

Ellinger

Myers

Blues

DeCamp

Beard

Crosbie

McChord

Blevins

Henson

Lane

SERVICES COMMITTEE

October 7, 2008

1:00 P.M.

A G E N D A

1. Smoking Ban - Stevens (1-14)
2. Transylvania Park On Street Parking - Ellinger (15-21)
3. Traffic Safety Issues: Streets Adjacent to Christ
The King Church - Stevens (22-47)
4. Virtual Speed Humps - Ellinger ()
5. Items in Committee (48-49)

"Services Committee, to which should be referred matters relating to public safety, public works, urban county courts, and constitutional officers."

Council Rules & Procedures, Section 2.102(3)

DRAFT 9/16/08

ORDINANCE _____ - 2008

AN ORDINANCE AMENDING SECTION 14-97(1) OF THE CODE OF ORDINANCES RELATING TO SMOKING INDOORS TO AMEND THE DEFINITION OF BUILDING INCLUDE STRUCTURES WITH FORTY PERCENT (40%) OR MORE OF ITS PERIMETER ENCLOSED; AMENDING SECTION 14-97(2) OF THE CODE OF ORDINANCES RELATING TO SMOKING INDOORS TO AMEND THE DEFINITION OF DWELLING TO INCLUDE BUILDING; AMENDING SECTION 14-97(3) OF THE CODE OF ORDINANCES RELATING TO SMOKING INDOORS TO DELETE THE DEFINITION FOR ENCLOSED AREA AND REPLACE IT WITH A DEFINITION FOR ESTABLISHMENT AND OPEN TO THE PUBLIC; AMENDING SECTION 14-97(4) OF THE CODE OF ORDINANCES RELATING TO SMOKING INDOORS TO AMEND THE DEFINITION OF PRIVATE ORGANIZATION TO DELETE ESTABLISHMENT; AMENDING SECTION 14-97(5) OF THE CODE OF ORDINANCES RELATING TO SMOKING INDOORS TO AMEND THE DEFINITION OF RETAIL TOBACCO STORE CHANGING FIFTY PERCENT (50%) TO TWENTY-FIVE PERCENT (25%); AMENDING SECTION 14-97(6) OF THE CODE OF ORDINANCES RELATING TO SMOKING INDOORS TO AMEND THE DEFINITION OF SMOKE OR SMOKING TO INCLUDE BURNING OR CARRYING OF A TOBACCO PRODUCT; AMENDING SECTION 14-97(7) OF THE CODE OF ORDINANCES RELATING TO SMOKING INDOORS TO DELETE THE DEFINITION FOR TOBACCO WAREHOUSE AND REPLACE IT WITH A DEFINITION FOR WORKPLACE IN BUILDINGS OR A PORTION THEREOF; AMENDING SECTION 14-98(1) OF THE CODE OF ORDINANCE RELATING TO SMOKING INDOORS TO PROHIBIT SMOKING IN AN ESTABLISHMENT OR WORK PLACE; AMENDING SECTION 14-98(1)(a) OF THE CODE OF ORDINANCES RELATING TO SMOKING INDOORS TO INCLUDE A BUSINESS WITHIN A DWELLING; AMENDING SECTION 14-98(1)(b) OF THE CODE OF ORDINANCES RELATING TO SMOKING INDOORS TO DELETE THE WORD "IN" AND MOVE THE REMAINDER OF SECTION (b) TO SECTION (c); AMENDING SECTION 14-98(1)(c) RELATING TO SMOKING INDOORS TO ALLOW FOR EXCEPTIONS FOR PRIVATE GATHERINGS, TREATMENT OF NICOTINE ADDICTION BY LICENSED HEALTHCARE PROFESSIONALS INDEPENDENTLY VENTILATED ROOMS IN HOSPITAL, HOSPICE OR NURSING HOMES; AMENDING SECTION 14-98(1)(d) OF THE CODE OF ORDINANCES TO ALLOW AN EXCEPTION FOR A RETAIL TOBACCO STORE; AMENDING SECTION 14-98(1)(e) OF THE CODE OF ORDINANCES RELATING TO SMOKING INDOORS TO ALLOW AN EXCEPTION FOR PERFORMERS IN A THEATRICAL PRODUCTION AND TO DELETE THE EXISTING SECTION; AMENDING SECTION 14-98(1)(f) OF THE CODE OF ORDINANCES TO ALLOW AN EXCEPTION USED BY A PRIVATE ORGANIZATION NOT OPENED TO THE PUBLIC; DELETING SECTION 14-98(1)(g) OF THE CODE OF ORDINANCES RELATING TO SMOKING INDOORS IN A TOBACCO WAREHOUSE; AMENDING SECTION 14-98(2) OF THE CODE OF ORDINANCE RELATED TO SMOKING INDOORS TO INCLUDE BUILDING OR ESTABLISHMENT; CREATING SECTION 14-98(4) OF THE CODE OF ORDINANCES RELATING TO SMOKING INDOORS MAKING BUILDINGS OWNED, LEASED OR OPERATED BY THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT SUBJECT TO THE PROVISIONS OF SECTIONS 14-97 TO 14-104; AMENDING SECTION 14-99(1) OF THE CODE OF ORDINANCES RELATING TO SMOKING INDOORS TO INCLUDE WORKPLACE; AMENDING SECTION 14-99(2) OF THE CODE OF ORDINANCES RELATING TO SMOKING INDOORS TO APPLY TO ANY BUILDING OR WORKPLACE; AMENDING SECTION 14-99(3) OF THE CODE OF ORDINANCES RELATING TO SMOKING INDOORS TO INCLUDE ASHTRAYS IN ESTABLISHMENTS; AMENDING SECTION 14-99(4) OF THE CODE OF ORDINANCES RELATING TO SMOKING INDOORS TO REPLACE THE WORD "DWELLING" WITH "BUILDING"; AMENDING SECTION 14-100(1) OF THE CODE OF ORDINANCES RELATING TO SMOKING INDOORS TO INCLUDE WORKPLACE; AMENDING SECTION 14-100(1)(a) OF THE CODE OF ORDINANCES RELATING TO SMOKING INDOORS TO ADD SMOKING MATERIALS; AMENDING SECTION 14-100(1)(b) OF THE CODE OF ORDINANCES RELATING TO SMOKING INDOORS TO INCLUDE ALL PERSONS IN CONTROL OF A BUILDING OR WORKPLACE TO DEMAND PERSONS WHO REFUSE TO STOP SMOKING TO LEAVE THE PREMISES; CREATING SECTION 14-100(1)(c) OF THE CODE OF ORDINANCES

RELATING TO SMOKING INDOORS TO ALLOW REFUSAL OF SERVICE TO PERSONS WHO ARE SMOKING; CREATING SECTION 14-100(1)(d) OF THE CODE OF ORDINANCES RELATING TO SMOKING INDOORS TO ALLOW PERSONS IN CONTROL OF BUILDINGS AND WORKPLACES TO TAKE LEGAL MEANS TO STOP SMOKING IN THE PREMISES; AMENDING SECTION 14-100(2) OF THE CODE OF ORDINANCES RELATING TO SMOKING INDOORS TO INCLUDE BUILDING, ESTABLISHMENT OR WORKPLACE; CREATING SECTION 14-100(3) OF THE CODE OF ORDINANCES RELATING TO SMOKING INDOORS EXEMPTING BUILDINGS COVERED IN SECTION 14-98; AMENDING SECTION 14-101 OF THE CODE OF ORDINANCES RELATING TO SMOKING INDOORS TO ALLOW ENFORCEMENT OF THIS SUBCHAPTER BY THE HEALTH DEPARTMENT; DELETING SECTION 14-102(2) OF THE CODE OF ORDINANCES RELATING TO SMOKING INDOORS; AMENDING SECTION 14-104 OF THE CODE OF ORDINANCES RELATING TO SMOKING INDOORS TO ALLOW ANY PERSON AGGRIEVED BY A VIOLATION OF THIS SECTION TO APPLY FOR INJUNCTIVE OR OTHER LEGAL RELIEF.

BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 — In order to serve the public health, safety and general welfare, it is the declared purpose of Sections 14-97 to 14-104 to prohibit smoking in all buildings open to the public: or used as workplaces:

Section 2 — That Sections 14-97 to 14-104 of the Code of Ordinances of the Lexington-Fayette Urban County Government be and hereby are amended to read as follows:

Section 3 — That Section 14-97 of the Code of Ordinances of the Lexington-Fayette Urban County Government be and hereby is amended to read as follows:

For the purpose of sections Sections 14-97 to 14-104, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

- (1) *Building.* Any ~~structure enclosed from the weather, whether or not windows or doors are open. If a person leases or possesses only a portion of a building, the term "building" applies to the leasehold or possessory interest as well~~ area which is enclosed overhead by a roof or other covering of any material, whether permanent or temporary, and has forty (40) percent or more of its perimeter enclosed by walls, windows, doors, or other coverings of any material, whether permanent or temporary.
- (2) *Dwelling.* Any ~~place~~ building used primarily for sleeping overnight and conducting activities of daily living, including,

without limitation, a hotel or motel room or suite or a hospital, hospice or nursing home room; ~~but not a hotel, motel, hospital, hospice or nursing home lobby, common elevator, common hallway or other common area.~~

- (3) Establishment. ~~Enclosed area. An area that: Any business or other entity operating or otherwise located in a building or portion thereof.~~

(a) ~~Open to the public. Buildings, portions thereof, or establishments therein, are "open to the public" when their physical nature, function, custom, usage, or notice would cause a reasonable person to believe no invitation or permission to enter is required.~~

(a) ~~Is closed in overhead by a roof or other covering of any material, whether permanent or temporary; and~~

(b) ~~Has forty (40) percent or more of its perimeter closed in by walls or other coverings of any material, whether permanent or temporary.~~

- (4) Private organization. ~~An establishment organization which is the owner, lessee, or occupant of a building, not open to the public, used exclusively for the organization's purposes at all times, which maintains selective members, and is operated by the membership, does not~~ The organization neither provides food, drink, nor lodging for pay to anyone who is not a member or a member's guest, nor permits others to provide food, drink, or lodging for pay to anyone who is not a member or a member's guest, and The organization has been granted an exemption from the payment of federal income tax as a club under 26 U.S.C. § 501, is not profit-oriented.

- (5) Retail tobacco store. A retail store devoted primarily to the sale of any tobacco product, including but not limited to cigarettes,

cigars, pipe tobacco and chewing tobacco, and accessories and in which the sale of other products is merely incidental. The sale of such other products shall be considered incidental if such sales generate less than ~~fifty (50)~~ twenty-five (25) percent of the total annual gross sales.

- (6) *Smoke or smoking.* The act of inhaling or exhaling ~~the smoke from, or the burning or carrying of,~~ any lighted or heated cigarette, cigar, or pipe, or other combustible tobacco product.
- (7) ~~Tobacco warehouse. Any warehouse building offering tobacco for purchase at auction and meeting the definition established in KRS 248.010(4).~~ *Workplace.* Any building or portion thereof in which an establishment is located, including, but not limited to, work areas, private offices, lounges, restrooms, conference rooms, meeting rooms, classrooms, cafeterias, and hallways.

~~(Ord. No. 171-2003, § 2, 7-1-03)~~

Section 4 – That Section 14-98 of the Code of Ordinance of the Lexington-Fayette Urban County Government be and hereby is amended to read as follows:

- (1) No person shall smoke within any building or any establishment therein, that is open to the public, or any workplace, except in one (1) of the following locations:—The prohibition does not apply to the following locations, provided that smoke does not infiltrate into areas where smoking is prohibited under the provisions of Sections 14-97 to 14-104:
 - (a) ~~In any~~ Any dwelling. This exception extends to a business located within a dwelling; provided, however, that the business is not operating as a child care, adult day care, or health care facility. This exception does not extend to a lobby, common elevator, common hallway, or any other common area of a building containing attached dwelling units, ~~or hotel room or motel rooms,~~

but if a hospital, hospice, or nursing home permits smoking in its dwelling rooms, smoking is not allowed in any room shared with a nonsmoker without that person's consent.

- (b) ~~A in a~~ room or hall being used by a person or group for a private social function that is not open to the public.

~~in any room used for psychological treatment of nicotine addiction by a licensed health care professional, or in a physically separate and independently ventilated room in a hospital, hospice, or nursing home open to all residents as a smoking room and for no other purpose.~~

- (c) ~~In a retail tobacco store.~~ Any room used for psychological treatment of nicotine addiction by a licensed health care professional, or in a physically separate and independently ventilated room in a hospital, hospice, or nursing home open to all residents as a smoking room and for no other purpose.

~~A performer as part of a theatrical production so long as adequate notice is provided patrons both before the performance and by specific signage at the theater.~~

- (d) ~~A retail tobacco store.~~ A performer as part of a theatrical production so long as adequate notice is provided patrons both before the performance and by specific signage at the theater.

- (e) ~~Indoor smoking areas provided in governmental office buildings or workplaces pursuant to KRS 61.165.~~ A theatrical production by a performer as part of the performance so long as adequate notice is provided patrons both before the performance and by specific signage at the theater.

