

Farmer, Chair
 Ellinger, Vice Chair
 Gorton
 Kay
 Ford
 Blues
 Lawless
 Beard
 Martin
 Henson

Benningfield, Staff

AGENDA PLANNING & PUBLIC WORKS COMMITTEE

April 17, 2012
 1:00 P.M.

- | | | |
|---|--------|---------|
| 1. 2012 Comprehensive Plan Goals & Objectives | Farmer | (2-11) |
| 2. Adult Day Care Definition Initiate ZOTA | Ford | (12-13) |
| 3. Fencing Issue | Blues | (14-15) |
| 4. Items Referred to Committee | | (16) |

“Planning & Public Works Committee, to which should be referred matters relating to the Division of Planning and including, but not limited to, matters relating to housing, infill & redevelopment, purchase of development rights and historic preservation, and any related partner agencies and the Department of Public Works and its related divisions, including capital improvement projects and any related partner agencies.”
 -Council Rules & Procedures, Section 2.102(1)

March 28, 2012 Draft – Clean Version

2012 Comprehensive Plan Mission Statement and Goals and Objectives
 Adopted by Planning Commission on September 22, 2011
 Under review by Urban County Council beginning October 2011

Preamble

To ensure that the urban growth boundary policies and other long-range planning issues address the expected needs for new urban development and contribute to the prosperity of Lexington-Fayette County, these goals and objectives have been drafted based upon the determined community needs of today with confidence that they will continue to be reviewed and revised as necessary on the five-year review cycle mandated by state statute.

Mission Statement

The 2012 Comprehensive Plan seeks to provide flexible planning guidance to ensure that development of our community's resources and infrastructure preserves our quality of life, and fosters regional planning and economic development. This will be accomplished while protecting the environment, promoting successful, accessible neighborhoods, and preserving the unique bluegrass landscape that has made Lexington-Fayette County the Horse Capital of the World.

Goals and Objectives

A. Growing Successful Neighborhoods

Goal

1. Expand housing choices.
 - a. Pursue incentives and regulatory approaches that encourage creativity and sustainability in housing development.
 - b. Plan for housing that addresses the market needs for all of Lexington-Fayette County's residents, including, but not limited to, mixed-use and housing near employment and commercial areas.
 - c. Plan for safe, affordable, and accessible housing to meet the needs of older and/or disadvantaged residents.
 - d. Create and implement housing incentives that strengthen the opportunity for economic development, new business, and jobs, including, but not limited to, higher density and housing affordability.
2. Support infill and redevelopment throughout the Urban Service Area as a strategic component of growth.
 - a. Identify areas of opportunity for infill, redevelopment, and adaptive reuse that respects the area's context and design features whenever possible.
 - b. Implement innovative programs, such as the land bank, to facilitate sustainable development, including, but not limited to, affordable housing and commercial and economic activity.

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- c. Create materials that educate the public about infill and redevelopment.
- 3. Provide well-designed neighborhoods and communities.
 - a. Enable existing and new neighborhoods to flourish through improved regulation, expanded opportunities for neighborhood character preservation, and public commitment to expanded options for mixed-use and mixed-type housing throughout Lexington-Fayette County.
 - b. Strive for positive and safe social interactions in neighborhoods, including, but not limited to, neighborhoods that are connected for pedestrians and various modes of transportation.
 - c. Minimize disruption of natural features when building new communities.
 - d. Promote, maintain, and expand the urban forest in existing neighborhoods.

B. Protecting the Environment

Goal

- 1. Continue to implement the Consent Decree, including the capacity assurance program, as directed by the Environmental Protection Agency.
- 2. Reduce Lexington-Fayette County's carbon footprint.
 - a. Implement adopted environmental policy.
 - b. Anticipate the community's needs by encouraging environmentally sustainable uses of natural resources.
 - c. Provide incentives for green building, sustainable development, and transit-oriented development with civic agencies leading by example through the use of green building standards.
- 3. Support the funding, planning, and management of a green infrastructure program.
 - a. Identify and protect natural resources and landscapes before development occurs.
 - b. Incorporate green infrastructure principles in new plans and policies, including, but not limited to, land use and transportation.

