

Gorton
Blues
Gray
Ellinger
James
Lawless
Beard
Feigel
Stinnett
McChord

A G E N D A

PLANNING COMMITTEE

January 19, 2010
1:00 P.M.

1. **Sight Distance Hazards – Blues** (1-2)
2. **Newtown Pike Project Status – Blues** (3-4)
3. **Items Referred to Committee** (5)

“Planning Committee, to which should be referred matters relating to parks, planning and zoning, housing, transportation, grants, legislation and social services.”

Council Rules & Procedures, Section 2.102(1)

Section 1 - That Section 12-6 of the Code of Ordinances be and the same is hereby amended by creating subsections 12-6(d) through 12-6(g) to read as follows:

- (a) Duty of maintenance of private property: No person owning, leasing, occupying or having charge of any premises shall maintain or keep any nuisance thereon, nor shall any such person keep or maintain such premises in a manner causing substantial diminution in the value of the other property in the neighborhood in which such persons are located.
- (b) Exterior storage of nonoperating or nonlicensed vehicles prohibited: No person in charge of or in control of premises, whether as owner, lessee, tenant, occupant or otherwise, shall allow any partially dismantled, wrecked, junked, discarded or otherwise nonoperating motor vehicle or any motor vehicle which is not properly licensed pursuant to KRS 186.020 to remain on such property longer than ten (10) days; and no person shall leave any such vehicle on any property within the urban county for a longer time than ten (10) days; except that this section shall not apply to historic motor vehicles registered and licensed in conformance with KRS 186.043, property where such use is allowed under zoning ordinances or other applicable laws, or to any vehicle in an enclosed building or so located upon the premises as not to be readily visible from any public place or from any surrounding private property. This section shall further not apply with regard to any vehicle on the premises of a business enterprise operated in a lawful place, other than in a residential district, and operated in a lawful manner, when the keeping or maintenance of such vehicle is necessary to the operation of such business enterprise; or with regard to a vehicle in an appropriate storage place or depository maintained in a lawful place and manner by the urban county government or any other public agency or entity.
- (c) Exterior use or storage of indoor furniture prohibited: No person owning, leasing, occupying or having charge of any premises shall allow the use or storage of furniture which is upholstered or not designed for outdoor use, or equipment or appliances which are not designed for outdoor use, in an outdoor area such as a porch, patio or yard.
- (d) Creation of sight distance hazard prohibited: Except as exempted in subsection (e) or (f), no person owning, leasing, occupying or having charge of any premises shall keep or maintain such premises in a manner that creates a safety hazard due to obstruction of the sight distance of motorists whether by placement of a fence, wall, sign, parked motor vehicle, tree, shrub or other plant, or in any other manner. Motorists approaching the premises or exiting any nearby premises shall have an

unobstructed view of the public right of way, any intersection, and any traffic control devices with sufficient length of view to avoid accidents.

- (e) A sight distance hazard caused by an historic structure, a significant tree as defined in article 26 of the zoning ordinance, or any other obstruction where the removal of such would be unduly detrimental to the character of a neighborhood or area is not subject to enforcement pursuant to subsection (d).
- (f) A sight distance hazard caused by the placement of a box for mail, deliveries, or newspapers is not subject to enforcement pursuant to subsection (d) where no feasible alternate location is available.
- (g) Any person who causes or maintains a nuisance in violation of subsections (a) through (d) of this section is subject to the abatement procedure pursuant to section 12-7 of this Code and/or the issuance of a penalty pursuant to section 12-8.2 of this Code.

Newtown Pike Extension Project - Update 1/11/2010

Phase I – Temporary Housing Area

- Site work necessary to place the two additional manufactured homes is nearly complete; weather permitting, residents should be able to occupy them in March.
- In performance of acquisition services, H.W. Lochner has completed all needed appraisals and meetings with the 8 relocatees are under way.
- The Kentucky Transportation Cabinet has authorized initial funding for the Lexington Community Land Trust (CLT) in the amount of \$250,000. Council will receive more information on this in the near future.

Phase IV – Main Street to Versailles Road

- Work continues on the northern bridge abutment.
- Work on the central pier and southern abutment will proceed once Kentucky American Water Company is able to relocate a conflicting 16" water line. KAWC has the necessary valves on order.
- We continue to coordinate with RJ Corman Railroad and the Transportation Cabinet regarding plan modifications necessary to allow a railroad spur to run under the new bridge.
- Some minor, temporary aerial utility relocations will be ongoing during January and February along Cox Street.

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Planning Committee- Issues Outstanding

09/16/09

Issue	Member Referred	Date Referred	Status
• Liberty Road Project Status	Stinnett	Jan 06	Bi Monthly Written Report
• Newtown Pike Status	Blues	Feb 06	Bi Monthly Report
• Loudon Avenue Phase 1 Status	James	Oct 06	Bi Monthly Written Report
• Fence Regulations- Sight Distance Issues	Blues	Dec 07	Jan 10
• Mobile Home Trailer Park Quality of Life	James	Dec 07	On Hold
• Infill Redevelopment Committee Recommendations	Gray	Feb 08	Unknown
• Tree Protection Ordinance	James	Mar 08	Unknown
• Downtown Master Plan	Lawless	Apr 08	Review Recommendations
• Management Audit Recommendations	Crosbie	May 08	Subcommittee Formed
• Art 16 Zoning Ordinance re Rear Yard Parking in Residential Areas	Henson	Apr 09	Fall 09 - Winter 10
• Parks Master Plan	Stinnett	Feb 09	Financing Sub Committee Formed
• Downtown Lexington Building Inventory	Feigel	June 09	Winter 10
• Residential Additions	Lawless	Sept 09	Fall 09 - Winter 10
• Mobile Food Vendor Permits	Henson	Sept 09	
• Commercial Signage Text Amendment	Martin	Oct 09	
• Residential Zoning Ordinances	Stinnett	Oct 09	
• Permitting of Yard Sales	Henson	Oct 09	