

Planning Commission Staff Report

September 30, 2010



Case: 14879

Project Name: LDC Amendments – Homeless Shelter

Applicant: Louisville Metro Planning and Design Services

Jurisdiction: All jurisdictions

Case Manager: Chris French, AICP

REQUEST

- Land Development Code Amendments – Homeless Shelters

CASE SUMMARY/BACKGROUND

The Planning Commission appointed a Homeless Shelter Land Use Task Force to develop regulatory amendments related to the most appropriate zoning for Homeless Shelters. The Homeless Shelter Land Use Task Force convened on December 11, 2009. Membership of this working group included a diverse group of stakeholders from the community representing; social service agencies, neighborhood associations, the development community, regulatory agencies, business owners and individual citizens within Jefferson County. The primary objective was to develop a specific proposal to amend the Land Development Code to address land use regulations for homeless shelters.

The work of the task force included a review of Cornerstone 2020 and the Land Development Code as well as research conducted by staff on land use regulations from numerous cities related to homeless shelters. The task force defined three major uses; community service facility, transitional housing and homeless shelter. Once these uses were defined the task force worked on the development of a land use proposal.

The task force decided to recommend locating Community Service Facilities as a use of right in all zones that permit office use and as a conditional use permit in all other zoning districts. Transitional housing is recommended as a permitted

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use with special standards with all zones that permit residential use. The maximum number of beds/people within these facilities is based on the maximum density of the zoning district or in the case of single family residential zones one unit. The number of beds/people is determined by multiplying the number of permitted units based on the density by the number three, which is the most recent census number for average family size for Jefferson County. A set of special standards were developed that included this density maximum as well as restrictions based on the use of Quality Assurance Standards, which is a monitoring tool administered by the Coalition for the Homeless. The same proposal was applied to Homeless Shelters, except that zones that allow multi-family residential were used instead of all zones that permit residential use. The same special standards are used for homeless shelters as were used by transitional housing.

The Homeless Shelter Task Force developed this proposal to ensure an equitable treatment of these facilities throughout the county. The Planning Committee during its review recommended that the TNZD zone be amended to address homeless shelters and the two other related uses. Staff proposes to use the maximum density in the TNZD areas to determine where these facilities are permitted. The neighborhood general which only allows one and two family would be restricted to transitional housing facilities with density based on the maximum density of the district multiplied by the average family size for Jefferson County. Community Service Facilities would be restricted to the areas of the TNZD that permit office use such as Neighborhood Center and Neighborhood Transition Center. Homeless shelters would be a permitted use with special standards in the areas that permit multi-family residential use with the density based on the maximum density of the area multiplied by three. In all areas a conditional use permit may be applied for any of the three uses.

APPLICABLE PLANS AND POLICIES

These amendments (Chapter 1, part 2, Chapter 2, Chapter 4, part 2, and Chapter 4, part 3) to the LDC related to Homeless Shelters address the policies listed under of the comprehensive plan. These amendments specifically address the following policies:

1. Policy 3.A.3 Residential Compatibility – the proposals implement this policy by ensuring that the appropriate residential densities are applied based on the underlying zoning district.
2. Policy 3.A.10 Variety of Housing Types – This proposal ensures that a diversity of housing types are provided throughout the community. This proposal provides regulation that promotes the addition of housing that fits a need within the community.
3. Policy 3.A.14 Appropriate/Inclusive Housing – This proposal provides regulation on the location of inclusive housing throughout the

- community while ensuring compatibility with surrounding neighborhoods and zoning.
4. Policy 15.A.19 Human Service Facilities – This proposal ensures the ability to permit this use and other similar uses within a wide range of areas throughout the community.

STAFF CONCLUSIONS

The Planning Committee of the Planning Commission unanimously recommended approval for these amendments with a recommendation that staff propose amendments related to the TNZD Plan Report which are also included. Staff concurs with the committee's recommendation and further states that the proposed revisions are in conformance with the comprehensive plan.

NOTIFICATION

Notification of this public hearing was conducted in accordance with KRS 100 requirements.

ATTACHMENTS

1. LDC Amendment Document
2. Explanation of Amendments
3. Staff findings of fact