C. Creating Jobs and Prosperity

Goal

- 1. Support and showcase local assets to further the creation of a variety of jobs.
 - a. Strengthen efforts to develop a variety of job opportunities that lead to prosperity for all.
 - b. Strengthen regulations and policies that propel the agricultural economy, including, but not limited to, local food production and distribution, agritourism, and the equine industry that showcases Lexington-Fayette County as the Horse Capital of the World.

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- c. Collaborate with institutions of higher learning to foster a capable and skilled work force while engaging agencies that address the lack of prosperity for residents by reducing joblessness.
 - d. Foster the success and growth of large employment sectors; protect and provide readily available economic development land to meet the needs for jobs; and enable infill and redevelopment that creates jobs where people live.
 - e. Encourage the development of appropriate attractions and supporting uses that promote and enhance tourism.
2. Attract the world's finest jobs, encourage an entrepreneurial spirit, and enhance our ability to recruit and retain a talented, creative workforce by establishing opportunities that embrace diversity and inclusion in our community.
- a. Identify and promote sectors of the economy that will flourish in Lexington-Fayette County.
 - b. Improve opportunities for small business development and workers who rely on personal technology.
 - c. Review and improve regulations and policies that attract and retain high paying jobs through close collaboration with agencies that focus on economic development.
 - d. Provide entertainment and other quality of life opportunities that attract young professionals and a workforce of all ages and talents to Lexington.

D. Improving a Desirable Community

Goal

1. Work to achieve an effective and comprehensive transportation system.
 - a. Support the Complete Streets concept which includes, but is not limited to, the design and use of the right-of-way for cars, bicycles, and pedestrians.
 - b. Develop a viable network of accessible transportation alternatives for residents and commuters, which may include the use of mass transit, bicycles, walkways, ridesharing, greenways, and other strategies.
 - c. Improve traffic operation strategies.
2. Provide for accessible community facilities and services to meet the health, safety, and quality of life needs of Lexington-Fayette County's residents and visitors.
 - a. Encourage public safety and social sustainability by supporting Secured by Design concepts and other policies and programs for the built and natural environments of neighborhoods to help reduce opportunities for crimes.
 - b. Collaborate with educational and healthcare entities to meet the needs of Lexington-Fayette County's residents and visitors.
3. Protect and enhance the natural and cultural landscape that gives Lexington-Fayette County its unique identity and image.

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- a. Protect historic resources and archeological sites.
 - b. Incentivize the renovation, restoration, development, and maintenance of historic residential and commercial structures.
 - c. Develop incentives to retain, restore, preserve, and continue use of historic sites and structures, rural settlements, and urban and rural neighborhoods.
4. Promote, support, encourage, and provide incentives for public art.

E. Maintaining a Balance between Planning for Urban Uses and Safeguarding Rural Land.

Goal

1. Uphold the Urban Service Area concept.
 - a. Continue to monitor the absorption of vacant and underutilized land within the Urban Service Area.
 - b. Encourage compact, contiguous, and/or mixed-use sustainable development within the Urban Service Area, as guided by market demand, to accommodate future growth needs.
2. Support the agricultural economy, horse farms, general agricultural farms, and the rural character of the Rural Service Area.
 - a. Update, reaffirm, and readopt the Rural Service Area Land Management Plan to continue as the community's framework for preserving and enhancing rural resources.
 - b. Protect and enhance the natural, cultural, historic, and environmental resources of Lexington-Fayette County's Rural Service Area and Bluegrass farmland to help promote the general agricultural brand and ensure Lexington-Fayette County remains the Horse Capital of the World.
 - c. Support the Purchase of Development Rights and private sector farmland conservation programs to protect, preserve, and enhance our signature agricultural industries, historic structures, cultural landscapes, natural environments, and community welfare.
3. Maintain the current boundaries of the Urban Service Area and Rural Activity Centers; and create no new Rural Activity Centers.