- (f) ~~Facilities operated by private organizations. A building operated or used by a private organization, provided that the building is not open to the public.~~
- (g) ~~In a tobacco warehouse.~~
- (2) Nothing in this chapter shall prevent an owner, lessee, principal manager or person in control of any building or establishment therein, or any other place, including, without limitation, any motor vehicle, outdoor area, or dwelling, from prohibiting smoking completely in any such place, ~~and no person shall fail to abide by such a private prohibition.~~
- (3) Nothing in this chapter shall authorize smoking in any place where it is otherwise prohibited by statute, ordinance, regulation or by order of the fire marshal.
- (4) All buildings owned, leased, operated by or under the jurisdiction of the Lexington-Fayette Urban County Government or any unit thereof shall be subject to the provisions of Sections 14-97 to 14-104 unless the Lexington-Fayette Urban County Government Council adopts a written policy pursuant to KRS 61.165 (3)(a) 1 or 2, in which event the written policy shall apply to the extent KRS 61.165(3) is controlling.

(Ord. No. 171-2003, § 2, 7-1-03)

Section 5 – That Section 14-99 of the Code of Ordinances of the Lexington-Fayette Urban County Government be and hereby is amended to read as follows:

- (1) ~~No An~~ owner, lessee, principal manager, or person in control of a building ~~or, an establishment in any building open to the public therein or a workplace~~ shall ~~fail to~~ post signs, with letters of not less than one (1) inch high or symbols no less than three (3) inches high, using the words "No Smoking" or the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle

with a red bar across it) conspicuously either on all public entrances or in a position clearly visible on entry into the building or establishment therein.

- (2) The owner, ~~lessee~~ operator, manager, or designee person in control or employee of ~~every any building, establishment in a building open to the public therein or workplace~~ shall inform persons violating this chapter Sections 14-97 to 14-104 of the applicable provisions thereof and require compliance.
- (3) All ashtrays ~~and other that are intended to be used on the premises of an establishment for the collection of ashes, butts, or other residue from smoking paraphernalia~~ shall be removed from any area where smoking is prohibited by ~~sections~~ Sections 14-97 to 14-104 and shall not be permitted by the owner, operator, manager or other person having control of the establishment. Any permanent structure that functioned or was used as an ashtray shall be disabled or altered to prevent its use as an ashtray.
- (4) The requirements of this section do not apply to any exempt dwelling building, establishment therein or workplace as set forth in Section 14-98.

(Ord. No. 171-2003, § 2, 7-1-03)

Section 6 – That Section 14-100 of the Code of Ordinances of the Lexington-Fayette Urban County Government be and hereby is amended to read as follows:

- (1) ~~No~~ An owner, lessee, principal manager, or person in control of a building, ~~or any establishment therein or workplace~~ shall fail to:
 - (a) ~~Ask smokers~~ a person who is smoking to refrain from smoking in ~~any no smoking area; and to extinguish any~~ smoking materials.
 - (b) Demand that a person who is smoking leave the

premises if the person refuses to refrain from smoking or refuses to extinguish any smoking materials after being asked to do so.

~~(b) Use any other legal means which may be appropriate to further the intent of this chapter.~~

~~(c) Refuse service to a person who is smoking.~~

~~(d) Take necessary steps and use any other legal means which may be appropriate to stop a person from smoking and further the intent of Sections 14-97 to 14-104.~~

(2) No owner, lessee, principal manager, proprietor, ~~an~~ employer, or any other person in control of a business building, establishment therein or workplace shall fail to ensure compliance by subordinates, employees, and agents with this chapter. Sections 14-97 to 14-104.

(3) The requirements of this section do not apply to any exempt building, establishment therein or workplace as set forth in Section 14-98.

(Ord. No. 171-2003, § 2, 7-1-03)

Section 7 – That Section 14-101 of the Code of Ordinances of the Lexington-Fayette Urban County Government be and hereby is amended to read as follows:

Enforcement of ~~sections~~ Sections 14-97 to 14-104 shall be by citation issued by the Lexington-Fayette Urban County Health Department. Notice of the provisions of the chapter shall be given by the Lexington-Fayette Urban County Government to all applicants for a business or other license. The Lexington-Fayette Urban County Health Department shall enforce the provisions of this subchapter through the issuance of citations, and, for this purpose, during times when employees are scheduled to work, may enter those portions of the building, establishment or workplace where employees perform their duties or take breaks, including, but not limited to, those areas where food and beverages, alcoholic or otherwise, are served, prepared or stored. Nothing herein shall be construed to prevent a citation officer of the Lexington-Fayette Urban

County Health Department from issuing a citation for a violation of any provisions of Section 14-97 to 14-104 committed in his or her presence.

(Ord. No. 171-2003, § 2, 7-1-03)

Section 8 – That Section 14-102 of the Code of Ordinances of the Lexington-Fayette Urban County Government be and hereby is amended to read as follows:

- (1) Any person who violates any provision of ~~sections~~ Sections 14-97 to 14-104, including a person who smokes in an area where smoking is prohibited, shall be subject to the following penalties:
 - (a) A fine of one hundred dollars (\$100.00) for the first offense; ~~and~~
 - (b) A fine of two hundred fifty dollars (\$250.00) for the second offense; ~~and~~
 - (c) A fine of five hundred dollars (\$500.00) for the third and each subsequent offense.
 - (d) Persons who smoke in an area where smoking is prohibited and who refuse to extinguish their smoking material when asked, may be required to leave the premises, and shall be subject to prosecution for trespass if they do not leave when asked.

~~(2) Each calendar day during which the violation occurs shall constitute a separate and distinct offense.~~

(Ord. No. 171-2003, § 2, 7-1-03)

Section 9 – That Section 14-104 of the Code of Ordinances of the Lexington-Fayette Urban County Government be and hereby is amended to read as follows:

No person or employer shall discharge, refuse to hire, or in any manner retaliate against an employee, applicant for employment, or customer because that employee, applicant, or customer exercises any rights afforded by ~~sections 14-97 to 14-104.~~ Sections 14-97 to 14-104. Any person aggrieved by a violation of Section 14-104 may apply for injunctive or other legal relief in any court of competent jurisdiction.

(Ord, No. 171-2003, § 2, 71-03)

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SERVICES COMMITTEE SUMMARY

SEPTEMBER 9, 2008

CM Ellinger chaired the committee meeting. The meeting was called to order at 1:00 p.m. Dr. Stevens and CM Gorton were present also.

1. Smoking Ban

Mike Sanner, Law Department, went over the changes in the draft revision of the smoking ban ordinance.

Peggy Miller, attorney with Greenebaum Doll & McDonald, spoke about additional changes in Section 14-97 relating to retail tobacco store.

Committee members asked questions regarding the changes to Section 14-97 relating to retail tobacco stores.

CM McChord asked if it will affect businesses that were not affected in the original ordinance.

Ms. Miller stated it would include businesses that weren't included in the scope of the previous ordinance because it includes work places. She stated there are some exemptions for a workplace that is in a dwelling.

CM McChord stated before changes are made they should know who all would be affected and how this will affect home based businesses.

CM Crosbie asked Ms. Miller to address the questions that she had previously submitted regarding the changes to the ordinance.

Ms. Miller went over the questions CM Crosbie had submitted.

CM Henson asked if there will be signs in businesses such as cigar bars that are open to the public that would state "smoking allowed".

Ms. Miller stated that is not in the original ordinance or the draft.

Dr. Ellen Hahn, UK College of Nursing, did a presentation to the committee regarding smoke free workplaces.

CM McChord asked if they have reached out to booster clubs and organizations that rely on the revenue from bingo clubs.

Dr. Hahn stated they have not.

CM McChord stated they need to talk to those booster clubs and organizations.

CM Crosbie asked for information on bingo halls with Fayette County removed from the mix.

Dr. Hahn stated they have that information and will send it to the committee members.

CM Lane asked about regulations prohibiting smoking in public transportation.

Dr. Hahn stated a lot of laws do cover all public transportation but our law does not.

CM Lane asked if they have an idea of the bingo locations, the number of people that attend these locations in Lexington and how many organizations are affected.

Dr. Hahn stated that information is available through the charitable gaming commission.

CM Lane asked for Ms. Hahn to provide that information to the committee.

CM Blevins stated he thinks we should extend our smoking ban to public transportation as well.

CM Lane asked why the definition of building was changed in Section 3.

Dr. Hahn stated they sent this to the Tobacco Control Legal Consortium in Minnesota to review. The consortium sent back some recommendations to clear up the language and she believes this is one of the recommendations.

Ms. Miller stated TCLC suggested the current ordinance uses "structure" and they thought that could be problematic because it is susceptible to more than one meaning. Also, the second sentence was not clear. They took the recommendations of the Tobacco Control Legal Consortium.

CM Lane asked for clarification of "open or closed" in Section 3.

Ms. Miller stated that relates to the 40% requirement. She stated it says if a window or sliding door can open the 40% does not change when the window or door is open.

CM Lane asked how many restaurants will be impacted by this change.

Ms. Miller stated they are not changing the requirements. She stated they combined the two for clarification.

CM Lane asked if they would be willing to add to the ordinance that any restaurants that have already made new structures will not be impacted by this ordinance.

Ms. Miller stated there would not be any impact because it is the same requirement as before.

CM Lane stated the definition of "public" should be included in the ordinance.

CM Crosbie stated in Section 3 (1) "open or closed" is by definition a material change to the current ordinance.

Ms. Miller stated that is correct "open or closed" is not in the current ordinance. However, she does not know that she agrees that it is a material change.

CM Crosbie asked if businesses that are currently compliant with the ordinance will be grandfathered in under the proposed ordinance.

Ms. Miller stated as a matter of interpretation and enforcement the citation officers have not made a distinction between open or closed. She stated maybe the solution would be to remove "open or closed".

Dr. Stevens stated they can place the wording of "grandfathering" in those businesses that are currently compliant in the proposed ordinance.

CM Ellinger stated they need to look at the issues of taxi enforcement, clarification on dwelling, definition of public and issue of removing "open or closed" before the next meeting.

CM Lane stated he would like for those who may be affected by the ordinance to speak at the meeting along with someone from the health department that does the enforcement.

Carol Reiker spoke about bingo halls.

CM McChord stated if they can show boosters and organizations some other alternatives to raise revenues they would listen.

Kathy Tabb, volunteer with American Cancer Society, spoke regarding the proposed ordinance. She stated there is great support in the community to strengthening this ordinance.

CM Ellinger asked the attorneys to address the issues of taxi enforcement, clarification on dwelling, definition of public and issue of removing "open or closed" at the next meeting. He also stated that if there is anyone opposed they could come to the next meeting as well. The issue of having a public meeting was discussed as well.

2. Items in Committee

A motion by CM DeCamp to table the newsrack ordinance until it is determined the self imposed enforcement by publishers is successful, if not, the issue can be brought back off the table, seconded by CM Beard, passed without dissent.

CM Lane recused from the vote.

The meeting adjourned at 2:36 pm.

DATE: October 1, 2008

TO: LFUCG Services Committee

FROM: Gary A. Means, Ex. Director,
Lexington & Fayette County Parking Authority

RE: *Transylvania Park Residential Parking Permit Program Review*

I was asked by this committee at the August 12th, 2008 meeting to review the above mentioned RPPP in light of a request by the landlord of 315 Transylvania Park. Mr. Hardin is requesting that the city reverse the exclusion of his property which occurred in October of 2006. (Res. No. 610-2006). His specific request was for 7 parking permits.

I have reviewed the relevant ordinances and resolutions, met with Mr. Hardin as well as representatives of LFUCG departments or divisions of Traffic Engineering, Historic Preservation, Building Inspection, consulted with Republic Parking System (our Parking Contract Management Company) and have been involved with numerous phone calls and e-mails with the residents of Transylvania Park. I have also visited the site on two occasions.

I have 2 different recommendations for this committee to consider.

1. Allow Mr. Hardin to expand his parking area in the back of his facility at 315 Transylvania Park which could allow for two additional parking spaces and allow the residents of 315 Transylvania Park to purchase up to two residential permits with no visitor permits included. This would not mean overturning the exclusion of Res. No. 610-2006 but merely allowing an exception.

Or,

2. Reinstate 315 Transylvania Park as part of the existing RPPP which would allow the purchase of two residential permits and two visitor permits for 315(1) and two residential permits and two visitor permits for 315(2). My reasoning for this recommendation is that the other excluded addresses 314, 316, 317, 318, 336 and 367 all have adequate off-street parking. Also, just next door at 309 Transylvania Park is a duplex which has not been excluded from the RPPP.

RESOLUTION NO. 610-2006

A RESOLUTION AMENDING RESOLUTION NO. 711-97 ESTABLISHING A RESIDENTIAL PARKING PERMIT PROGRAM FOR THE 300 BLOCK OF TRANSYLVANIA PARK TO EXCLUDE RESIDENTS OF THE MULTI-UNIT RESIDENCES LOCATED AT 314, 315, 316, 317, 318, 336 and 367 TRANSYLVANIA PARK FROM ELIGIBILITY FOR RESIDENTIAL PARKING PERMITS.

WHEREAS, a recent amendment to the Procedure on Request to Establish a Residential Parking Permit Program in Section III(c)(6) stated that consideration should be given to "The eligibility of residents of a multi-unit residence to obtain parking permits when the residence in question already complies with off-street parking requirements under the Zoning Ordinance;" and

WHEREAS, the multi-unit residences located at 314, 315, 316, 317, 318, 336 and 367 Transylvania Park provides the required off-street parking.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 - That Resolution No. 711-97 establishing a residential parking permit program for the 300 block of Transylvania Park, be and hereby is amended to specify that residents of the multi-unit residences located at 314, 315, 316, 317, 318, 336 and 367 Transylvania Park are not eligible to receive residential parking permits.

