



Zoning Matters

SUMMARY OF CONVERSATIONS WITH A CITY PLANNER

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February 2023

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ACKNOWLEDGEMENTS

Planning and Design Services extends our appreciation to the Louisville Free Public Library for supporting these community conversations. We especially thank Tony Dingman for scheduling each conversation and all the branch managers, staff, security officers, and volunteers that welcomed us to into their spaces and continue to dedicate their time to serving the community. These conversations would also not be possible without the participants. Thank you for taking the time to share about your neighborhood, talk about zoning and housing, and have a conversation with the planners who serve your community.

INTRODUCTION

On June 10, 2022, Planning and Design Services hosted the first of 12 public conversations across Louisville Metro at branches of the Louisville Free Public Library (LFPL). These conversations were offered as part of the ongoing [Land Development Code \(LDC\) Reform](#).

The LDC Reform is an equity-focused approach to revising the LDC to make it consistent with Plan 2040, allow for increased housing choices and opportunities in new and existing neighborhoods, create procedures and regulations that are easier to use, and increase the quality of life by reducing the concentration of environmental hazards near housing..

Library Branch	Date	Conversation Time
Crescent Hill	Friday, June 10	10 - 4:30 PM
Highlands-Shelby Park	Thursday, June 16	3 - 8:30 PM
Iroquois	Wednesday, June 22	5 - 8:30 PM
Crescent Hill	Tuesday, June 28	4:30 - 8 PM
Fairdale	Friday, July 8	11 - 4:30 PM
Shawnee	Monday, July 11	2 - 7 PM
Middletown	Tuesday, July 19	3:30 - 8:30 PM
Western	Tuesday, August 2	3 - 8 PM
Main	Monday, August 8	3 - 8 PM
Southwest Regional	Tuesday, August 23	3 - 8 PM
Newburg	Thursday, September 1	3:30 - 8:30 PM
Portland	Tuesday, September 6	3:30 - 8 PM

Table 1. Schedule for conversations hosted at the Louisville Free Public Library

Community members taking part in these conversations were given an open forum to talk about their neighborhoods, ongoing development, and ask questions about the LDC Reform or other planning and zoning activities. The goal was to provide a welcoming and accessible space to build positive relationships with community members. Through conversation in these spaces, both planners and community members can take away a greater understanding of why zoning matters to us all. Conversations on Reform topics, including middle housing and accessory dwelling units, occurred throughout as the topic at-hand allowed for its inclusion. Material was also made available to assist these conversations, including a copy of the [LDC, Missing Middle Housing](#) by Daniel Parolek (2020), infographics for middle housing, and flyers for [accessory dwelling units](#).