F. Implementing the Plan for Lexington-Fayette County and the Bluegrass

Goal

1. Engage the residents of Lexington-Fayette County in the planning process
 - a. Pursue all venues of communication, including, but not limited to, electronic and social media to involve residents.

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- b. Establish early and continuous communication with residents.
 - c. Develop a network of diverse contacts and a means to engage them.
 - d. Collaborate with other agencies in Lexington-Fayette County to meet local standards in order to achieve compatible developments and accomplish the community's vision as articulated in *Destination 2040*.
- 2. Implement the 2012 Comprehensive Plan.
 - a. Develop and update a work program for the 2012 Comprehensive Plan that can be measured and analyzed.
 - b. Provide an annual public report about the progress of implementation.
- 3. Increase regional planning.
 - a. Set the standard through leadership and engagement to identify and resolve regional issues.
 - b. Support legislative efforts and cross-border actions that improve regional planning, including, but not limited to, developing regional policies; sharing information; and planning for regional systems of transportation, open space, water supply, and infrastructure.

March 28, 2012 Draft – Redline Against Original Planning Commission Draft

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Preamble

To ensure that the urban growth boundary policies and other long-range planning issues address the expected needs for new urban development and contribute to the prosperity of Lexington-Fayette County, these goals and objectives have been drafted based upon the determined community needs of today with confidence that they will continue to be reviewed and revised as necessary on the five-year review cycle mandated by state statute.

Mission Statement

The 2012 Comprehensive Plan seeks to provide flexible planning guidance to ensure that development of our ~~community's~~ community's resources and infrastructure preserves ~~the~~ our quality of life, and fosters regional planning and economic development, ~~and aids in the~~ attraction and retention of companies and creative entrepreneurial professionals. This will be accomplished while protecting the environment, promoting successful, accessible neighborhoods, and preserving the unique bluegrass landscape that has made Lexington-Fayette County the Horse Capital of the World.

Goals and Objectives

A. Growing Successful Neighborhoods

Goal

1. Expand housing choices.

- a. Pursue incentives and ~~regulations~~ regulatory approaches that encourage creativity and sustainability in housing development.
 - b. Plan for housing that addresses the market needs for all of Lexington-Fayette County's residents, including, but not limited to, mixed-use, and housing near employment and commercial areas, and housing for older citizens, while providing safe and affordable housing for Lexington's vulnerable citizens.
 - c. Plan for safe, affordable, and accessible housing to meet the needs of older and/or disadvantaged residents.
 - d. Create and implement housing incentives that ~~promote higher density and affordable housing that will strengthen the opportunity for economic development, new businesses, and jobs, including the creative class, but not limited to, higher density and housing affordability.~~
2. Support infill and redevelopment throughout the Urban Service Area as a strategic component of growth.

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- a. Identify areas of opportunity for appropriate infill and redevelopment utilizing, and adaptive reuse that respects the area's context and design features whenever possible while preserving historic structures and streetscapes.
 - b. ~~Develop a~~ Implement innovative programs, such as the land bank that facilitates, to facilitate sustainable new development, including, but not limited to, affordable housing, and commercial and economic development activity.
 - c. Create educational materials that ~~explain the benefits and process for~~ educate the public about infill and redevelopment.
3. Provide well-designed neighborhoods and communities.
- a. Enable existing and new neighborhoods to flourish through improved regulation, expanded opportunities for neighborhood character preservation, and public commitment to expanded options for mixed-use and mixed-type housing throughout Lexington-Fayette County.
 - b. Strive for positive and safe social interactions in neighborhoods, including, but not limited to, neighborhoods that are connected for pedestrians and various modes of transportation.
 - c. Minimize disruption ~~to of~~ natural features when building new communities.
 - d. Promote, maintain, and expand the urban forest in existing neighborhoods.

