

Gorton  
Blues  
Gray  
Ellinger  
James  
Lawless  
Beard  
Feigel  
Stinnett  
McChord

# A G E N D A

## SPECIAL PLANNING COMMITTEE

### May 27 2010

### 3: 00 P.M.

1. Design Standards/ Form Based Guidelines (1-3)
2. Items Referred to Committee (4)

"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)

## **EXAMPLES OF KEY DECISION POINTS TO DRAFTING OF DESIGN AND/OR FORM-BASED REGULATIONS FOR LEXINGTON**

- What will be the boundaries of the area(s) that would be regulated?
- What will be the character elements that will be addressed in the regulations? Will they be minimal or extensive? Will specific architectural design guidelines be employed as well as basic form-based guidelines? Demolition guidelines?
- Should the results of the Downtown Lexington Building Inventory be incorporated into the program; and if so, how?
- Will the design standards and guidelines be mandatory or optional? Advisory but not binding?
- Who will conduct the necessary studies, charrettes, etc., to create the design and/or form guidelines to be proposed?
- Will the regulations and design guidelines/standards replace or supplement existing zoning requirements?
- What will be the relationship to existing design regulation bodies (i.e., H-1 Districts, the Court House Area Design Review Area, and the Newtown Pike Extension Access and Design Ordinance)?
- If a regulatory approach is chosen, who will review projects and determine whether a project complies with the adopted design guidelines/standards? Will there be a review staff? Will the staff make recommendations?
- Where in the permitting process will the form/design review occur? What agency will administer it?
- Will the approving authority be:
  - Staff ?
  - A Board or Commission?
  - A Design "Czar?"
- Will the public be allowed to participate in the project review process?
- Will there be an appeal process from decisions of the approval authority; and if so, who will be the appeal body?

## **BASIC STEPS IN CREATING A FORM-BASED CODE or DESIGN REGULATIONS**

1. Confirm the community commitment to a new regulatory approach, including associated costs, staffing, etc. (Note: Reaffirmation will be needed at various points in the process)
2. Determine what type of code desired...(i.e., pure form-based, hybrid, or parallel to existing regulations) and determine level of detail of architectural design standards (if any)
3. Determine the existing development forms to be preserved and/or the new ones to be created (extensive community input)
4. Describe and document those development forms
5. Develop the proposed code and regulations to match the development forms
6. Undertake formal regulatory adoption process (text amendment process or amendment to code of ordinances as deemed appropriate)
7. Implement the regulatory program – establish administrative processes, hire staff, etc.

121 North M.L. King Blvd., #404, Lexington, KY 40507 tel. (859) 254-2592

May 20, 2010

Dear Mr. Schoninger and Council Members:

I write on behalf of ProgressLex in response to the Council Planning Committee's request for a report on options for design review processes in Lexington.

We recognize the complexity of this issue and strongly encourage the immediate formation of a task force to develop substantive recommendations for a design review process. This task force should be charged with delivering recommendations by September 1, 2010. Composition of the task force should include planning professionals, design professionals (including architects), historic preservation professionals, and representatives of relevant community organizations, including ProgressLex. This task force should be provided with staff resources necessary for research and document production.

We recognize that the easiest way to achieve some design control in Lexington will be to pass a text amendment to the B-2 zone establishing parameters and a system for design review. While this might be a good start, it is by no means a final solution, as it is limited geographically and by its connection to the single zone type. Design guidelines for Lexington should not be limited to the downtown region, and should be specific enough to respond to the varying characteristics of the city on a block-by-block basis if necessary. ProgressLex is committed to help with efforts to find design guideline solutions for the broader community.

The current controversy swirling about the CVS Pharmacy planned for Main and Vine Streets points to the need for this issue to be addressed with expedience and substance. Over 1200 people have signed a letter protesting the current design, and threatening to boycott CVS if the design is not reconsidered. Such public disturbances create a climate that discourages development. Controversies can be avoided if Lexingtonians are confident that new developments are consistent with an informed vision for the long term character and quality of the city. ProgressLex hopes that you will take the actions required to make this happen.

Thank you for your work on our behalf!

Sincerely,

A handwritten signature in dark ink, appearing to read "Dan Rowland", written over a horizontal line.

Dan Rowland on behalf of ProgressLex

# Planning Committee- Issues Outstanding

04.14.2010

| Issue                                                               | Member Referred | Date Referred | Status                      |
|---------------------------------------------------------------------|-----------------|---------------|-----------------------------|
| • Liberty Road Project Status                                       | Stinnett        | Jan 06        | Bi Monthly Report           |
| • Newtown Pike Status                                               | Blues           | Feb 06        | Bi Monthly Report           |
| • Fence Height Regulations                                          | Blues           | Dec 07        | June-August 2010            |
| • Mobile Home Trailer Park Quality of Life                          | James           | Dec 07        | June-August 2010            |
| • Infill Redevelopment Committee Recommendations                    | Gray            | Feb 08        | April 2010                  |
| • Downtown Master Plan                                              | Lawless         | Apr 08        | April 2010                  |
| • Management Audit Recommendations                                  | Crosbie         | May 08        | June-August 2010            |
| • Art 16 Zoning Ordinance re Rear Yard Parking in Residential Areas | Henson          | Apr 09        | Related to Moratorium Issue |
| • Parks Master Plan                                                 | Stinnett        | Feb 09        | Aug/Sept 2010               |
| • Downtown Lexington Building Inventory                             | Feigel          | June 09       | October 2010                |
| • Residential Additions                                             | Lawless         | Sept 09       | April 2010                  |
| • Encroachment Issue                                                | Stinnett        | Jan 10        | June-September 2010         |
| • ND-1 Process                                                      | Feigel          | Mar 10        | June-September 2010         |