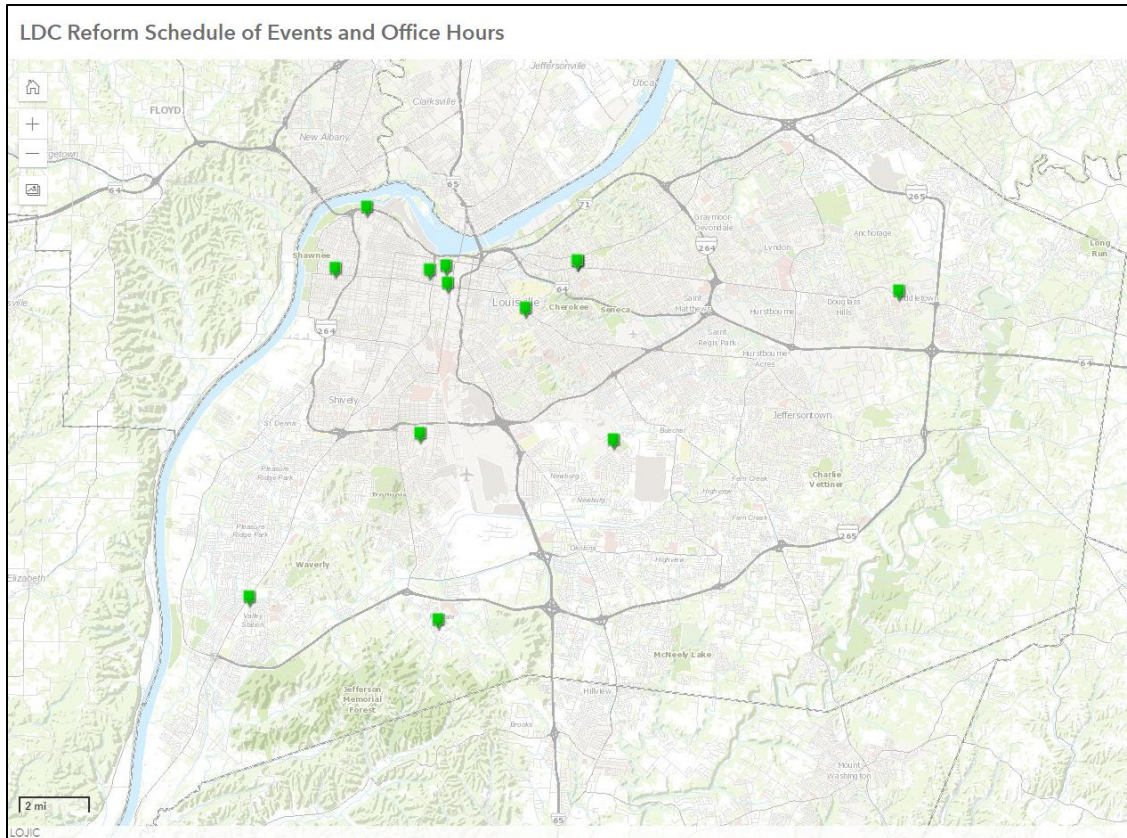


Figure 1. Location of conversations (office hours) shown on interactive map. Map available here: <https://lojic.maps.arcgis.com/apps/instant/basic/index.html?appid=b57bf3a238ad4022b9f9e38e9628f63a>

The formatting of these talks, around a table at the library, produced intimate one-on-one conversations while also allowing for group discussion. It also offered an environment for participants to stay for 20 minutes or 2 hours or more. No appointments were necessary and there was no formal agenda or presentation produced. Participants either planned to visit or were passing-by in their library branch when they were engaged. The reporting that follows is a summary of the conversations that took place at each branch.

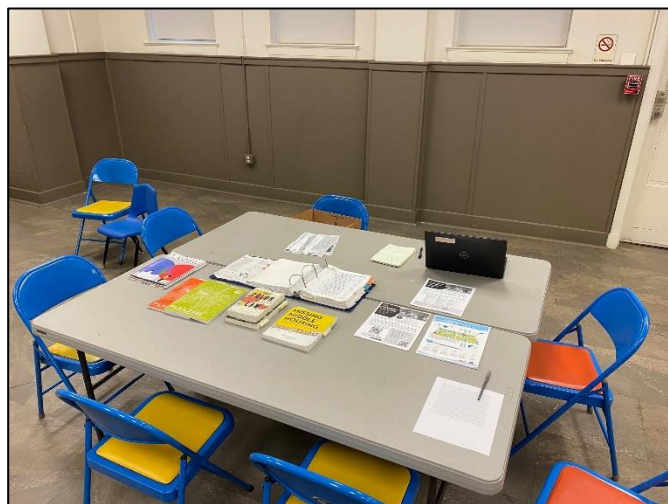


Figure 2. Conversation set-up at Iroquois Library June 22, 2022

CRESCENT HILL

June 10, 2022

10 am – 4:30 pm

Planners Present: Joel Dock and Jay Lockett

Community Members: 7

The conversations began with an individual wanting to learn more about the [public hearing process at the Board of Zoning Adjustment](#). They stated that they recently attended a hearing for a variance requested on an adjacent property and felt unprepared. They also wanted to discuss concerns they had about the safety and height of a fence installed by a neighbor. We were able to discuss the public hearing process, considerations of the Board when making decisions on applications, and difficulties between neighbors. As this conversation was occurring, another was struck up over the differences between middle housing and zoning density. Middle housing is a range of “house-scale” building and development styles with multiple units that is compatible with single-family detached homes. Density only considers the number of units allowed on a specific property based on its size.