B. Protecting the Environment

Goal

1. Continue to implement the Consent Decree, including the capacity assurance program, as directed by the Environmental Protection Agency.
2. Reduce Lexington's Fayette County's carbon footprint.
 - a. ~~Implement the adopted Climate Action Plan~~ environmental policy.
 - b. Anticipate the community's needs ~~within the capacity by encouraging environmentally sustainable uses~~ of available natural resources.
 - c. Provide incentives for green building, sustainable development, and transit-oriented development, ~~and lead with civic agencies leading by example to encourage the construction through the use of civic buildings using green building standards.~~
3. Support the funding, planning, and management of a green infrastructure program.
 - a. Identify and protect natural resources and landscapes before development occurs.
 - b. Incorporate green infrastructure principles in new plans and policies, including, but not limited to, land use and transportation.

C. Creating Jobs and Prosperity

Goal

March 28, 2012 Draft – Redline Against Original Planning Commission Draft

1. Support and showcase local assets to further the creation of a variety of jobs.
 - a. Strengthen efforts to ~~propel all positive aspects~~develop a variety of our economy ~~with the intent of providing job opportunities for that lead to prosperity for all our citizens and businesses.~~
 - b. Strengthen regulations and policies that propel the agricultural economy, including, but not limited to, local food production and distribution, agritourism, and the equine industry that showcases Lexington-Fayette County as the Horse Capital of the World.
 - c. Collaborate with institutions of higher learning to foster a capable and skilled work force while engaging agencies that address the lack of prosperity for ~~citizens~~residents by reducing joblessness.
 - d. Foster the success and growth of large employment sectors; protect and provide readily available economic development land to meet the needs for jobs; and enable infill and redevelopment that creates jobs where people live.
 - e. Encourage the development of appropriate attractions and supporting uses that promote and enhance tourism.
2. Attract the world's finest jobs, encourage an entrepreneurial spirit, and enhance our ability to recruit and retain a talented, creative workforce by establishing opportunities that embrace diversity with and inclusion in our community.
 - a. Identify and promote sectors of the economy that will flourish in Lexington; ~~including improving Fayette County.~~
 - b. Improve opportunities for small business development and workers who rely on personal technology.
 - c. Review and improve regulations and policies that attract and retain high paying jobs through close collaboration with agencies that focus on economic development.
 - d. Provide entertainment and other quality of life opportunities that ~~draw~~attract young professionals and a workforce of all ages and talents to Lexington.

D. Improving a Desirable Community

Goal

1. ~~Encourage~~Work to achieve an effective and comprehensive transportation system.
 - a. ~~Implement~~Support the Complete Streets ~~program, concept~~ which includes, but is not limited to, the design and full-use of the right-of-way for cars, bicycles, and pedestrians.
 - b. Develop a viable network of accessible transportation alternatives for residents and commuters, which may include the use of mass transit, bicycles, walkways, ridesharing, greenways, and other strategies.
 - c. Improve traffic operation strategies.

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2. Provide for accessible community facilities and services to meet the health, safety, and quality of life needs of Lexington's citizens-Fayette County's residents and visitors.

- a. ~~Encourage public safety and social sustainability by providing incentives for~~
~~Securesupporting Secured by Design-certified developments, and lead by~~
~~example to encourage the use of Secure by Design principles in the construction~~
~~of civic buildings and improvements, which include standards concepts and other~~
~~policies and programs for the built and natural environments of neighborhoods~~
~~that to help deter crime.~~

- a. ~~Provide a range of community facilities and servicesreduce opportunities for~~
~~improved health, safety, and quality of life.crimes.~~
- b. ~~Work closely and cooperatively with educational and health care institutions.~~

~~A. — Planning for Lexington; Planning with the Bluegrass~~

- b. Collaborate with educational and healthcare entities to meet the needs of Lexington-Fayette County's residents and visitors.

