area outside of Center
Protected Waterways Other than Wetlands	Total Buffer Area = 25 feet	Total Buffer Area = 100 feet, comprised of the following 3 zones: 1. Streamside zone: 25 feet; 2. Middle zone: 50 feet. 3. Outer zone: 25 feet.

EXAMPLE: STREAM BUFFERS ARE TIED TO FORM DISTRICTS RATHER THAN ENVIRONMENTAL CRITERIA.

EXAMPLE: THE GREEN DEVELOPMENT DESIGN CRITERIA STATE NO INTENT OR APPLICABILITY, SO USERS CANNOT TELL WHETHER THEY ARE ADVISORY OR MANDATORY.

Appendix 5A Green Development Design Criteria

Site Criteria:

1. Construct or renovate a building on a site that meets the following criteria:
 - Is located on a previously developed site
 - or
 - Is within 1/2 mile of at least 10 basic services
 - and
 - Has pedestrian access between the building and the services

For mixed-use projects, no more than 1 service within the development site may be counted as 1 of the 10 basic services, provided it is open to the public. No more than 2 of the 10 services required may be anticipated (i.e., at least 8 must be existing and operational). In addition, the anticipated services must demonstrate that they will be operational in the locations indicated within 1 year of occupation of the applicant project. Examples of basic services include the following:

Examples from the Land Development Code

4.5: Equitable – Transfer of Development Rights and Inclusionary Tools

KEY TAKEAWAYS:

Neither transfer of development rights nor inclusionary requirements exist in the Code, though Kentucky law expressly authorizes the former. Affordable housing is addressed only through voluntary incentives, and the affordability standards those incentives rely on are defined inconsistently across three unconnected sections. The Code does contain the structural components a transfer or inclusionary program would use, including off-site transfer of open space obligations, transfer of development potential within a site, fee in lieu and alternative compliance provisions in the tree canopy standards, and a time-based concession for qualifying affordable projects, but none are applied to housing production at scale.

- Kentucky law expressly authorizes transfer of development rights, and the Code does not use it. KRS 100.208 (Transferable Development Rights) allows a local government to provide by ordinance for the voluntary transfer of development rights from one parcel to another, for restricting or prohibiting further development of the sending parcel, and for increasing the density or intensity of the receiving parcel.
- The closest existing mechanism is limited in geography, scale, and effect. Section 5.11.7.B (Transfer of Development Potential) applies only in Village Form District outlying areas, and only to single-family subdivisions of 25 acres or more or multi-family developments of 50 units or more. Transfer occurs within a single site rather than between parcels. The receiving area must be at least as large as the sending area, and the transferable amount is capped at one half of theoretical development potential. A landowner preserving three acres zoned R-4 may relocate approximately seven building sites rather than the fourteen the acreage would otherwise support. The provision functions as clustering with a density reduction, not as a transfer of rights.
- The Code already permits off-site transfer in a related context. Section 5.11.5 (Transfer of Open Space Provisions) allows required open space to be provided off site, in increments of at least one acre, generally within two miles of the originating site.
- The Kentucky precedent for compensating landowners uses purchase rather than transfer. Lexington-Fayette County's Purchase of Development Rights program, the state's first local agricultural conservation easement program, acquires permanent easements through the Rural Land Management Board on a voluntary basis. Eligibility is limited to farms of 20 or more acres in agricultural zones. Because the program relies on federal match funding, an acquisition takes roughly nine months to complete. A purchase program draws on public funds and requires no receiving area. A transfer program shifts the cost to private development and requires receiving areas with capacity to absorb it.
- Currently, the Code contains no inclusionary housing requirement. Affordable housing is pursued only through voluntary incentives, and no provision conditions approval, density, or entitlement on the production of affordable units.
- The Code defines affordability three ways, in three sections that never reference one another. Section 1.1.9.B (Expiration of Approved Development Plans) sets a 15-year affordability period at 80 and 30 percent of Area Median Income, ties rents to published HUD and Low-Income Housing Tax Credit figures, and requires annual reporting to the Office of Housing and Community Development. Section 4.3.20 (Mixed Residential Development Incentive) uses Diversity Levels, which an editor's note flags as pending amendment. Section 4.5.3 (Basis for Incentives) uses fixed income figures with no annual source.