Later conversations covered short term rentals (STRs), rented housing, multi-family and apartment dwellings, property management, street parking, and housing patterns and design. Multiple community members expressed concerns that STRs were occupying space in commercial or office zoning districts and displacing long term rentals in residential districts. Concerns over rental housing due to “absentee landlords” and “predatory investors” were also stated. Planning and Design Services (PDS) noted that the LDC does not regulate whether property is rented, owned, or otherwise. One takeaway from the discussion on each of these topics is that reforms should be made to support homeownership.

HIGHLANDS-SHELBY PARK

June 16, 2022

3 – 8:30 pm

Planners Present: Joel Dock and Tara Sorrels

Community Members: 7

Roadway connectivity and right-of-way requirements were discussed in the context of an affordable housing development. The pros and cons of street stubs/connectivity was discussed by a small group. A stub street is a street that ends at a property line which is designed to be extended in the future as the adjoining property develops. Roadway extensions create connectivity between development. It was stated that financing for affordable housing becomes more complicated when the property is separated because right-of-way creation is needed to extend stub streets through a development site. It was suggested that individuals on

both sides of the property line at the stub do not want connectivity and a fence would be preferred instead. Lastly, the relationship between the cost of right-of-way construction and the cost per dwelling, as well as the loss of units was noted.

A development on Lindsay Avenue was considered. We discussed how middle housing options, such as a cottage court, could be utilized to more appropriately develop the property in context with the surrounding area. Cottage Courts typically consists of 1- to 1.5-story detached homes on small lots with limited yard area arranged around a courtyard or walk.



Figure 3. An example of a cottage court in Louisville – Stratton

A conversation was brought forward involving the area surrounding Tyler Park. It was stated by a community member that the area already has “enough housing.” Absentee landlords, drugs and crime, and “bad” developers were given as reasons to resist multi-family housing. The conversations continued into discussions on how many housing units would be acceptable in certain locations and the placement of a hypothetical duplex (2 housing units) in the middle of the block on a vacant lot was discussed. The first question raised was whether the units would be rented or owned. As the conversation progressed, the design of the duplex and its ability to facilitate ownership appeared to be an acceptable middle-ground for one of the participants in this conversation. Duplexes and other forms of middle housing can be stacked or side-by-side units, which may allow for ownership of a lot, ownership of the unit, or rented dwellings.

IROQUOIS

June 22, 2022

5 – 8:30 pm

Planners Present: Joel Dock

Community Members: 3

Three community members participated in a group conversation. They took the opportunity to discuss several ongoing development applications in areas near Iroquois Park. We discussed a change-in-zoning at Palatka Drive and New Cut Road where an auto-service station was operating in excess of the number of bays permitted in the current zone. We discussed potential corrective action to reduce the number of auto bays in relation to the total development site. Next, we discussed a short-term rental on W. Kenwood Drive and

nonconforming rights, which allows for a use on a property to continue when it is not zoned for that use if the use was present prior to current zoning rules. After this, we shifted to a project at the intersection of W. Kingston Ave and S. 3rd Street where mixed uses were proposed. We discussed parking requirements for this development and across traditional neighborhoods. There are no minimum parking requirements for residential uses in many older neighborhoods, known as traditional forms in the LDC. A zoning application on St. Andrews Church Road was also briefly discussed.



Figure 4. Brookline Avenue side-by-side duplexes. Source: Google

Several middle housing choices nearby were discussed, including Maple and Hilltop Courts, as well as a collection of side-by-side duplexes on Brookline Avenue. The duplexes exist in the middle of a detached, single-family residential block which led into a discussion on design and quality and compatibility and consistency with detached homes. We also touched on EZ-1, enterprise zoning in the area and across Louisville Metro. Options for the EZ-1 district were discussed, including rezoning to less intense districts or removing uses allowed, specifically new dwellings/homes depending on the location of the district and adjacent uses.