3. Protect and enhance the natural and cultural landscape that gives Lexington-Fayette County its unique identity and image.

- a. Protect historic resources and archeological sites.
- b. Incentivize the renovation, restoration, development, and maintenance of historic residential and commercial structures.
- c. Develop incentives to retain, restore, preserve, and continue use of historic sites and structures, rural settlements, and urban and rural neighborhoods.

4. Promote, support, encourage, and provide incentives for public art.

E. Maintaining a Balance between Planning for Urban Uses and Safeguarding Rural Land.

Goal

1. ~~Engage the citizens of Lexington in the Planning process.~~

- a. ~~Pursue all venues of communications, including electronic and social networking, to involve citizens.~~
- b. ~~Establish early and continuous communication with citizens.~~
- c. ~~Develop a network of diverse contacts and a means to engage them.~~
- d. ~~Collaborate with other agencies in Fayette County to meet local standards in order to achieve compatible developments and accomplish the community's vision as articulated in Destination 2040.~~

2. ~~Implement the 2012 Comprehensive Plan.~~

- a. ~~Develop and update a work program for the 2012 Comprehensive Plan that can be measured and analyzed.~~

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- ~~b. Provide a public report about the progress of implementation.~~
- ~~3. Increase regional planning.~~
 - ~~a. Set the standard through leadership and engagement to identify and resolve regional issues.~~
 - ~~b. Support legislative efforts and cross-border actions that improve regional planning.~~
- ~~4. Maintain a balance between planning for urban uses and safeguarding rural land.~~
 - 1. Uphold the Urban Service Area concept.
 - a. Continue to monitor the absorption of vacant and underutilized land within the Urban Service Area.
 - b. Encourage compact, contiguous, and/or mixed-use sustainable development within the Urban Service Area, as guided by market demand, to accommodate future growth needs.
 - ~~a. Maintain the current boundaries of the Urban Service Area and Rural Activity Centers unless and until a community need is documented in future Comprehensive Plan updates.~~
 - 2. Support the agricultural economy, horse farms, general agricultural farms, and the rural character of the Rural Service Area.
 - a. Update, reaffirm, and readopt the Rural Service Area Land Management Plan to continue as the community's framework for preserving and enhancing rural resources.
 - b. Protect and enhance the natural, cultural, historic, and environmental resources of Lexington-Fayette County's Rural Service Area and Bluegrass farmland to help promote the general agriculture-agricultural brand and ensure this area Lexington-Fayette County remains the Horse Capital of the World.
 - c. Support the Purchase of Development Rights Program and private sector farmland conservation programs to protect, preserve, and enhance our signature agricultural industries, historic structures and, cultural landscapes, natural environments, and community welfare.
 - 3. Maintain the current boundaries of the Urban Service Area and Rural Activity Centers; and create no new Rural Activity Centers.

F. Implementing the Plan for Lexington-Fayette County and the Bluegrass

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- b. Establish early and continuous communication with residents.
 - c. Develop a network of diverse contacts and a means to engage them.
 - d. Collaborate with other agencies in Lexington-Fayette County to meet local standards in order to achieve compatible developments and accomplish the community's vision as articulated in *Destination 2040*.
- 2. Implement the 2012 Comprehensive Plan.
 - a. Develop and update a work program for the 2012 Comprehensive Plan that can be measured and analyzed.
 - b. Provide an annual public report about the progress of implementation.
- 3. Increase regional planning.
 - a. Set the standard through leadership and engagement to identify and resolve regional issues.
 - b. Support legislative efforts and cross-border actions that improve regional planning, including, but not limited to, developing regional policies; sharing information; and planning for regional systems of transportation, open space, water supply, and infrastructure.