Section 2 - That the remainder of Resolution No. 711-97 shall be unchanged.

Section 3 - That this Resolution shall become effective 30 days after the date of its passage.

PASSED URBAN COUNTY COUNCIL: October 5, 2006

/s/ Teresa Ann Isaac
MAYOR.

ATTEST:

/s/ Liz Damrell
CLERK OF URBAN COUNTY COUNCIL

PUBLISHED: October 11, 2006-18

1) RESOLUTION NO. 711-97

A RESOLUTION ESTABLISHING A RESIDENTIAL PARKING PERMIT PROGRAM FOR THE 300 BLOCK OF TRANSYLVANIA PARK MONDAY THROUGH SATURDAY FROM 7:00 A.M. TO 4:00 P.M., AND WAIVING THE PROVISIONS RELATING TO THE MECHANICS OF DESIGNATING RESIDENTIAL PARKING PERMIT AREAS ADOPTED BY RESOLUTION NO. 168-90 AND AMENDED BY RESOLUTION NO. 450-91.

WHEREAS, the Council, by Ordinance No. 57-90, enacted Section 18-114.1 of the Code of Ordinances establishing restrictions and prohibitions relating to the Residential Parking Permit Program, including penalties for violation thereof, which Section was subsequently amended by Ordinance No. 101-90; and

WHEREAS, the Council, by Resolution No. 168-90, adopted a Procedure on Requests to Establish a Residential Parking Permit Program, which Procedure was subsequently amended by Resolution No. 450-91; and

1) WHEREAS, it is now the desire of the Council to establish a Residential Parking Permit Program for the 300 block of Transylvania Park, and to waive the provisions relating to the mechanics of designating residential parking permit areas set forth in the Procedures adopted by Resolution No. 168-90 and amended by Resolution No. 450-91.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 - A Residential Parking Permit Program be and hereby is established for the 300 block of Transylvania Park Monday through Saturday from 7:00 a.m. to 4:00 p.m.

Section 2 - That the provisions of Section III of the Procedure on Requests to Establish a Residential Parking Permit Program, as adopted by Resolution No. 168-90 and amended by Resolution No. 450-91, be and hereby are waived for the above-mentioned parking permit area only.

1) Section 3 - That the Clerk of the Urban County Council be and hereby is directed to forward a copy of this Resolution to the Council Administrator, Chief of Police, Director of the

R-711-97

1) Division of Revenue, and Director of the Division of Traffic Engineering.

Section 4 - That this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: December 11, 1997

Pam Miller
MAYOR

ATTEST:

Liz Annelle
CLERK OF URBAN COUNTY COUNCIL

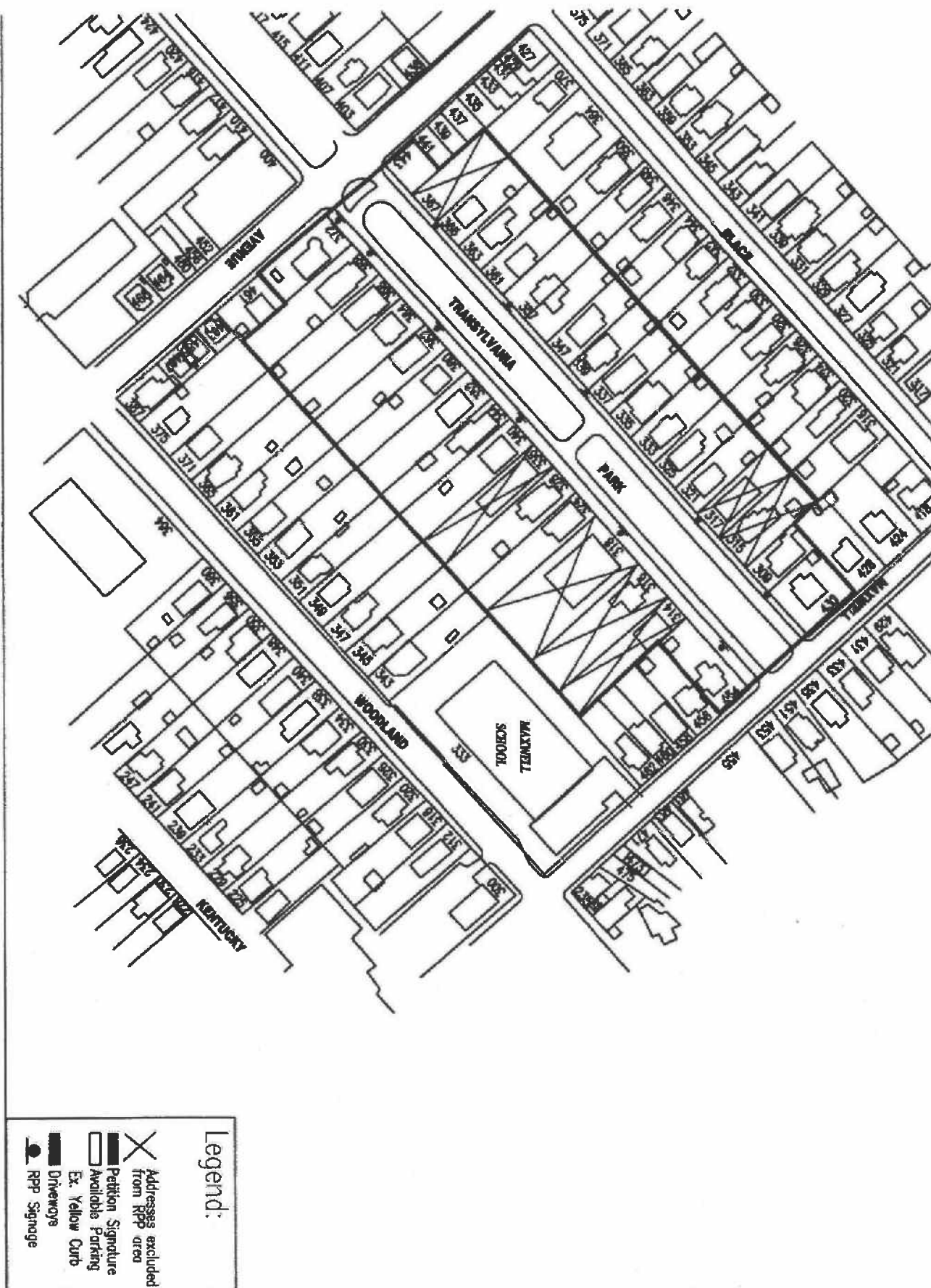
PUBLISHED: December 17, 1997-1t

REBres056

Transylvania Park Residential Parking Permit District

304 #1	TRANSYLVANIA PARK	324 ½	TRANSYLVANIA PARK
304 #2	TRANSYLVANIA PARK	325	TRANSYLVANIA PARK
304 #3	TRANSYLVANIA PARK	328	TRANSYLVANIA PARK
304 #4	TRANSYLVANIA PARK	333	TRANSYLVANIA PARK
304 #5	TRANSYLVANIA PARK	335	TRANSYLVANIA PARK
304 #6	TRANSYLVANIA PARK	335 #3	TRANSYLVANIA PARK
305	TRANSYLVANIA PARK	335 ½	TRANSYLVANIA PARK
309 A	TRANSYLVANIA PARK	336 #1	TRANSYLVANIA PARK
309 B	TRANSYLVANIA PARK	336 #2	TRANSYLVANIA PARK
314	TRANSYLVANIA PARK	336 #3	TRANSYLVANIA PARK
315	TRANSYLVANIA PARK	336 #4	TRANSYLVANIA PARK
316	TRANSYLVANIA PARK	336 #5	TRANSYLVANIA PARK
317 #1	TRANSYLVANIA PARK	336 #6	TRANSYLVANIA PARK
317 #2	TRANSYLVANIA PARK	336 #7	TRANSYLVANIA PARK
317 #3	TRANSYLVANIA PARK	336 #8	TRANSYLVANIA PARK
317 #4	TRANSYLVANIA PARK	336 #9	TRANSYLVANIA PARK
317 #5	TRANSYLVANIA PARK	336 #10	TRANSYLVANIA PARK
317 #6	TRANSYLVANIA PARK	336 #11	TRANSYLVANIA PARK
317 #7	TRANSYLVANIA PARK	336 #12	TRANSYLVANIA PARK
317 #8	TRANSYLVANIA PARK	337	TRANSYLVANIA PARK
318 #1	TRANSYLVANIA PARK	339	TRANSYLVANIA PARK
318 #2	TRANSYLVANIA PARK	340	TRANSYLVANIA PARK
318 #3	TRANSYLVANIA PARK	344	TRANSYLVANIA PARK
318 #4	TRANSYLVANIA PARK	347	TRANSYLVANIA PARK
318 #5	TRANSYLVANIA PARK	352 354	TRANSYLVANIA PARK
318 #6	TRANSYLVANIA PARK	357	TRANSYLVANIA PARK
318 #7	TRANSYLVANIA PARK	360	TRANSYLVANIA PARK
318 #8	TRANSYLVANIA PARK	361	TRANSYLVANIA PARK
318 #9	TRANSYLVANIA PARK	362	TRANSYLVANIA PARK
318 #10	TRANSYLVANIA PARK	363 #1	TRANSYLVANIA PARK
318 #11	TRANSYLVANIA PARK	363 #2	TRANSYLVANIA PARK
318 #12	TRANSYLVANIA PARK	363 #3	TRANSYLVANIA PARK
318 #13	TRANSYLVANIA PARK	364	TRANSYLVANIA PARK
318 #14	TRANSYLVANIA PARK	365	TRANSYLVANIA PARK
318 #15	TRANSYLVANIA PARK	366	TRANSYLVANIA PARK
318 #16	TRANSYLVANIA PARK	367 A	TRANSYLVANIA PARK
318 #17	TRANSYLVANIA PARK	367 B	TRANSYLVANIA PARK
318 #18	TRANSYLVANIA PARK	368	TRANSYLVANIA PARK
318 #19	TRANSYLVANIA PARK	372	TRANSYLVANIA PARK
318 #20	TRANSYLVANIA PARK	375	TRANSYLVANIA PARK
318 #21	TRANSYLVANIA PARK		
318 #22	TRANSYLVANIA PARK		
318 #23	TRANSYLVANIA PARK		
318 #24	TRANSYLVANIA PARK		
321	TRANSYLVANIA PARK		
321 B	TRANSYLVANIA PARK		
324	TRANSYLVANIA PARK		

Number of Properties: 87



711-97
610-2006

Transylvania Park

STREET: *Transylvania Park Residential Parking Permit District*

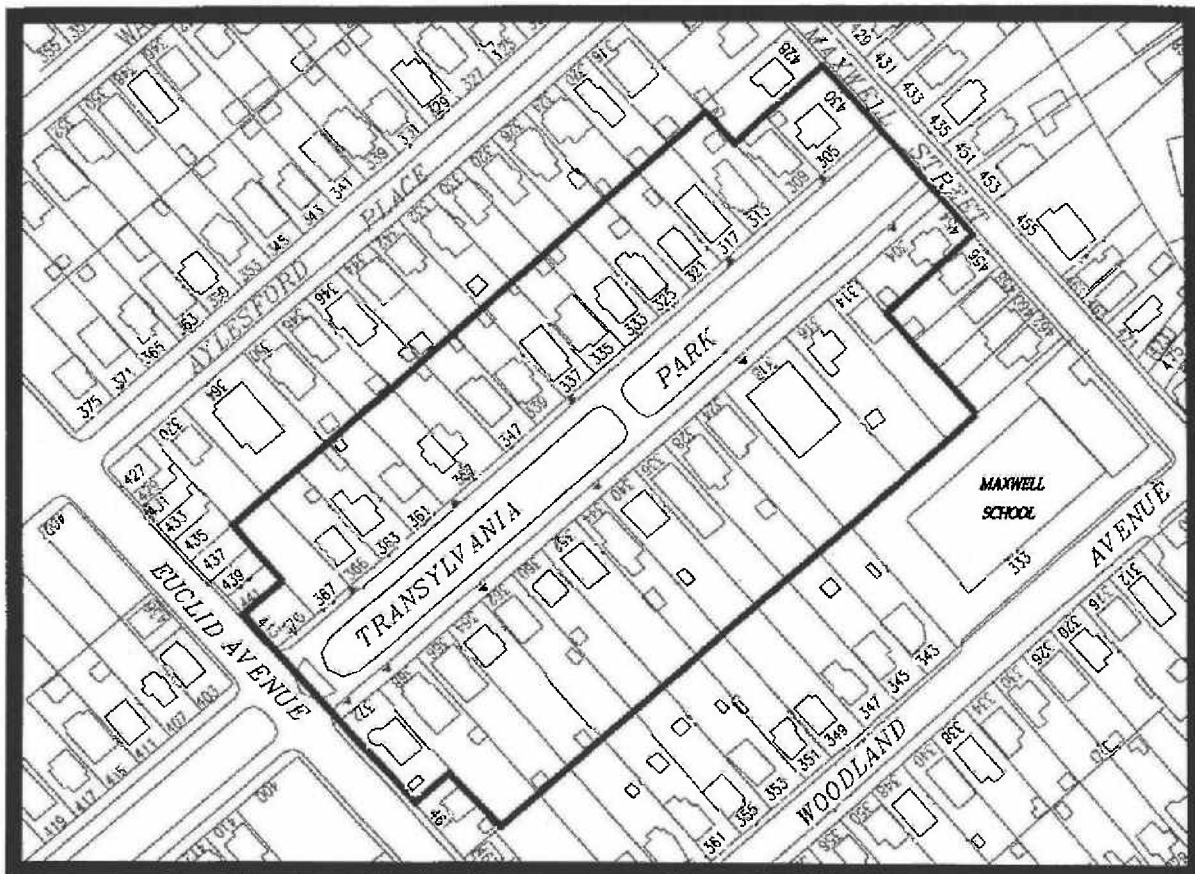
DISTRICT: *Transylvania Park*

RESOLUTION #: *711-97*

RANGE: *300 block of Transylvania Park*

TIME: *7 A.M. thru 4 P.M., Monday thru Saturday*

NO. OF SIGNS: *11*





Mayor Jim Newberry
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Traffic Engineering

MEMORANDUM

TO: David Stevens, Councilmember, 5th District

FROM: A. Bradley Frazier
A. Bradley Frazier, P.E., Traffic Engineer Manager

DATE: October 1, 2008

SUBJECT: Chevy Chase Neighborhood traffic calming requests

Based upon your request, a study has been completed within Chevy Chase Neighborhood to determine if traffic calming measures are warranted on these residential streets. This study looked at the volume and speed of vehicles utilizing the streets. Volume and speed data were collected on Cassidy Avenue, Cochran Road, Colony Boulevard, Hart Road, Louisiana Avenue, Providence Road and Romany Road for a 96-hour period beginning at 2 p.m. on Thursday, April 17th and ending at 2 p.m. on Monday, April 21st.

