

Case No. 15AMEND1000

LDC Text Amendment – Boarding and Lodging Houses



Louisville Metro Planning Commission Public Hearing

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Request

- Hold a public hearing and recommend action on an amendment to the text of the LDC regarding boarding and lodging houses.

Case Summary / Background

- August 18, 2014 - Planning Commission held public hearing and recommended multiple changes to LDC. Among them were minor changes to boarding and lodging houses
 - Consistently use “boarding and lodging houses” in R-8A
 - Require compliance with Metro licensing requirements
 - Specify parking requirements
 - Remove “dwelling unit” and replace with “structure” in definition
- Planning Commission approved first item but did not act on other three items
- February 9, 2015 - Ad Hoc Committee on LDC tabled boarding and lodging house items
- March 23, 2015 - Ad Hoc Committee recommended approval of more extensive amendments to the boarding and lodging house Conditional Use Permit standards to Metro Council
- April 16, 2015 - Metro Council approved the Ad Hoc Committee’s ordinance, O-069-15. Assistant County Attorney determined the ordinance must go to the Planning Commission for a public hearing and then return to Metro Council for final action. At this meeting, Metro Council also approved an Ordinance amending the Metro Code related to licensing of boarding and lodging houses.

Proposed Text Amendments

Citation	Summary
4.2.11	Boarding and lodging houses require a CUP in R7 and R-8A, in addition to the districts where a CUP is already required
4.2.11.B	Administrative and maintenance requirements in KAR related to boarding houses would only apply if meals are served
4.2.11.D	Location must be near a collector or arterial with reasonable access to public transportation. BOZA determines what is “reasonable”
4.2.11.E & F	Sufficient parking and compliance with building and health code required
4.2.11.G	BOZA must take into account proximity of similar uses

Proposed Text Amendments

Citation	Summary
4.2.11.H	CUP submittal requirements
4.2.11.I	Operators must maintain client information and make available for inspection
4.2.11.J & K	BOZA must find that the proposal will not be harmful to the neighborhood, will not result in adverse impacts, and will be compatible with neighborhood character
4.2.11.L	Metro and state licensing reiterated
4.2.11.M	Operating a boarding or lodging house without a license may be grounds for BOZA denying the CUP
Throughout	Consistently use term “boarding and lodging house(s)”
Table 9.1.2.A	Minimum: 1 per manager plus 0.5 per boarder Maximum: 1 per manager plus 1 per boarder

Applicable Plans & Policies

- Traditional Neighborhood, Neighborhood and Village, Goal C2, Community Design - Objective C2.7
 - Appropriate housing: Promote the integration of appropriate housing units in all neighborhood, traditional neighborhood, and village form districts so that no form district can be employed as a means to exclude appropriate housing from residential neighborhoods.
- Plan Element Community Form and Land Use, Guideline 3, A. Policies, Item 14
 - Appropriate/Inclusive Housing. Encourage provision of appropriate/inclusive housing by providing a variety of ownership options and unit costs throughout Jefferson County. Expand opportunities for people to live in sound, variably priced housing in locations of their choice by encouraging lower cost housing in dispersed locations throughout the community.

Staff Analysis and Conclusions

- The amendment would provide additional operational and design standards for boarding and lodging houses beyond what currently exist in the LDC and beyond what the Planning Commission originally recommended.
- Staff recommends the following minor adjustments to Metros Council's proposed amendment:
 1. Remove "boarding homes" from the list of permitted uses for R-7 in Section 2.2.12 and for R-8A in Section 2.2.13.
 2. Amend paragraphs H.4 and H.5 so that they end with a semicolon rather than a period to show that they are part of a continuing list.
 3. Amend paragraph H.6 to conclude with "...; and" rather than with a period so that it is clear that the list of application requirements is cumulative.
 4. Amend paragraph H.7 to use the term "conditional use permit application" rather than "conditional use application permit."
 5. Amend paragraph M to use the term "boarding and lodging house" rather than "shelter."
 6. Amend the definition of boarding and lodging house in Section 1.2.2 to remove the term "dwelling unit" and replace it with "structure".

Required Actions

Recommend approval or denial to Louisville Metro Council for the proposed amendments to the Land Development Code related to boarding and lodging houses