At the conclusion of this meeting, one participant emailed to request that PDS continue to offer these types of conversations in the future where neighbors can gain a greater understanding of ongoing cases and other zoning matters

CRESCENT HILL

June 28, 2022

4:30 – 8:00 pm

Planners Present: Joel Dock and Julia Williams

Community Members: 7

A conversation on the meaning of “affordable” housing took place. The responses ranged from perspectives to measured statistics. For example, one participant offered the perspective that affordable housing was associated with a program, such as [Housing Choice Voucher/Section 8 Rental Assistance](#). Another participant used the statistic that a home is not affordable if more than 30% of the household’s income is spent on housing costs, including rent and utilities. From this conversation, the idea of affordability built into the design of middle housing types was

introduced. Because middle housing includes attached unit types, such as duplexes or townhouses, and reduced lot sizes, smaller building scales, and a greater variety of housing arrangements, a solid foundation for long-term affordability can be built.

Households that spend more than 30% of their income on housing are considered cost-burdened and may not have money for necessary expenses such as food, clothing, or transportation. Cost-burdened households have a lower quality of life and are less equipped to navigate unexpected financial crises. Ensuring that all residents have access to affordable housing creates a more prosperous and equitable Louisville.
– [Greater Louisville Project](#)

A discussion took place over how the [Comprehensive Plan, Plan 2040](#) is used to analyze a zoning change. We discussed the individual elements that make up the Land Use and Development Policies of the comprehensive plan and explained how staff responds to each related element before putting together a summary of their findings for the Planning Commission to consider when making a recommendation to change the zoning to Metro Council. Roadway classification and transitions between land uses were both noted and discussed.

Avoid access to development through areas of significantly lower intensity or density development if such access would create significant nuisances. – ***Mobility Goal 2, Land Use and Development Policy 4***

A community member interested in constructing an [accessory dwelling unit \(ADU\)](#) concluded the event. They were provided a flyer with step-by-step instructions on the ADU process. We spoke in detail about the requirements and getting started on the project.



Figure 5. Examples of Accessory Dwelling Units. Prepared by MKSK for Louisville Metro Government.

FAIRDALE

July 8, 2022

11 am – 4:30 pm

Planners Present: Joel Dock and Clara Schweiger

Community Members: 4

The first participant in attendance discussed the village center of Fairdale where the library is located. They discussed general plans for the area and an increased pedestrian experience with more sidewalks and growing businesses and services in the center. Traffic and speeding in the center were also discussed.

Several active cases were considered, including a short-term rental in the area near the library. The distinctions between short-term, long-term rentals, and boarding homes were discussed as concerns over the occupancy of the property was mentioned. The public hearing date for the case was provided. Short-term rentals were also discussed generally. A concern with the 600' separation rule being relieved by the Board of Zoning Adjustment was voiced, along with a concern that where short-term rentals are allowed in commercial zones, short term rentals are displacing small retail business owners.

A senior living development in Grafton, Wisconsin, known as Village Point Commons, was noted while discussing middle housing. This development groups private living quarters around shared room for family and social gatherings. The design of many senior & independent living projects provides great examples of building with universal design in-mind, community living, and co-housing arrangements.

SHAWNEE

July 11, 2022

2 – 7:00 pm

Planners Present: Joel Dock and Julia Williams

Community Members: 7

The first attendee worked near the Shawnee library and noted that the hours offered, and location made it more accessible for them to speak to someone in-person and ask questions. We discussed the process for approval and building an accessory dwelling unit (ADU) for their parents.

A development proposal at 45th Street and Broadway was examined in detail with a group of community members. Participants discussed the condition of the property, emergency demolition, and the design of the new proposal. The height and density (# of housing units per

acre of land) of the proposal were also discussed. The concept of transitioning from higher uses to lower uses moving from Broadway, a more heavily trafficked road, to the local roadway serving primarily detached, single-family homes was contemplated by the group. Middle housing choices were briefly cited as a method to expand the housing options available in transitional spaces where detached homes are near major roadways or transit corridors. Middle Housing also provides another approach to housing between large apartment complexes and single-family detached homes.