Cassidy Avenue

Data revealed that the average daily traffic over this 4-day period had 516 vehicles per day on Cassidy Avenue. The 85th percentile speed of vehicles on Cassidy Avenue ranged from 31.88 mph traveling southbound to 32.93 mph traveling northbound. In addition, it was documented that 49.40% of the vehicles traveling southbound were traveling over the posted speed limit of 25 mph while 52.30% of those traveling northbound were over the posted speed limit. The average speed of vehicles on Cassidy Avenue ranged from 26 mph to 27 mph. The mode speed of vehicles on Cassidy Avenue was 20 mph. The peak hour had 295 vehicles. The table below shows the data that was obtained over the study time period:

Locations	Average Speed	Mode Speed	% over 25 mph	85 th Percentile Speed	Average Daily Traffic Volume	
Cassidy Avenue (Northbound)	27 mph	20 mph	52.30%	32.93 mph	211	516
Cassidy Avenue (Southbound)	26 mph	20 mph	49.40%	31.88 mph	305	

A review of the collision history revealed one collision in the three years prior to this analysis on Cassidy Avenue which was a result of parked vehicle.

Based on the peak hour volumes that were documented, Cassidy Avenue as detailed in the *Neighborhood Traffic Management Program* manual would meet the minimum criteria for a residential local street, that is, peak hour volume greater than 100 or average daily traffic volume greater than 1,000 or a documented speed problem. Based on the traffic data, the use of the neighborhood as a cut-through and funding considerations, I would support the installation of traffic calming devices on Cassidy Avenue.

Cochran Road between Hart Road & Romany Road

Data revealed that the average daily traffic over this 4-day period ranged from 1,235 vehicles per day at 419 Cochran Road to 1,414 vehicles per day at 356 Cochran Road. The 85th percentile speed of vehicles on Cochran Road ranged from 32.51 mph traveling northbound at 356 Cochran Road to 38.04 mph traveling southbound at 419 Cochran Road. In addition, it was documented that 60.80% of the vehicles traveling northbound at 356 Cochran Road were traveling over the posted speed limit of 25 mph while 81.20% of those traveling southbound at 419 Cochran Road were over the posted speed limit. The average speed of vehicles on Cochran Road ranged from 27 mph to 31 mph. The mode speed of vehicles on Cochran Road ranged from 25 mph to 30 mph. The peak hour ranged from 255 to 262 vehicles. The table below shows the data that was obtained over the study time period:

Locations	Average Speed	Mode Speed	% over 25 mph	85 th Percentile Speed	Average Daily Traffic Volume
356 Cochran Road (Northbound)	27 mph	25 mph	60.80%	32.51 mph	589
356 Cochran Road (Southbound)	29 mph	25 mph	65.40%	34.39 mph	825
419 Cochran Road (Northbound)	29 mph	25 mph	69.60%	34.92 mph	676
419 Cochran Road (Southbound)	31 mph	30 mph	81.20%	38.04 mph	559

A review of the collision history revealed one collision in the three years prior to this analysis on Cochran Road between Hart Road and Romany Road which was an angle collision that did not result in any injuries.

Based on the volumes that were documented as well as the speeds documented above 25 mph, Cochran Road as detailed in the *Neighborhood Traffic Management Program* manual would meet the minimum criteria for a residential local street, that is, peak hour volume greater than 100 or average daily traffic volume greater than 1,000 or a documented speed problem. *Based on the traffic data, the use of the neighborhood as a cut-through and funding considerations, I would support the installation of traffic calming devices on Cochran Road between Hart Road and Romany Road.*

Colony Boulevard between Cochran Road & Providence Lane

Data revealed that the average daily traffic over this 4-day period ranged from 1,029 vehicles per day at 200 Colony Boulevard to 1,158 vehicles per day at 298 Colony Boulevard. The 85th percentile speed of vehicles on Colony Boulevard ranged from 29.56 mph traveling northbound at 298 Colony Boulevard to 33.79 mph traveling southbound at 200 Colony Boulevard. In addition, it was documented that 12.92% of the vehicles traveling northbound at 298 Colony Boulevard were traveling over the posted speed limit of 25 mph while 59.70% of those traveling southbound at 200 Colony Boulevard were over the posted speed limit. The average speed of vehicles on Colony Boulevard ranged from 24 mph to 27 mph. The mode speed of vehicles on Colony Boulevard ranged from 20 mph to 25 mph. The peak hour ranged from 198 to 212 vehicles. The table below shows the data that was obtained over the study time period:

Locations	Average Speed	Mode Speed	% over 25 mph	85 th Percentile Speed	Average Daily Traffic Volume
200 Colony Boulevard (Northbound)	24 mph	25 mph	43.60%	31.12 mph	490
200 Colony Boulevard (Southbound)	27 mph	25 mph	59.70%	33.79 mph	539
298 Colony Boulevard (Northbound)	24 mph	20 mph	12.92%	29.56 mph	535
298 Colony Boulevard (Southbound)	25 mph	20 mph	17.42%	31.39 mph	623

A review of the collision history revealed five collisions in the three years prior to this analysis on Colony Boulevard between Cochran Road and Providence Lane. Two of them were angle collisions in which one of those did result in an injury.

Based on the volumes that were documented, Colony Boulevard as detailed in the *Neighborhood Traffic Management Program* manual would meet the minimum criteria for a residential local street, that is, peak hour volume greater than 100 or average daily traffic volume greater than 1,000 or a documented speed problem. Based on the traffic data, the use of the neighborhood as a cut-through and funding considerations, I would support the installation of traffic calming devices on Colony Boulevard between Cochran Road and Providence Lane.

Hart Road between Tates Creek Road & Romany Road

Data revealed that the average daily traffic over this 4-day period ranged from 1,042 vehicles per day at 201 Hart Road to 2,473 vehicles per day at 453/466 Hart Road. The 85th percentile speed of vehicles on Hart Road ranged from 30.89 mph traveling eastbound at 201 Hart Road to 37.66 mph traveling westbound at 453 Hart Road. In addition, it was documented that 44.50% of the vehicles traveling eastbound at 201 Hart Road were traveling over the posted speed limit of 25 mph while 77.10% of those traveling westbound at 453 Hart Road were over the posted speed limit. The average speed of vehicles on Hart Road ranged from 25 mph to 30 mph. The mode speed of vehicles on Hart Road ranged from 20 mph to 30 mph. The peak hour ranged from 242 to 467 vehicles. The table below shows the data that was obtained over the study time period:

Locations	Average Speed	Mode Speed	% over 25 mph	85 th Percentile Speed	Average Daily Traffic Volume	
201 Hart Road (Eastbound)	25 mph	20 mph	44.50%	30.89 mph	568	1,042
201 Hart Road (Westbound)	27 mph	20 mph	55.00%	34.40 mph	474	
466 Hart Road (Eastbound)	30 mph	25 mph	75.80%	35.78 mph	1,145	2,473
453 Hart Road (Westbound)	30 mph	30 mph	77.10%	37.66 mph	1,328	

A review of the collision history revealed seven collisions in the three years prior to this analysis on Hart Road between Tates Creek Road and Romany Road. Three of the collisions were rear end collisions. None of the collisions resulted in any injuries.

Based on the volumes that were documented as well as the speeds documented above 25 mph, Hart Road between Tates Creek Road and Colony Boulevard as detailed in the *Neighborhood Traffic Management Program* manual would meet the minimum criteria for a residential local street, that is, peak hour volume greater than 100 or average daily traffic volume greater than 1,000 or a documented speed problem. Based on the traffic data, the use of the neighborhood as a cut-through and funding considerations, I would support the installation of traffic calming devices on Hart Road between Tates Creek Road and Colony Boulevard. Based on the peak hour volumes that were documented as well as the speeds documented above 25 mph, Hart Road between Colony Boulevard and Romany Road as detailed in the *Neighborhood Traffic Management Program* manual would meet the minimum criteria for a residential collector street, that is, peak hour volume greater than 300 or average daily traffic volume greater than 3,000 or a documented speed problem. Based on the traffic data, the use of the neighborhood as a cut-through and funding considerations, I would support the installation of traffic calming devices on Hart Road between Colony Boulevard and Romany Road.

Louisiana Avenue

Data revealed that the average daily traffic over this 4-day period had 306 vehicles per day on Louisiana Avenue. The 85th percentile speed of vehicles on Louisiana Avenue ranged from 29.22 mph traveling eastbound to 29.23 mph traveling westbound. In addition, it was documented that 30.60% of the vehicles traveling

eastbound were traveling over the posted speed limit of 25 mph while 32.60% of those traveling westbound were over the posted speed limit. The average speed of vehicles on Louisiana Avenue was 23 mph. The mode speed of vehicles on Louisiana Avenue ranged from 15 to 20 mph. The peak hour had 44 vehicles. The table below shows the data that was obtained over the study time period:

Locations	Average Speed	Mode Speed	% over 25 mph	85 th Percentile Speed	Average Daily Traffic Volume	
145 Louisiana Avenue (Eastbound)	23 mph	15 mph	30.60%	29.22 mph	165	306
145 Louisiana Avenue (Westbound)	23 mph	20 mph	32.60%	29.23 mph	141	

A review of the collision history revealed two collisions in the three years prior to this analysis on Louisiana Avenue. Both of these were a result of parked vehicles.

Based on the volumes that were documented as well as the speeds documented above 25 mph, Louisiana Avenue as detailed in the *Neighborhood Traffic Management Program* manual would not meet the minimum criteria for a residential local street, that is, peak hour volume greater than 100 or average daily traffic volume greater than 1,000 or a documented speed problem. Based on the traffic data, the use of the neighborhood as a cut-through and funding considerations, I would not support the installation of traffic calming devices on Louisiana Avenue.

Providence Lane between Tates Creek Road & Romany Road

Data revealed that the average daily traffic over this 4-day period ranged from 1,861 vehicles per day at 1136-38 Providence Lane to 2,129 vehicles per day at 1122 Providence Lane. The 85th percentile speed of vehicles on Providence Lane ranged from 31.88 mph traveling eastbound at 1136-38 Providence Lane to 36.24 mph traveling westbound on Providence Lane near Eastover Drive. In addition, it was documented that 18.04% of the vehicles traveling eastbound at 1122 Providence Lane were traveling over the posted speed limit of 25 mph while 53.20% of those traveling westbound at 1136-38 Providence Lane were over the posted speed limit. The average speed of vehicles on Providence Lane ranged from 25 mph to 30 mph. The mode speed of vehicles on Providence Lane ranged from 15 mph to 25 mph. The peak hour ranged from 264 to 379 vehicles. The table below shows the data that was obtained over the study time period:

Locations	Average Speed	Mode Speed	% over 25 mph	85 th Percentile Speed	Average Daily Traffic Volume	
Providence Lane - @ Eastover (Eastbound)	28 mph	25 mph	29.98%	33.45 mph	1,117	2,110
Providence Lane - @ Eastover (Westbound)	30 mph	25 mph	44.69%	36.24 mph	993	
Providence Lane - @ Colony (Eastbound)	27 mph	25 mph	25.15%	33.27 mph	985	1,899
Providence Lane - @ Colony (Westbound)	27 mph	25 mph	25.54%	32.84 mph	914	
1122 Providence Lane (Eastbound)	25 mph	15 mph	18.04%	31.98 mph	1,220	2,129
1122 Providence Lane (Westbound)	27 mph	25 mph	32.94%	34.36 mph	909	
1136-38 Providence Lane (Eastbound)	26 mph	25 mph	53.20%	31.88 mph	1,128	1,861
1136-38 Providence Lane (Westbound)	26 mph	20 mph	46.20%	32.29 mph	733	

A review of the collision history revealed six collisions in the three years prior to this analysis on Providence Lane. Four of the collisions were angle collisions in which two of them occurred at the Providence Lane and Colony Boulevard intersection.