- The Code's only affordability monitoring provision sits in a procedural section and reaches only projects that already carry an affordability commitment. Section 1.1.9.B extends the development plan expiration period from two years to five for qualifying affordable projects, and attaches reporting and verification requirements to that extension. A project not seeking the extended timeline is subject to no comparable monitoring.
- The Code's one affordability incentive contains a locational criterion that has not been tested against the Equitable principle. Section 4.3.20 (Mixed Residential Development Incentive) awards points for siting in low-poverty census tracts. This raises questions about where the incentive is usable, whether R-4 and R-5 land is available in qualifying tracts, and how the criterion interacts with the distribution of affordable housing across the Metro.

CONTINUE INVESTIGATING:

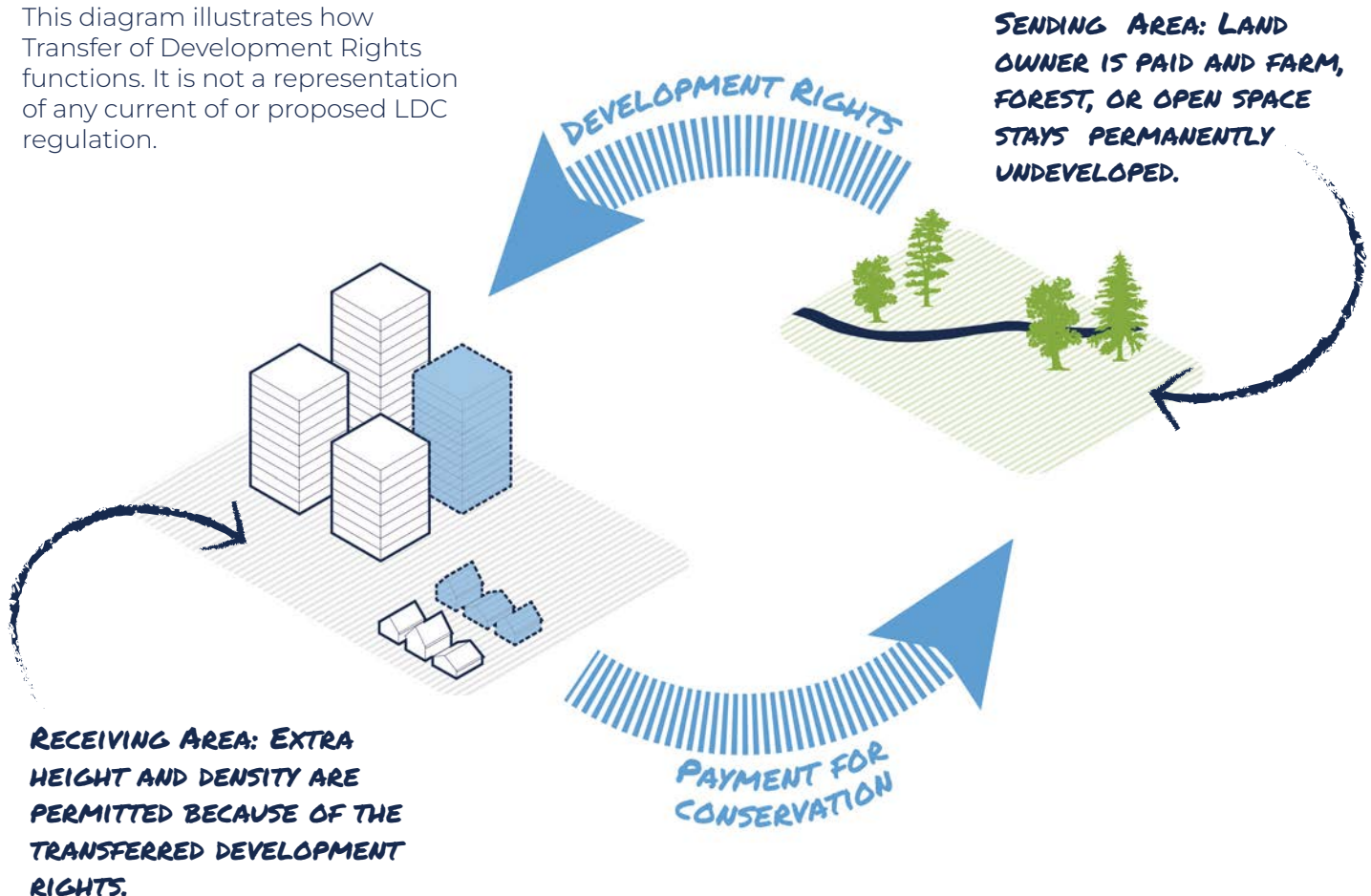
- Should a transfer program be oriented toward conservation, toward housing production, or both, and should it operate by purchase or by transfer?
- If a transfer program moves forward, where would receiving areas be located, and does the land currently zoned for multi-family use offer enough capacity?
- Should the affordability definition in Section 1.1.9.B become the Code's single standard, referenced by every incentive rather than restated?
- Should regulatory time and cost be used as affordability tools? Section 1.1.9.B grants qualifying affordable developments a five-year plan life rather than two, but no other provision expedites review, waives fees, or prioritizes processing. Richmond and Charleston both use expedited review as an affordable housing incentive, and Charleston pairs it with fee waivers for projects at least 50 percent affordable. What does Metro's review timeline data show about duration by application type, and does review duration fall unevenly across applicant types?
- Which structural model best fits Louisville: an incentive layered onto base zoning, or an opt-in district? Richmond runs a voluntary affordable dwelling unit program pairing density bonuses, fee reductions, and expedited review with a dedicated Affordable Housing Trust Fund. Charleston instead created opt-in zoning districts exchanging added density for a defined workforce housing share, progressively increasing the required share, extending the affordability term, and adding a fee in lieu directed to a city housing fund.
- Should the zoning map itself be examined as a source of inequity? Richmond's current rewrite reviewed its 1970s-era map for parcels zoned inconsistently with what exists on the ground. It found those disparities concentrated in historically Black neighborhoods.
- What has Metro's experience been with the Section 5.11.7.B transfer provision and with MRDI? Has either been used, and if not, what has discouraged participation?