SCHEDULE OF ZONES

<u>Section</u>	<u>Zone</u>	<u>Zone Title</u>
8-1	A-R	Agricultural Rural
8-2	A-B	Agricultural Buffer
8-3	A-N	Agricultural Natural Areas
8-4	A-U	Agricultural Urban
8-5	R-1A	Single Family Residential
8-6	R-1B	Single Family Residential
8-7	R-1C	Single Family Residential
8-8	R-1D	Single Family Residential
8-9	R-1E	Single Family Residential
8-10	R-1T	Townhouse Residential
8-11	R-2	Two-Family Residential
8-12	R-3	Planned Neighborhood Residential
8-13	R-4	High Density Apartment
8-14	R-5	High Rise Apartment
8-15	P-1	Professional Office
8-16	B-1	Neighborhood Business
8-17	B-2	Downtown Business
8-18	B-2A	Downtown Frame Business
8-19	B-2B	Lexington Center Business
8-20	B-3	Highway Service Business
8-21	B-4	Wholesale and Warehouse Business
8-22	I-1	Light Industrial
8-23	I-2	Heavy Industrial
8-24	P-2	Office, Industry and Research Park
8-20	B-3	Highway Service Business
10	M-1P	Mobile Home Park
11	B-5P	Interchange Services Business
12	B-6P	Planned Shopping Center
22A	PUD-1	Planned Unit Development 1
23A-4	CD	Conservation District
23A-5	EAR-12	Expansion Area Residential 1
23A-6	EAR-2	Expansion Area Residential 2
23A-7	EAR-3	Expansion Area Residential 3
23A-8	TA	Transition Area
23A-9	CC	Community Center
23A-10	ED	Economic Development

(Note: Underlined text below indicates an addition to the Zoning Ordinance.)

ARTICLE 1-11: DEFINITIONS

ADULT DAY CARE CENTER - A facility providing care, protection and/or guidance for adults in a protective setting during only part of a 24-hour day, with no overnight accommodations. This term does not include public and private educational facilities or any facility offering care to individuals for a full 24-hour period.

PROFESSIONAL OFFICE (P-1) ZONE

8-15(b) Principal Uses (Other uses substantially similar to those listed herein shall also be deemed permitted.)

14. Kindergartens, nursery schools and child care centers for four (4) or more children. A fenced and screened play area shall be provided, which shall contain not less than twenty-five (25) square feet per child.
20. Assisted living facilities and rehabilitation homes, but only when more than five hundred (500) feet from a residential zone.

8-15(d) Conditional Uses (Permitted only with Board of Adjustment approval.)

5. Assisted living facilities and rehabilitation homes, when located closer than five hundred (500) feet from a residential zone.
6. Extended-stay hotels, except as permitted in a Professional Office Project.
7. Adult day care centers.

8-15(n) Off-Street Parking (See Article 16 for additional parking regulations.)

Adult Day Care Center – One (1) space for every four (4) persons provided care, plus one space per caregiver on the maximum shift.

Kindergartens, Nursery Schools, and Child Care Centers - Three (3) spaces for the first twelve (12) children, plus one (1) space for every ten (10) (or fraction thereof) additional children.

Assisted Living Facilities - Three (3) spaces for each four (4) bedrooms, plus one (1) space for each employee on the maximum shift.

NEIGHBORHOOD BUSINESS (B-1) ZONE

8-16(d) Conditional Uses (Permitted only with Board of Adjustment approval.)

10. Assisted living facilities and rehabilitation homes, but only when more than five hundred (500) feet from a residential zone.
13. Adult day care centers.

8-16(n) Off-Street Parking (See Article 16 for additional parking regulations.)

As for P-1.

DOWNTOWN BUSINESS (B-2) ZONE

8-17(d) Conditional Uses (Permitted only with Board of Adjustment approval.)

6. Assisted living facilities and rehabilitation homes,

when located closer than five hundred (500) feet from a residential zone.