Based on the volumes that were documented as well as the speeds documented above 25 mph, Providence Lane between Tates Creek Road and Romany Road as detailed in the *Neighborhood Traffic Management Program* manual would meet the minimum criteria for a residential local street, that is, peak hour volume greater than 100 or average daily traffic volume greater than 1,000 or a documented speed problem. Based on the traffic data, the use of the neighborhood as a cut-through and funding considerations, I would support the installation of traffic calming devices on Providence Lane between Tates Creek Road and Romany Road.

Romany Road between Hart Road and Providence Road

Data revealed that the average daily traffic over this 4-day period ranged from 1,112 vehicles per day at 108 Romany Road to 3,051 vehicles per day at 213 Romany Road. The 85th percentile speed of vehicles on Romany Road ranged from 27.20 mph traveling northbound at 108 Romany Road to 30.84 mph traveling northbound at 213 Romany Road. In addition, it was documented that 19.50% of the vehicles traveling northbound at 108 Romany Road were traveling over the posted speed limit of 25 mph while 50.40% of those traveling northbound at 213 Romany Road were over the posted speed limit. The average speed of vehicles on Romany Road ranged from 22 mph to 26 mph. The mode speed of vehicles on Romany Road ranged from 15 mph to 20 mph. The peak hour ranged from 197 to 420 vehicles. The table below shows the data that was obtained over the study time period

Locations	Average Speed	Mode Speed	% over 25 mph	85 th Percentile Speed	Average Daily Traffic Volume	
108 Romany Road (Northbound)	22 mph	15 mph	19.50%	27.20 mph	321	1,112
108 Romany Road (Southbound)	23 mph	20 mph	23.30%	28.30 mph	791	
213 Romany Road (Northbound)	26 mph	20 mph	50.40%	30.84 mph	1,386	3,051
213 Romany Road (Southbound)	25 mph	20 mph	42.00%	29.37 mph	1,665	

A review of the collision history revealed three collisions in the three years prior to this analysis on Romany Road. Two of the collisions occurred at the Romany Road and Providence Road intersection.

Based on the volumes that were documented as well as the speeds documented above 25 mph, Romany Road between Hart Road and Cochran Road as detailed in the *Neighborhood Traffic Management Program* manual would not meet the minimum criteria for a residential collector street, that is, peak hour volume greater than 300 or average daily traffic volume greater than 3,000 or a documented speed problem. Based on the traffic data, the use of the neighborhood as a cut-through and funding considerations, I would not support the installation of traffic calming devices on Romany Road between Hart Road and Cochran Road. Based on the volumes that were documented as well as the speeds documented above 25 mph, Romany Road between Cochran Road and Providence Lane as detailed in the *Neighborhood Traffic Management Program* manual would meet the minimum criteria for a residential collector street, that is, peak hour volume greater than 300 or average daily traffic volume greater than 3,000 or a documented speed problem. Based on the traffic data, the use of the neighborhood as a cut-through and funding considerations, I would support the installation of traffic calming devices on Romany Road between Cochran Road and Providence Lane.

Providence Lane and Cassidy Avenue

Speed data was collected on Providence Lane. Data revealed that the 85th percentile speeds were 34.25 mph on eastbound Providence Lane and 30.88 mph on Cassidy Avenue. Based on this speed data, there would not be a reduction in the volume requirements as allowed in the MUTCD warrant criteria. The 8-hour traffic volume which was collected on the major approaches of Providence Lane revealed 187 vehicles per hour or 62.3% of the volume required. The 8-hour traffic volume which was collected on the minor approach of Cassidy Avenue revealed a total of 89 vehicles per hour or 44.5% of the volume required. The major and minor street approach volumes fall short of the warrant criteria. Therefore, the volume warrants are not met at this time.

A review of the collision history at this intersection revealed 0 collisions in the 3 years prior to this analysis. Based on the warrant criteria, that is, a collision history of five (5) or more collisions in a 12-month period that are susceptible to correction by installation of a multiway stop, the collision warrant is not met at the intersection of Providence Lane and Cassidy Avenue.

Neither the volume nor collision warrants for multiway stop control are met at this time. **The Division of Traffic Engineering recommends retention of the existing intersection controls for the intersection of Providence Lane and Cassidy Avenue.**

Providence Lane and Colony Boulevard

Speed data was collected on Providence Lane. Data revealed that the 85th percentile speeds were 33.70 mph on eastbound Providence Lane and 31.93 mph on Colony Boulevard. Based on this speed data, there would not be a reduction in the volume requirements as allowed in the MUTCD warrant criteria. The 8-hour traffic volume which was collected on the major approaches of Providence Lane revealed 215 vehicles per hour or 71.7% of the volume required. The 8-hour traffic volume which was collected on the minor approach of Colony Boulevard revealed a total of 105 vehicles per hour or 52.5% of the volume required. The major and minor street approach volumes fall short of the warrant criteria. Therefore, the volume warrants are not met at this time.

A review of the collision history at this intersection revealed 4 collisions in the 3 years prior to this analysis. There were 0 collisions in the previous 12 months. Based on the warrant criteria, that is, a collision history of five (5) or more collisions in a 12-month period that are susceptible to correction by installation of a multiway stop, the collision warrant is not met at the intersection of Providence Lane and Colony Boulevard.

Neither the volume nor collision warrants for multiway stop control are met at this time. **The Division of Traffic Engineering recommends retention of the existing intersection controls for the intersection of Providence Lane and Colony Boulevard.**

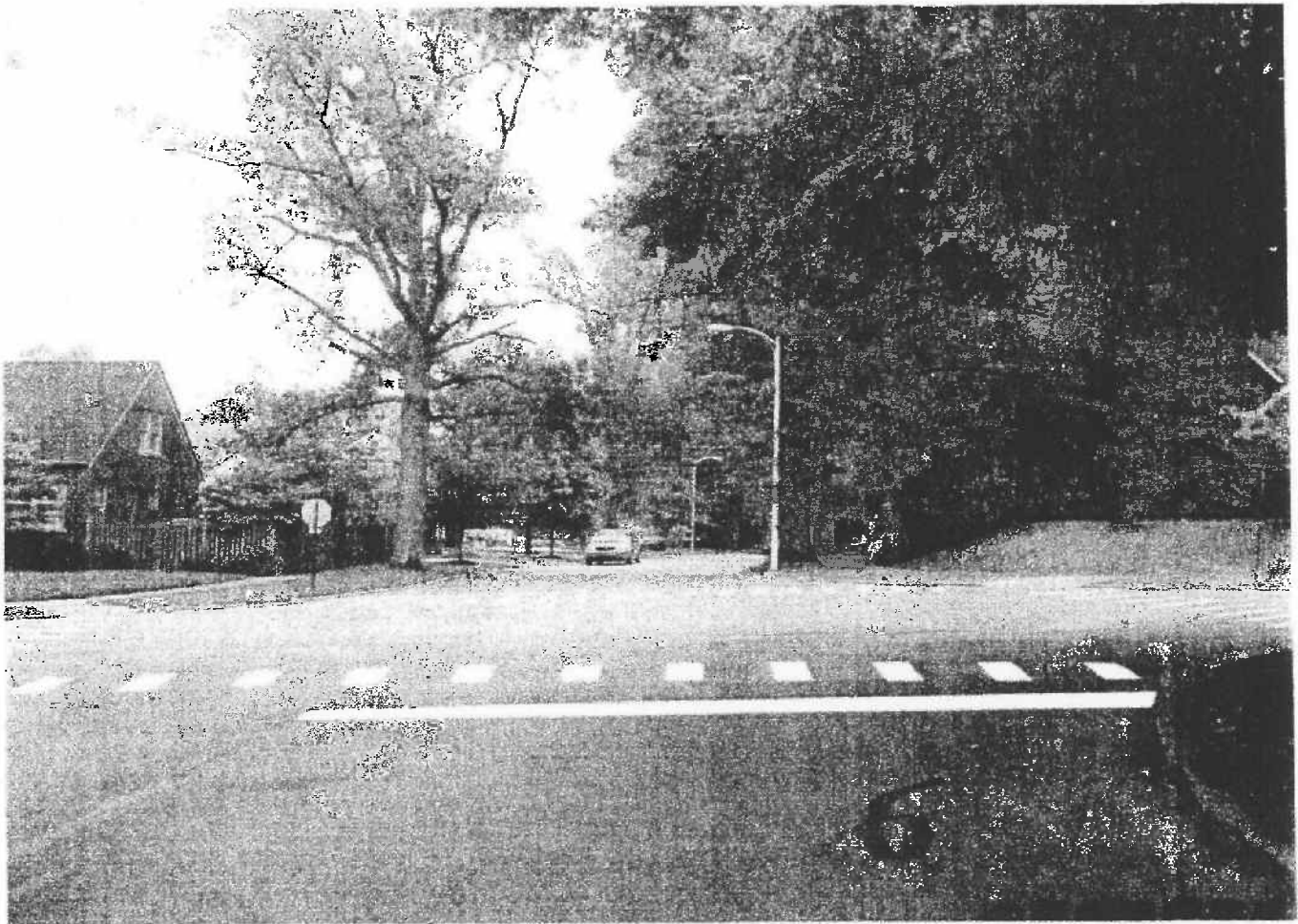
Recommendations

On Cassidy Avenue between Providence Lane and Hart Road, Cochran Road between Hart Road and Romany Road, Colony Boulevard between Cochran Boulevard and Providence Lane, Hart Road between Tate's Creek Road and Romany Road, Providence Lane between Tate's Creek Road and Romany Road and Romany Road between Cochran Boulevard and Providence Lane a type two (2) option is recommended to combat the problem of volumes and speeds. An example would be the speed table. The roadways vary in width from 25' in to 29' from back of edge of pavement to edge of pavement. It should be noted that "speed tables" differ from "speed humps" in that speed humps are typically 12' in length along the roadway and extend from edge of pavement to edge of pavement while speed tables are typically 22' in length along the roadway from edge of pavement to edge of pavement. Typical spacing of speed tables is 400' to 500' for a 25 mph street. We are currently in the process of doing a test site for the speed table to conclude about the services that would or would not be available. These services include street sweeping, snow plowing, or salting operations by the LFUCG as well as school bus access. Once we determine which services, if any, would be eliminated, then we will provide you with that information. Speed humps are not an option on Romany Road since it is classified as a residential collector and not an option for Cassidy Avenue, Cochran Road, Colony Boulevard, Hart Road and Providence Lane since they are school bus routes. As it stands currently, school buses will not travel down streets with speed humps. A schematic of the possible speed table locations on Cassidy Avenue, Cochran Road, Colony Boulevard, Hart Road, Providence Lane and Romany Road are included.

Based on the average property value for the Chevy Chase Neighborhood, your neighborhood would have to provide 20% of the project funding while the LFUCG would provide 80% of the project cost, assuming funding is available. Please review this information and share it with your neighborhood. We have discussed several traffic calming measures for your neighborhood and would like your input as well as the neighborhoods' input to select the

appropriate measures. *Any of these measures we can present them to you to demonstrate what they would look like either via a mailing or neighborhood meeting.* A petition would need to be completed by the residents of Chevy Chase Neighborhood in order to move forward with the petition card mailing. I have also enclosed a map of the petition area in which the 65% threshold must be met for the speed humps and tables. Based on this map, a minimum of one hundred and twenty-five (125) of the one hundred and ninety-two (192) properties outlined in the petition area for Chevy Chase Neighborhood would have to sign the enclosed petition in order to move forward with the petition card mailing that would be completed by the Division of Traffic Engineering and would include postage paid petition cards that would be used to determine the 65% threshold. A blank petition has been attached for the residents. Once the petition is received, the petition card requirement that must be met for this project to proceed is an affirmative vote of 65% of the petition cards mailed.

In conjunction with the type two (2) recommendations, markings are available. Some examples of striping include lane lines; rumble strips, optical bars, stop bars and crosswalks. For the existing multiway stops located at Romany Road & Cochran Road and Hart Road & Cochran Road, the recommendation is to install enhanced crosswalks and refresh the stop bars.



Enhanced crosswalks

Around all three schools, Cassidy Elementary, Morton Middle and Christ the King School, the recommendation is to implement school zones with the appropriate signage and markings. The school zone boundaries are shown on an attached map. The signage would further emphasize the speed limit and notify motorists of the schools. This can be implemented without any cost to the neighborhood. Below are examples of the sign and markings that will be used.



To further expand on the signage, school flashers may be an option for the schools. For schools wanting further information and to see whether the schools qualify please contact Jeff Neal at the Division of Traffic Engineering at 258-3830.

Both principals at Cassidy Elementary and Christ the King School expressed interest in parking changes on Hart Road and Cochran Road respectively. The suggestion on Hart Road was to make it a school pick-up/drop off zone and allow parking at other times in the day. Cochran Road currently does not have any parking restrictions and the change would be to remove parking on one side of the street only. Both of these requests can be looked further into once a petition of 65% is completed. For further information, please contact Jeanne Gardner at the Division of Traffic Engineering at 258-3830.