FOR LEGAL REVIEW:

- ❑ Does KRS 100.208 extend to a consolidated local government? The statute names cities, counties, and urban-county governments, and Louisville Metro is a consolidated local government.
- ❑ What does KRS 100.2101, addressing density development projects in a county containing a consolidated local government, permit or restrict, and how does it bear on inclusionary tools and on the housing approaches contemplated under Theme 3?
- ❑ What forms of inclusionary requirement are available to Metro, and may affordability set-asides be required in connection with a rezoning, planned development approval, or other discretionary entitlement?
- ❑ Is a fee in lieu with a dedicated housing fund available, structured on the model already used for tree canopy in Section 10.1.3.A.6?

Transfer of Development Rights Diagram

This diagram illustrates how Transfer of Development Rights functions. It is not a representation of any current or proposed LDC regulation.

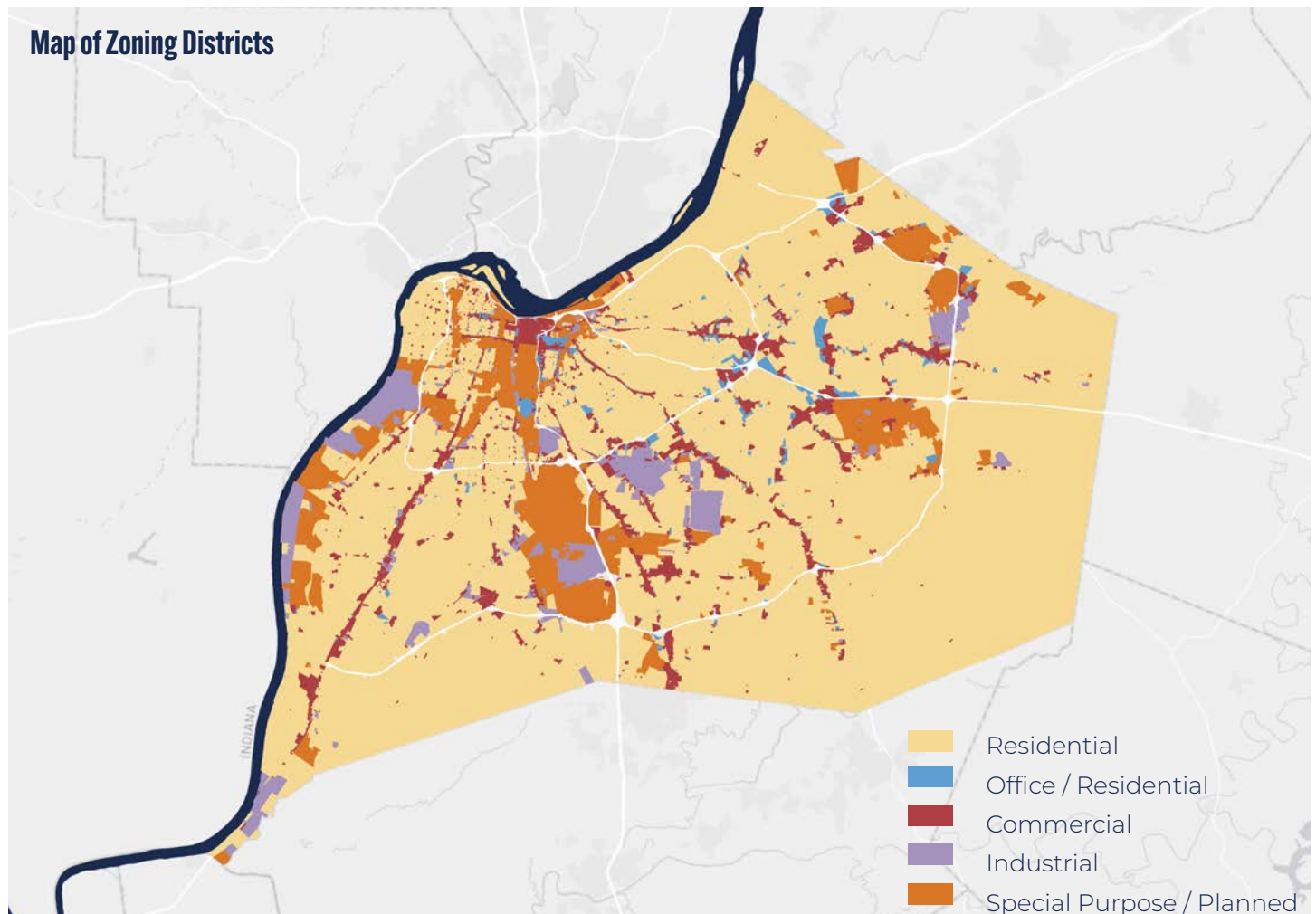


APPENDIX

QUICK REFERENCES

Current Land Development Code Contents

Chapter 1: General Provisions
Chapter 2: Zoning Districts
Chapter 3: Special Districts
Chapter 4: Generally Applicable Development Standards
Chapter 5: Form Districts
Chapter 6: Mobility Standards
Chapter 7: Subdivision Regulations
Chapter 8: Sign Regulations
Chapter 9: Parking and Loading
Chapter 10: Tree Canopy, Landscaping and Open Space
Chapter 11: Development Review Procedures



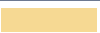
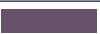
QUICK REFERENCES

Zoning Districts

Residential	R-R	Rural Residential District
	R-E	Residential Estate District
	R-1	Residential Single Family District
	R-2	Residential Single Family District