9. Adult day care centers.

8-17(n) Off-Street Parking (See Article 16 for additional parking regulations.)

Dwelling Units - No requirements, except for buildings with 25 or more dwelling units; then one (1) space for every two thousand (2,000) square feet of residential floor area.

All Other Permitted Uses - Off-street parking not required.

DOWNTOWN FRAME BUSINESS (B-2A) ZONE

8-18(d) Conditional Uses (Permitted only with Board of Adjustment approval.)

1. The permitted conditional uses in the B-2 zone.

8-18(n) Off-Street Parking (See Article 16 for additional parking regulations.)

Twenty-five percent (25%) of the least parking area required in any zone, other than the B-2 or B-2B zones which permit the principal or a similar use. Off-street loading and unloading areas shall be as required in Article 16.

OFFICE, INDUSTRY & RESEARCH PARK (P-2) ZONE

8-18(d) Conditional Uses (Permitted only with Board of Adjustment approval.)

9. Community centers and private clubs.
25. Kindergartens, nursery schools, and child care centers for four (4) or more children. A fenced and screened play area shall be provided, which shall contain not less than twenty-five square feet per child.
26. Adult day care centers.
27. Temporary cellular telephone transmitting facility; not to exceed 70' in height and with a 1:1 height-to-yard ratio.
28. One designated retail sales area per P-2 project, limited to the following uses:
Offices...Banks...laboratories...Restaurants, cocktail lounges and night clubs...Beauty shops...Automobile service stations...Quick copy services...Laundry and laundry pick-up stations...Kindergartens, nursery schools and child care centers...Athletic club facilities.

8-24(n) Off-Street Parking (See Article 16 for additional parking regulations.)

Adult Day Care Center – One (1) space for every four (4) persons provided care, plus one space per caregiver on the maximum shift.

Note: The following revised text is submitted in response to comments made by the Planning Commission at its 4/28/2011 Public Hearing. Revisions shown in shaded red text

**ARTICLE 15: GENERAL REGULATIONS FOR HEIGHTS, YARDS, WALLS, FENCES,
PROJECTIONS, ACCESSORY STRUCTURES and INFILL/REDEVELOPMENT
CONSTRUCTION**

15-4(b) HEIGHT - In any residential, business (except B-4), or professional office zone, a wall or fence no more than six (6) feet in height may be erected or maintained within a front yard or side street-side yard, unless the front or side street-side yard is created by abutment to an alley. In that case, a fence or wall may be erected up to eight (8) feet in height. In any side or rear yard, a fence or wall no more than eight (8) feet in height may be erected. No height restriction shall be placed on a wall or fence erected or maintained in any industrial zone or in the Wholesale and Warehouse Business (B-4) zone. The maximum height of walls and fences shall be regulated in accordance with the following table:

<u>ZONE</u>	<u>MAXIMUM HEIGHT</u>
1. Any residential or office zone; any business zone other than B-2, B-2A, B-2B or B-4	a. <u>Between any public or private street right-of-way and the front plane of the building, except an alley: 4 feet, with the following exceptions:</u> 1. <u>Where the front or side street side yard abuts an alley: 8 feet.</u> 2. <u>Where the property is a double-frontage lot, the frontage abutting an arterial highway or collector street where driveway access is prohibited (e.g., New Circle Road, Man o' War Boulevard, etc.): 8 feet.</u> 3. <u>Where the principal structure is less than 20 feet from the street right-of-way: 4 feet to the front building plane of the structure; thereafter, 6 feet.</u> b. <u>Front, side or rear yard (behind the front plane of the building): areas greater than 20' from any public or private street right-of-way: 6 feet to the front building plane of the structure; thereafter, 8 feet.</u> c. <u>Any front or side street side yard abutting a street other than an alley, within 3 feet of the public or private right-of-way: 4 feet; greater than 3 feet from the right-of-way: 6 feet.</u>
2. Any B-2, B-2A or B-2B zone	a. <u>Front yard: 6 feet</u> b. <u>Side or Rear Yard: 8 feet</u>
3. Any agricultural, B-4 or Industrial Zone	a. <u>No limitation</u>

For the purpose of this section, the height of a wall or fence shall be the vertical distance from the established grade at the fence or wall to the top of the fence or wall.