Signage is an option for all streets in the Chevy Chase Neighborhood. An education program is available that includes signs and other educational material. Once the education program is in place, we can re-study the area and if there is still a documented volume, speed, or cut-through problem according the *Neighborhood Traffic Management Program* manual that is, peak hour volume greater than 100 or average daily traffic volume greater than 1,000 or a documented speed problem, then we would move to the next step accordingly; such as a type two (2) option. The residents cost is the sign, post and installation. One of the new sign options is the yard signs. These signs would be provided to residents willing to display them in their yards at an interval of one signs for every three to four homes. Only the City's Traffic Engineering Division will be authorized to remove, repair or replace traffic calming signage. All maintenance costs are the responsibility of the neighborhood. The City of Lexington reserves the right to remove any traffic calming sign that has become faded, damaged or unsightly without replacing the sign. A list of the new signs along with their prices is attached. Once a layout has been decided on, the petition card requirement that must be met for this project to proceed is an affirmative vote of 65% of the petition cards mailed. Signage would also include also speed limit signs and warning signage. This type of signage is at no cost to the residents and does not require a petition card vote.

Information regarding our enhanced street name signs with neighborhood logos has been attached. The neighborhood cost involved in this project would only be the cost of the logos. LFUCG is responsible for the cost of the new signage, assuming funding is available.

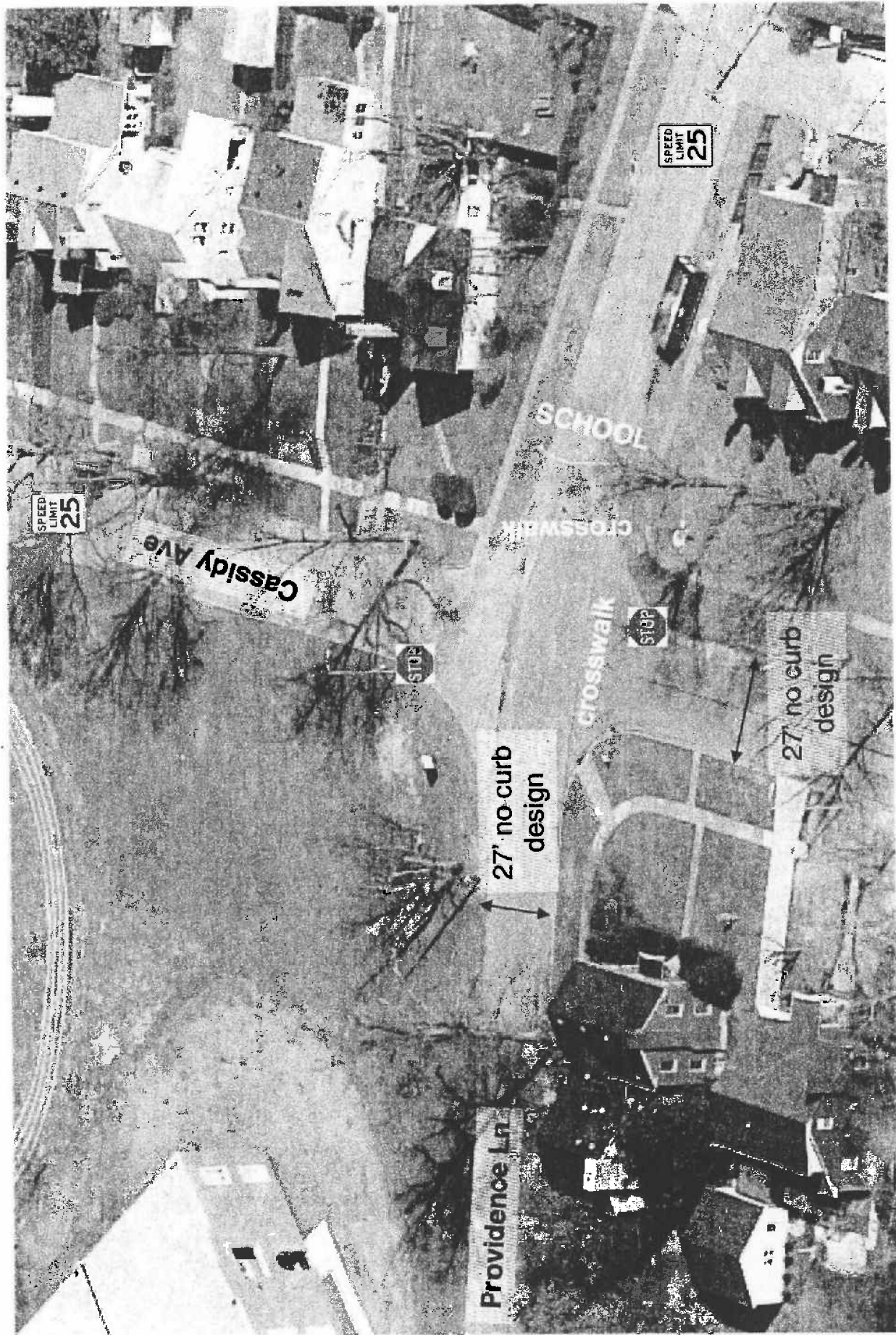
Please look over this information and feel free to contact Brad Frazier or Ashley Sells at the Division of Traffic Engineering at 258-3830 should you have questions.

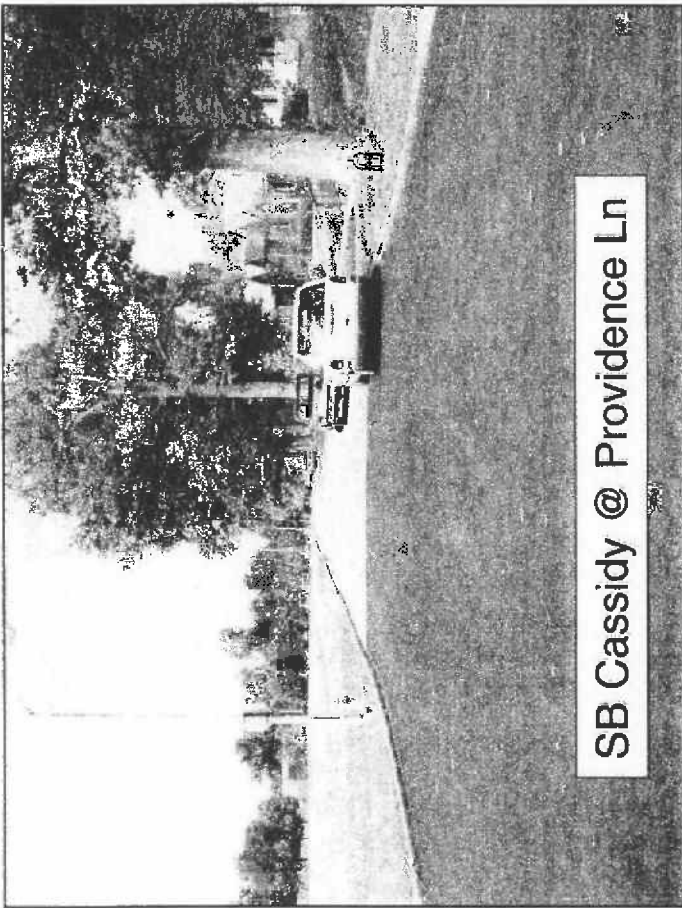
ABF/ats

Attachment: Multi-way Stop Maps
Speed Table Map
Petition & Petition Map
Traffic Calming Signage
Enhanced Street Name Sign Information

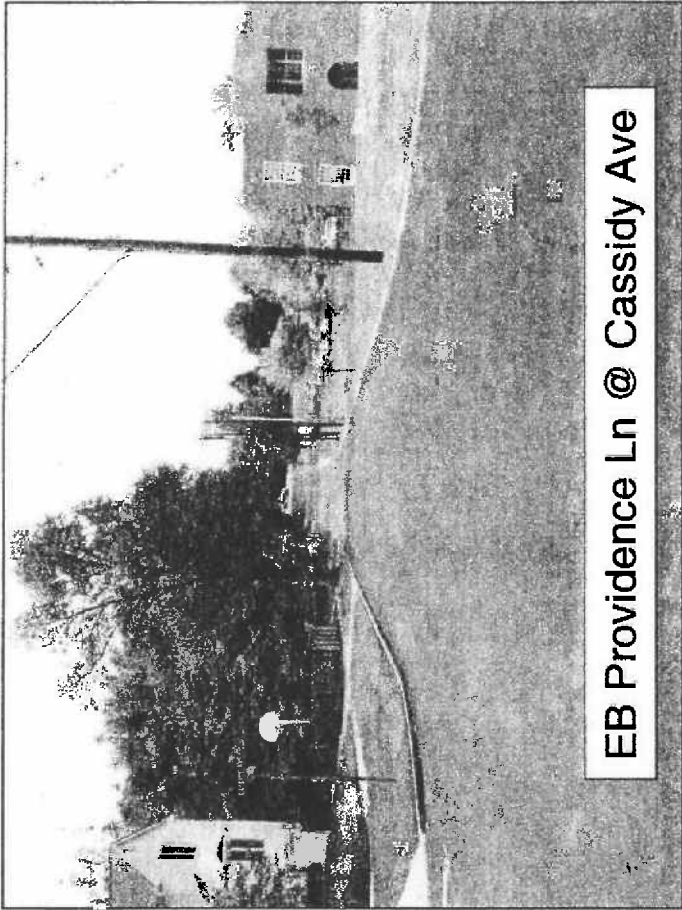
XC: James M. Webb, Acting Commissioner
Ron Herrington, P.E., P.L.S.
Jim Woods, P.E., P.L.S.
Jeffrey Neal, P.E.
Ashley T. Sells, E.I.T.
Jeanne Gardner
Kevin Wentz
Ronda Runyon, Principal at Morton Middle School - ronda.runyon@fayette.kyschools.us
Rhonda Fister, Principal at Cassidy Elementary School - rhonda.fister@fayette.kyschools.us
Karen Thomas, Principal at Christ the King School - kthomas@ctkschool.edlex.org