Figure 7. Range of Missing Middle housing Options. Source: <https://missingmiddlehousing.com/>

The participants of this conversation were concerned about the additional responsibility that they might assume if young people in need of transitional housing and the grounds of the property proposed for development are not actively managed. They were concerned that, if managed improperly, those needing supportive housing would not be provided the wrap-around support and services that may be needed for the occupants; therefore, the neighbors would assume the burden of providing support in a vulnerable neighborhood. Staff asked, “What does the neighborhood need to support young people, both owners and renters?” They noted a cycle of “aging-out” of the neighborhood or the children inheriting homes but not remaining or investing in the area, which creates neighborhood instability. They also noted that services available in the area are unpredictable. The ability to continuously maintain older homes was also a cited concern. Tool exchange and repair programs and vocational/home skill training were suggested to assist with maintenance responsibility.

MIDDLETOWN

July 19, 2022

3:30 – 8:30 pm

Planners Present: Joel Dock and Ethan Lett

Community Members: 8

Housing affordability related to the Mixed Residential Development Incentives of the LDC were discussed. A participant requested that planning staff set the affordability tier and that the affordability not conclude at the first point-of-sale. Current standards allow for multi-family and two-family dwellings to be provided alongside single-family homes in a newly proposed subdivision in a single-family district when certain standards are met based on a point system, including a percentage of the units being sold or rented at affordable levels as decided by the developer. The affordability limit expires after the first sale; meaning that the property may be resold without restrictions on the sale price. We also discussed inclusionary zoning policy and what is meant by affordability. One participant simply suggested that affordability is a measure of “living within your means.”

A packet of documents was provided by a group of participants interested in the work underway for new form districts, specifically the Conservation Form. They discussed a desire for a district oversight committee that would be responsible for approving projects in the Floyds Fork area. Traffic and infrastructure conditions were discussed in the context of proposed and future development, including pavement width, sewer connectivity and wastewater treatment, and levels of service for roadways. The group suggested regulating the maximum amount of impervious surface coverage permitted, as well as individual neighborhood wastewater treatment systems.

The group discussed the relationship between development, stream bank erosion, and flooding over the last ten years using the example of a property on Piercy Mill Road. This led into a conversation on the relationship between environmental protection and housing exclusion, and the need for both housing and environmental sustainability.

A university student attended the conversation as part of their course work in library sciences. They were required to attend a public event at a library. We were able to have a one-on-one discussion with this individual as several participants from the larger group conversation dispersed. We recapped the group discussion and talked about the purpose of the event and community engagement.

WESTERN

August 2, 2022

3 – 8:00 pm

Planners Present: Joel Dock

Community Members: 8

A group discussion took place around inclusive housing solutions for individuals in transition and housing for those with intellectual disabilities. Group housing and single-room occupancy arrangements were mentioned and the standards for group housing was discussed. Participants discussed how typical housing arrangements for individuals with developmental disabilities places them in congregate groups or isolated locations that are not integrated with the community. This results in these individuals being viewed as “others” in the community instead of neighbors, homeowners, or community members. Housing solutions that support inclusion are accessory dwellings, co-housing, short-term transitional housing, universal design, and rehabilitation of units to increase accessibility. Current zoning regulations restrict the ability to deliver a full spectrum of housing options for all.

Periodic conversation was struck up with the security officer at the library. They grew up in west Louisville, experienced urban renewal first-hand, and continues to reside in west Louisville. He recalled the changes before and after renewal. They noted the loss of neighborhood stores, butchers, hardware stores, and a theater. We looked over several maps showing the location of urban renewal projects. Our conversation was interrupted often by the many children in the library who needed Harold’s attention. We attempted to engage a few children in an exercise using Lego bricks and street maps to build neighborhoods, but the computer stations and other happenings at the library seemed more compelling.