15-4(c) FENCE ORIENTATION ABUTTING PUBLIC PROPERTY - In all zones other than agricultural zones, where fencing is located adjacent to a public street, park, or other publicly owned property the fencing shall be installed with the structural members or framing directed inward toward the property.

**ARTICLE 15: GENERAL REGULATIONS FOR HEIGHTS, YARDS, WALLS, FENCES,
PROJECTIONS, ACCESSORY STRUCTURES and INFILL/REDEVELOPMENT
CONSTRUCTION**

15-4(b) HEIGHT – The maximum height of walls and fences shall be regulated in accordance with the following table:

<u>ZONE</u>	<u>MAXIMUM HEIGHT</u>
1. Any residential or office zone; any business zone other than B-2, B-2A, B-2B or B-4.	a. Between any public or private street right-of-way and the front plane of the building, except an alley: 4 feet, with the following exceptions: 1. Where the front or side street side yard abuts an alley: 8 feet. 2. Where the property is a double-frontage lot, the frontage abutting an arterial highway or collector street where driveway access is prohibited (e.g., New Circle Road, Man o' War Boulevard, etc.): 8 feet. b. Side or rear yard (behind the front plane of the building): 8 feet. c. Any side street side yard abutting a street other than an alley, within 3 feet of the public or private right-of-way: 4 feet; greater than 3 feet from the right-of-way: 6 feet.
2. Any B-2, B-2A or B-2B zone	a. Front yard: 6 feet b. Side or Rear Yard: 8 feet
3. Any agricultural, B-4 or Industrial Zone	a. No limitation

For the purpose of this section, the height of a wall or fence shall be the vertical distance from the established grade at the fence or wall to the top of the fence or wall.

15-4(c) FENCE ORIENTATION ABUTTING PUBLIC PROPERTY - In all zones other than agricultural zones, where fencing is located adjacent to a public street, park, or other publicly owned property the fencing shall be installed with the structural members or framing directed inward toward the property.

Planning & Public Works Committee Referrals

Item	Referred By	Date	Status
Oliver Lewis Way Project	Blues	4-9-09	Quarterly Update/ May 2012 Moved from PS/PW Committee
Todds Road Widening Phase II	Stinnett	4-15-10	Quarterly Update/ May 2012 Moved from PS/PW Committee
Erecting Large Utility Poles in ROW	Martin	3-12-10	Moved from PS/PW Committee
2012 Comprehensive Plan Goals & Objectives	Farmer	3-16-11	April 17 2012
Re Paving Program	Martin	4-13-11	Moved from PS/PW Committee
Fence Issue	Blues	5-24-11	
Working with Fayette County Public Schools to Sustain Road Salt Services	EQ Link	6-19-11	Moved from PS/PW Committee
Downtown Traffic Management & Revitalization Study	Stinnett	8-16-11	Law/Building Inspection Review
Right of Entry & Administrative Warrants	Farmer	9-14-11	Review UCG Ord 17-2
Addressing Ordinance			
Review Chapter 4 of UCG Code re Harboring Animals	Beard	9-27-11	April 17 2012
In Residential Areas	Martin	9-27-11	David Leonard May 2012
Review Street Tree & Tree Protection Ordinances			
Article 16 Zoning Ord: Off Parking Requirements/			
Stormwater Management	Lawless	11-22-11	
Building Permit Extensions in ND-1 & H-1 Designated Areas	Lawless	2-21-12	
Adult Day Care Definition Initiate ZOTA	Ford	3-14-12	April 17 2012

4.12.2012