Providence Ln @ Cassidy Ave

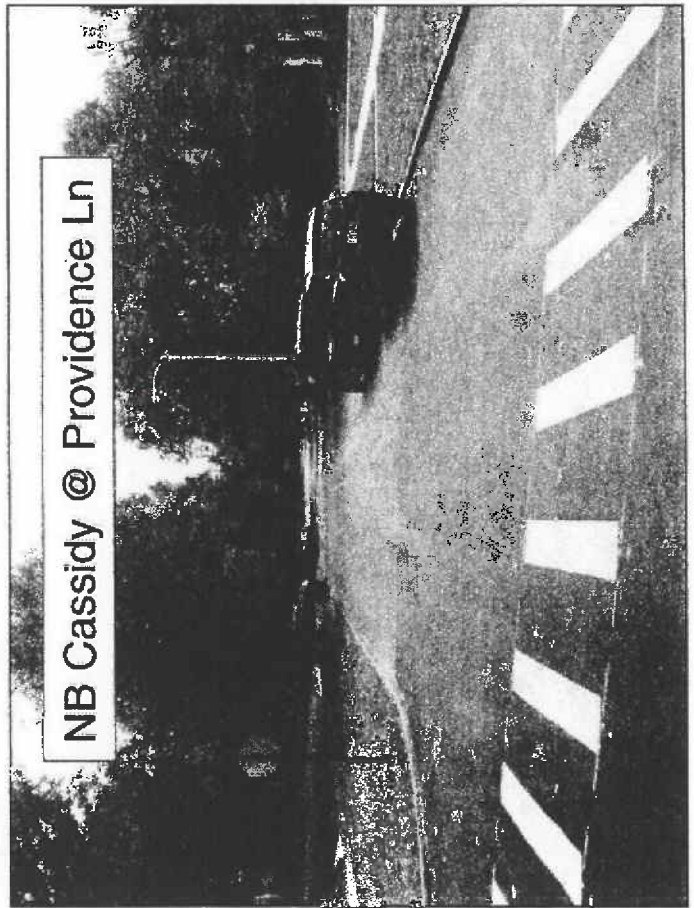




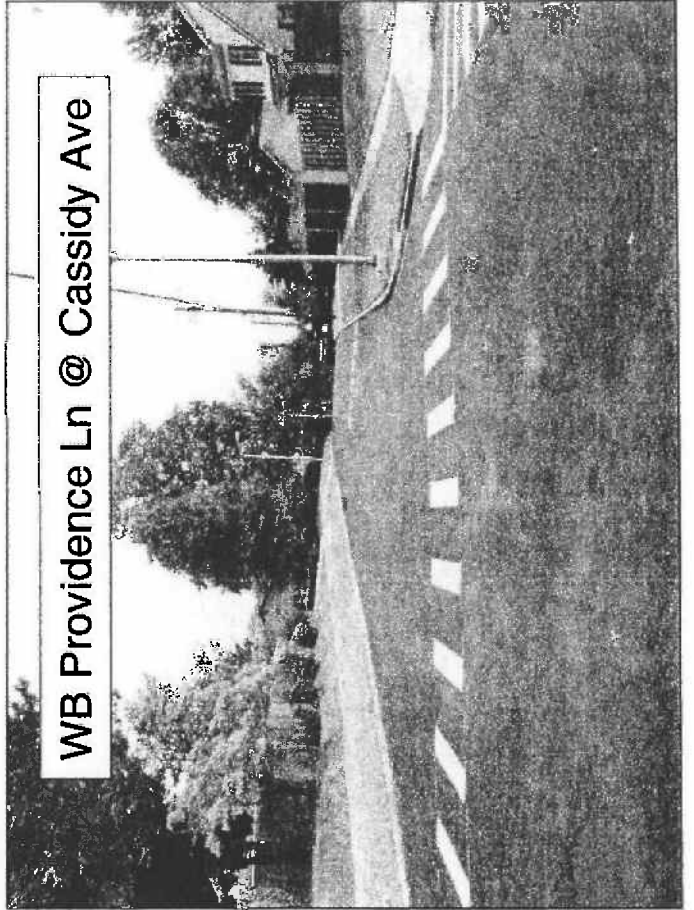
SB Cassidy @ Providence Ln



EB Providence Ln @ Cassidy Ave

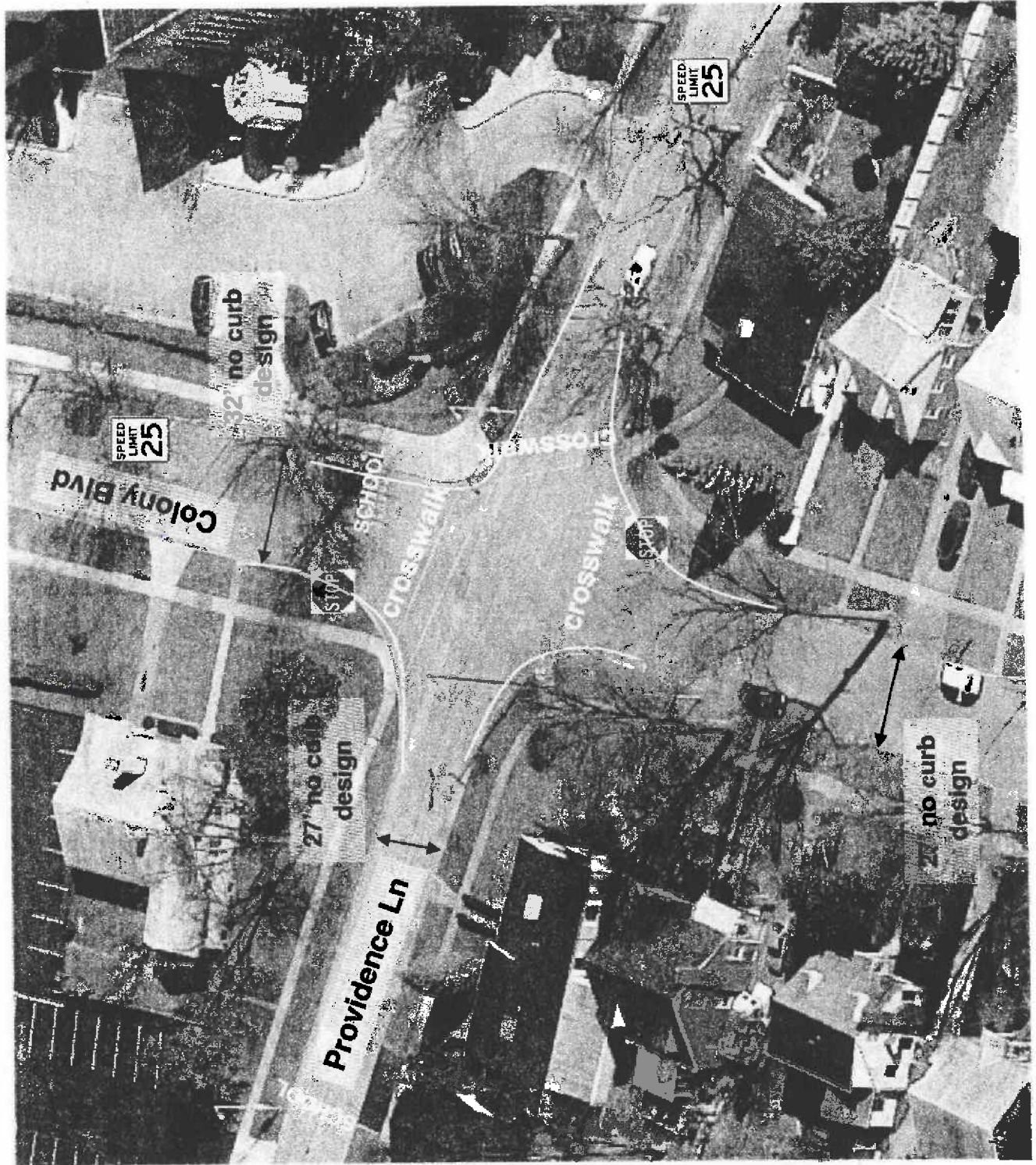


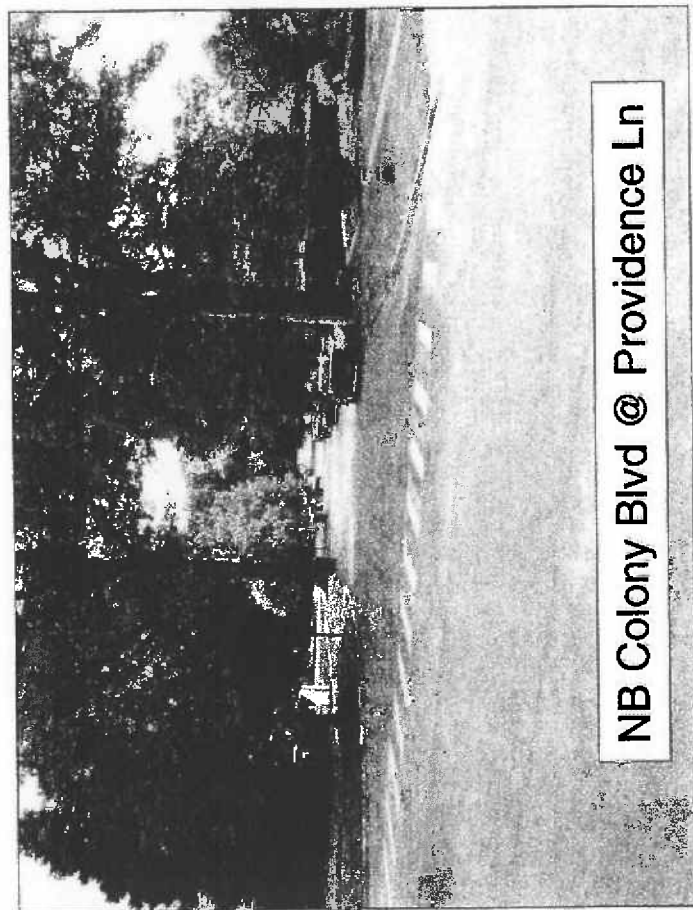
NB Cassidy @ Providence Ln



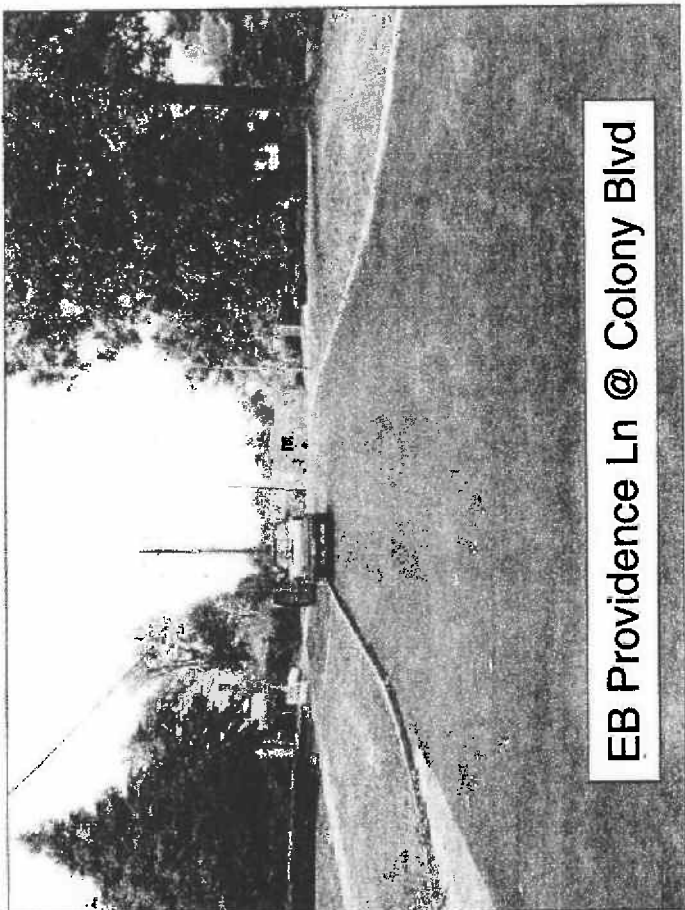
WB Providence Ln @ Cassidy Ave

Providence Ln @ Colony Blvd

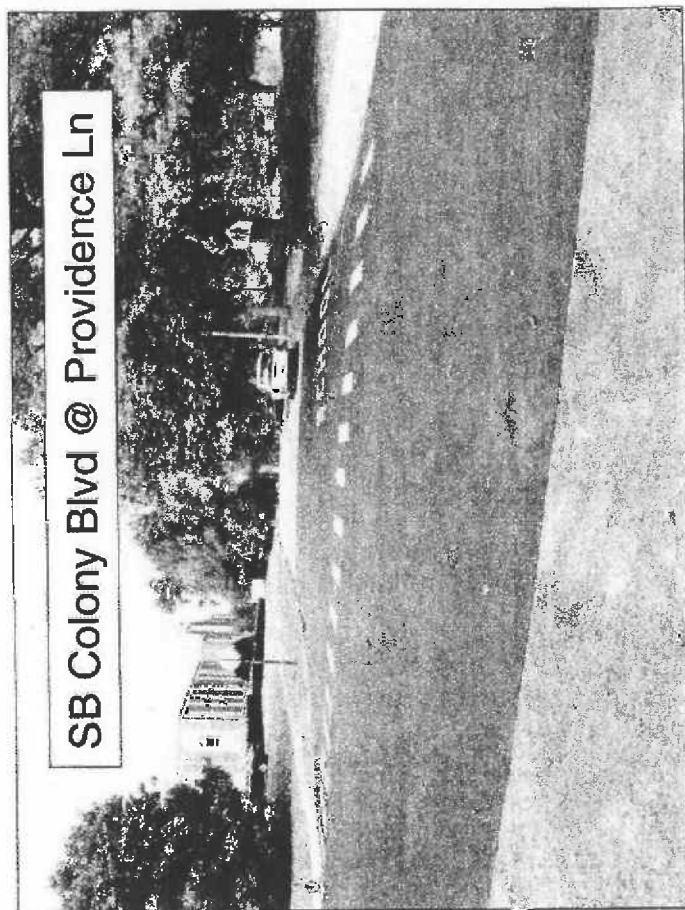




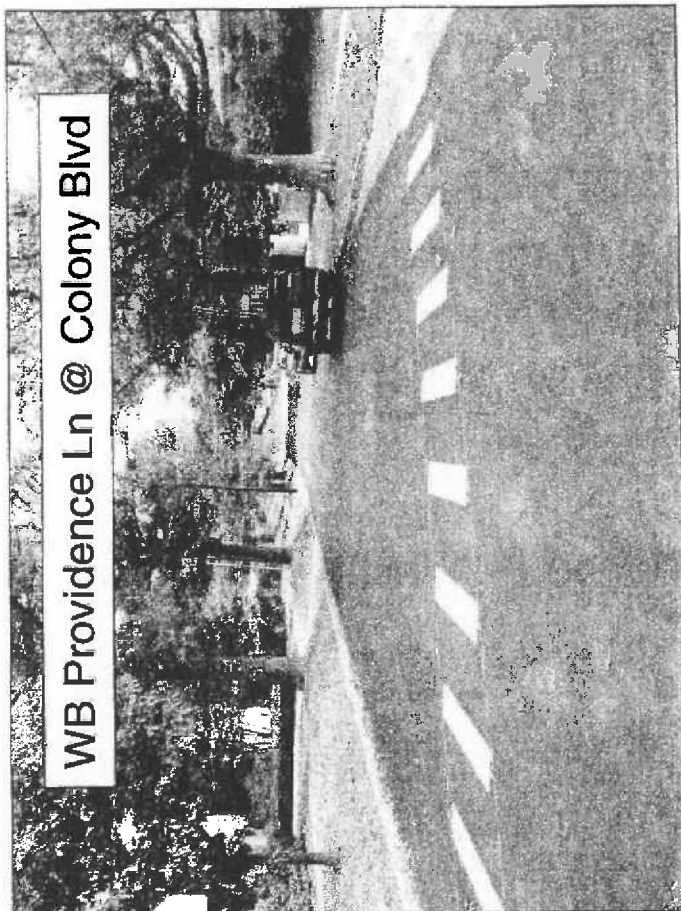
NB Colony Blvd @ Providence Ln



EB Providence Ln @ Colony Blvd



SB Colony Blvd @ Providence Ln

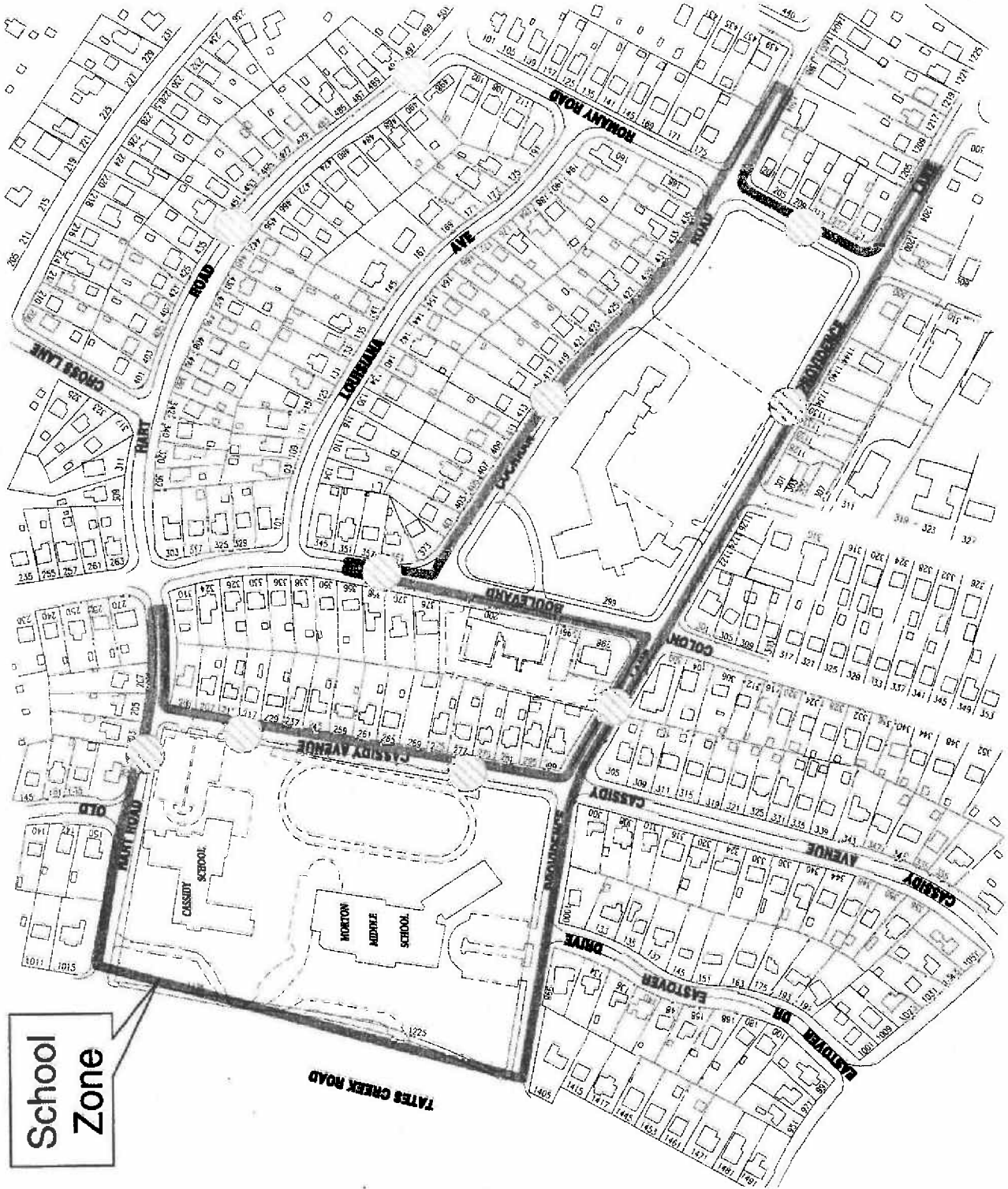


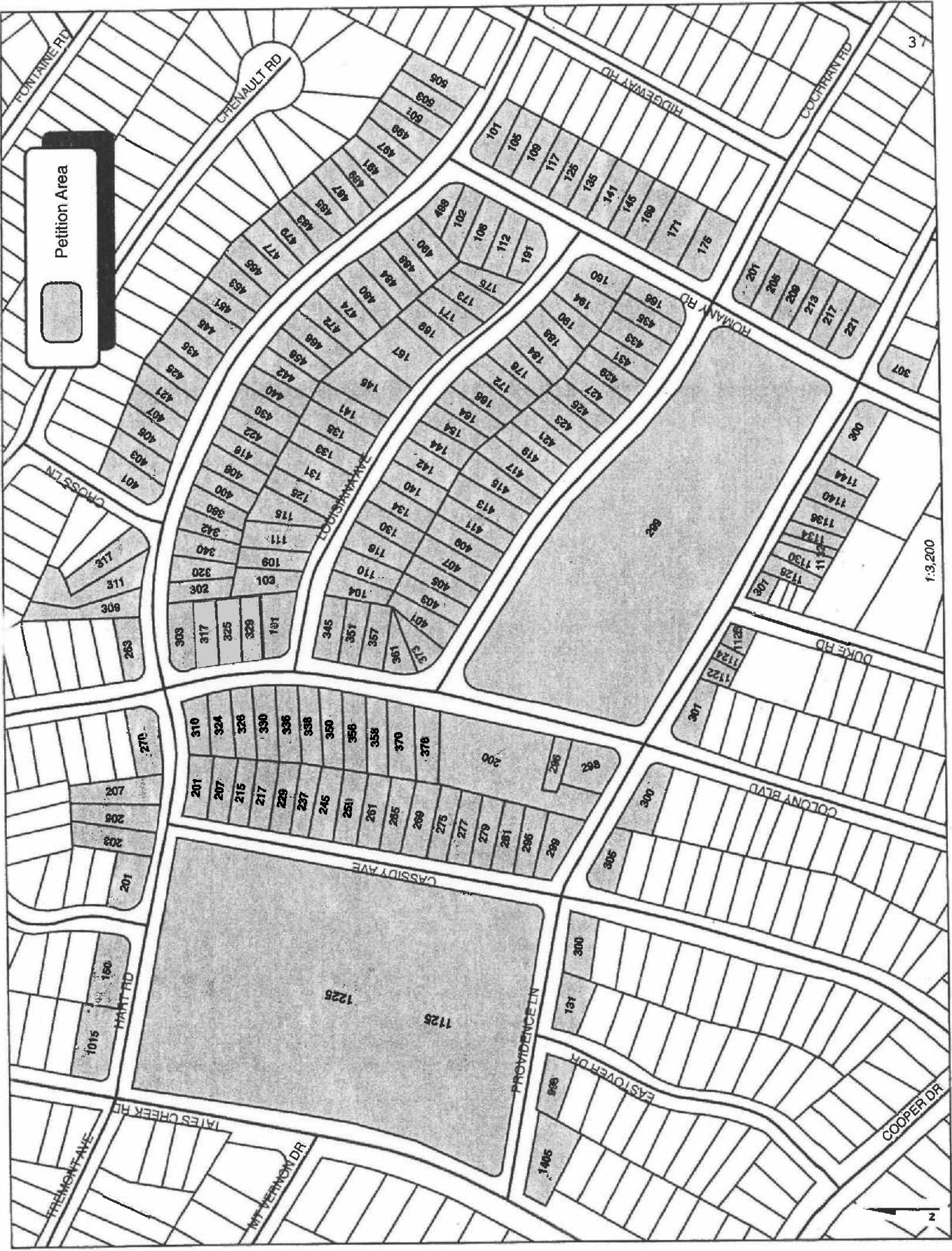
WB Providence Ln @ Colony Blvd

CHEVY CHASE NEIGHBORHOOD

These are general locations of the speed humps/tables. Final location will be determined in the field to avoid conflict with driveways, drainage structures, etc.

Possible Speed Table Locations





NTMP PETITION FORM

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Please list all addresses in the petition area. One signature per property parcel.

DATE	NAME (PLEASE PRINT)	ADDRESS	SIGNATURE
		201 CASSIDY AVE	
		207 CASSIDY AVE	
		215 CASSIDY AVE	
		217 CASSIDY AVE	
		229 CASSIDY AVE	
		237 CASSIDY AVE	
		245 CASSIDY AVE	
		259 CASSIDY AVE	
		261 CASSIDY AVE	
		265 CASSIDY AVE	
		269 CASSIDY AVE	
		275 CASSIDY AVE	
		277 CASSIDY AVE	
		279 CASSIDY AVE	
		281 CASSIDY AVE	
		295 CASSIDY AVE	
		299 CASSIDY AVE	
		300 CASSIDY AVE	
		305 CASSIDY AVE	
		263 COCHRAN RD	

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DATE	NAME (PLEASE PRINT)	ADDRESS	SIGNATURE
		270 COCHRAN RD	
		303 COCHRAN RD	
		310 COCHRAN RD	
		317 COCHRAN RD	
		324 COCHRAN RD	
		325 COCHRAN RD	
		326 COCHRAN RD	
		329 COCHRAN RD	
		330 COCHRAN RD	
		336 COCHRAN RD	
		338 COCHRAN RD	
		345 COCHRAN RD	
		350 COCHRAN RD	
		351 COCHRAN RD	
		356 COCHRAN RD	
		357 COCHRAN RD	
		358 COCHRAN RD	
		361 COCHRAN RD	
		370 COCHRAN RD	
		373 COCHRAN RD	

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DATE	NAME (PLEASE PRINT)	ADDRESS	SIGNATURE
		376 COCHRAN RD	
		401 COCHRAN RD	
		403 COCHRAN RD	
		405 COCHRAN RD	
		407 COCHRAN RD	
		409 COCHRAN RD	
		411 COCHRAN RD	
		413 COCHRAN RD	
		415 COCHRAN RD	
		417 COCHRAN RD	
		419 COCHRAN RD	
		421 COCHRAN RD	
		423 COCHRAN RD	
		425 COCHRAN RD	
		427 COCHRAN RD	
		429 COCHRAN RD	