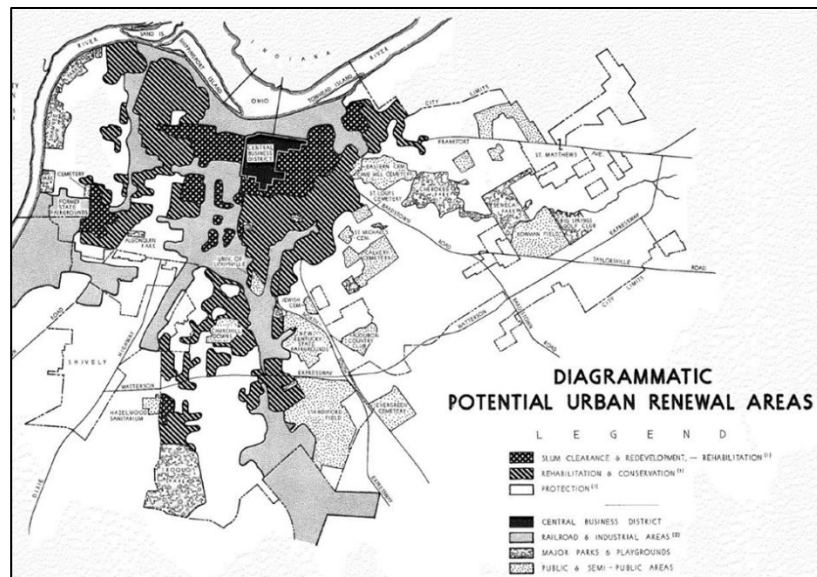


Figure 8. Potential Urban Renewal Areas Map, Louisville Metro Comprehensive Plan, 1958.

MAIN

August 8, 2022

3:30 – 8:00 pm

Planners Present: Joel Dock & Jay Lockett

Community Members: 4

Lot size reductions were discussed as a component of middle housing reform to the LDC. An active project near Shelby Park that required a zoning change to provide smaller lot sizes than allowed by the underlying zoning but consistent with the area was provided as an example. We also discussed Lawton Court, which is an arrangement of homes referred to as a pedestrian or cottage court. Community members had recently submitted a landmarks designation request for the court. We also discussed the zoning of Lawton Court and in the area along the railroad, which is EZ-1, enterprise zoning. EZ-1 replaced light industrial zoning in the area in the 1980's that had been present since the original designation in 1931.

One participant was interested in learning how to support reform efforts and housing development. One way to support housing development is to show up in support of housing at public hearings. Most often, opposition parties far exceed community members showing up to support projects, if members outside the applicant support group are there at all. Another way to support housing reform is to share information about the LDC Reform and show up in support of proposed changes at public meetings and events.

Zoning is for the east end! – community member

“Zoning is for the east end,” was one statement made by an individual passing by who we were able to bring in for a conversation. They discussed living in west Louisville currently and initially not wanting to live in that area, but after living in their current location adjacent to a park, they had a change of opinion and enjoyed the quiet environment near their home. This participant had grown up in east Louisville, which they described as being no further than Baxter Avenue at the time of their upbringing. They noted that there was a history of needing to lie about your zip code to find employment if you lived in a west Louisville zip code. We discussed the racist origins of zoning and the material documented in the [Confronting Racism in City Planning and Zoning](#) story map.

SOUTHWEST

August 23, 2022

3 – 8:00 pm

Planners Present: Joel Dock & Amy Brooks

Community Members: 7

Standards related to accessory dwelling units opened the discussion. Issues related to restrictions on properties preventing additional units or rental were discussed. One participant asked if restrictions could be placed on renting property. The LDC does not regulate whether property is sold or rented, but zoning restrictions can limit the ability to deliver a range of both rental and ownership arrangements. [Limited equity cooperatives](#) and [community land trust](#) models were discussed in the context of the range of options available under middle housing, such as pocket or cottage courts. These two forms are more open to innovative forms of collective ownership and equity than traditional approaches to zoning, such as single-family, large lot, detached homes.