	R-3	Residential Single Family District
	R-4	Residential Single Family District
	R-5	Residential Single Family District
	UN	Urban Neighborhood District
	R-5A	Residential Multi-Family District
	R-5B	Residential Two-Family District
	R-6	Residential Multi-Family District
	R-7	Residential Multi-Family District
	R-8A	Residential Multi-Family District
Office / Residential	OR	Office / Residential District
	OR-1	Office / Residential District
	OR-2	Office / Residential District
	OR-3	Office / Residential District
	OTF	Office / Tourist Facility District
Commercial	C-N	Neighborhood Commercial District
	C-R	Commercial Residential District
	C-1	Commercial District
	C-2	Commercial District
	C-3	Commercial District
	C-M	Commercial Manufacturing District
Industrial	M-1	Industrial District
	M-2	Industrial District
	M-3	Industrial District
Special Purpose / Planned Districts	EZ-1	Enterprise Zone
	PRO	Planned Research / Office District
	PEC	Planned Employment Center District
	W-1	Waterfront District
	W-2	Waterfront District
	W-3	Waterfront District
	PVD	Planned Village Development District
	PTD	Planned Transit Development District
	PRD	Planned Residential Development District
	TNZD	Traditional Neighborhood Zoning District
	PD	Planned Development District

QUICK REFERENCES

Form Districts

Traditional	Downtown Form District	
	Traditional Neighborhood Form District	
	Traditional Marketplace Corridor Form District	
	Town Center Form District	
	Traditional Workplace Form District	
	Village Center Form District	
Suburban	Neighborhood Form District	
	Suburban Marketplace Corridor Form District	
	Regional Center Form District	
	Suburban Workplace Form District	
	Campus Form District	
	Village Form District	

Map of Form Districts