Requirements for fences and the variance approval process were also discussed in detail with one participant. In many circumstances properties on corner lots in suburban areas have limited rear yard and the yard on the street side of the property is used to provide a play or seating area. However, the LDC regulations limit the height of fences in this area. Many homeowners prefer the privacy and security that a 6' wood, privacy-style fence provides, but the height is limited to ensure compatibility with adjoining front yard fences and sight lines along the roadway. Variances for fences are often requested for this reason. Many are approved, but some are denied. The standard of review for deciding to approve or deny a variance was detailed.

NEWBURG

September 1, 2022

3:30 – 8:30 pm

Planners Present: Joel Dock

Community Members: 1

One community member passed by and asked general questions about the purpose of the conversations and the LDC reform. The community member mentioned studying urban planning at The Ohio State University. Staff encouraged this individual to stay up to date on events and took the individual's contact information to add to the contact list maintained for the Reform.

PORTLAND

September 6, 2022

3:30 – 8 pm

Planners Present: Joel Dock

Community Members: 0

- No community members attended -

CONCLUSION

Planners and public officials must make themselves accessible and known in the communities they serve. In an article titled, [*"Public Engagement" is About Knowing Your Neighbors, Not Planning a Meeting*](#), the author makes the case for knowing your neighbors, understanding their needs, and making plans from that position.

We shouldn't be seeking public input for a project; we should get to know our neighbors so that their needs are front and center in our mind, and create proposals, ideas or projects from there. This is work that anyone can and should do—elected official or just regular resident who cares about making their community stronger. You have the ability and the power to start doing this listening and connecting today.
– Rachel Quednau

The conversations were approached with the intent of gaining a greater understanding of community needs and experiences while providing educational outreach on the LDC Reform. The conversations were as much about building relationships as they were about discussing planning and zoning regulations. Although, there is a long list of items that need attention in the LDC and many new concepts being introduced, the conversations were directed by the topics brought forward by the participants. Because of this structure, the conversations were successful in capturing a wide range of lived experiences across the community to inform more than just land use rules, but also processes, communication techniques, and everyday functions within the planning office. Ultimately, the benefit and purpose of regulatory change will only go so far as trust allows, and that all begins with positive relationships.

Through conversation in these spaces both planners and community members can take away a greater understanding of why zoning matters to us all. Planning and Design Services will be offering another series of conversations beginning in March of 2023.

RESOURCES

- Louisville Metro Land Use Resources:
 - Accessory Dwelling Units: <https://louisvilleky.gov/government/planning-design/accessory-dwelling-units-adu>
 - Confronting Racism in City Planning and Zoning, Revised September 1, 2021: <https://storymaps.arcgis.com/stories/8cd986b3c5ab4f1c8bedba85f195662f>
 - Group Housing (boarding homes/transitional housing): <https://louisvilleky.gov/government/planning-design/boarding-and-group-housing-regulations>
 - Land Development Code (LDC): <https://louisvilleky.gov/government/planning-design/land-development-code>
 - LDC Reform website (main): <https://louisvilleky.gov/ldcreform>
 - LDC Reform Work Program and Engagement Plan 2022-2023: <https://storymaps.arcgis.com/stories/f8853c01b8f04d538dec785ba2ede0cc>
 - LDC Diagnosis Prepared by Opticos Design, July 2020: <https://louisvilleky.gov/metro-council-district-8/document/pdslldcdiagnosisfinal0720pdf>
- AARP resources:
 - ADUs: <https://www.aarp.org/livable-communities/housing/info-2019/accessory-dwelling-units-adus.html>
 - Middle Housing: <https://www.aarp.org/livable-communities/housing/info-2020/missing-middle-housing.html>
- Missing Middle Housing: <https://missingmiddlehousing.com/>
- Strong Towns:
 - "Public engagement" is about knowing your neighbors, not planning a meeting by Rachel Quednau, 8/27/2020: <https://www.strongtowns.org/journal/2020/8/26/street-meets>