		431 COCHRAN RD	
		433 COCHRAN RD	
		435 COCHRAN RD	
		200 COLONY BLVD	

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DATE	NAME (PLEASE PRINT)	ADDRESS	SIGNATURE
		296 COLONY BLVD	
		298 COLONY BLVD	
		299 COLONY BLVD	
		300 COLONY BLVD	
		301 COLONY BLVD	
		301 DUKE RD	
		131 EASTOVER DR	
		201 HART RD	
		203 HART RD	
		205 HART RD	
		207 HART RD	
		302 HART RD	
		309 HART RD	
		311 HART RD	
		317 HART RD	
		320 HART RD	
		340 HART RD	
		342 HART RD	
		380 HART RD	
		400 HART RD	

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DATE	NAME (PLEASE PRINT)	ADDRESS	SIGNATURE
		401 HART RD	
		403 HART RD	
		405 HART RD	
		407 HART RD	
		408 HART RD	
		416 HART RD	
		421 HART RD	
		422 HART RD	
		425 HART RD	
		430 HART RD	
		435 HART RD	
		440 HART RD	
		442 HART RD	
		445 HART RD	
		451 HART RD	
		453 HART RD	
		456 HART RD	
		465 HART RD	
		466 HART RD	
		472 HART RD	

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DATE	NAME (PLEASE PRINT)	ADDRESS	SIGNATURE
		474 HART RD	
		477 HART RD	
		479 HART RD	
		480 HART RD	
		483 HART RD	
		484 HART RD	
		485 HART RD	
		487 HART RD	
		488 HART RD	
		489 HART RD	
		490 HART RD	
		491 HART RD	
		497 HART RD	
		498 HART RD	
		499 HART RD	
		501 HART RD	
		503 HART RD	
		505 HART RD	
		101 LOUISIANA AVE	
		103 LOUISIANA AVE	

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DATE	NAME (PLEASE PRINT)	ADDRESS	SIGNATURE
		104 LOUISIANA AVE	
		109 LOUISIANA AVE	
		110 LOUISIANA AVE	
		111 LOUISIANA AVE	
		115 LOUISIANA AVE	
		116 LOUISIANA AVE	
		125 LOUISIANA AVE	
		130 LOUISIANA AVE	
		131 LOUISIANA AVE	
		133 LOUISIANA AVE	
		134 LOUISIANA AVE	
		135 LOUISIANA AVE	
		140 LOUISIANA AVE	
		141 LOUISIANA AVE	
		142 LOUISIANA AVE	
		144 LOUISIANA AVE	
		145 LOUISIANA AVE	
		154 LOUISIANA AVE	
		164 LOUISIANA AVE	
		166 LOUISIANA AVE	

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DATE	NAME (PLEASE PRINT)	ADDRESS	SIGNATURE
		167 LOUISIANA AVE	
		169 LOUISIANA AVE	
		171 LOUISIANA AVE	
		172 LOUISIANA AVE	
		173 LOUISIANA AVE	
		175 LOUISIANA AVE	
		176 LOUISIANA AVE	
		184 LOUISIANA AVE	
		188 LOUISIANA AVE	
		190 LOUISIANA AVE	
		191 LOUISIANA AVE	
		194 LOUISIANA AVE	
		150 OLD CASSIDY AVE	
		1122 PROVIDENCE LN	
		1124 PROVIDENCE LN	
		1126 PROVIDENCE LN	
		1128 PROVIDENCE LN	
		1130 PROVIDENCE LN	
		1132 PROVIDENCE LN	
		1134 PROVIDENCE LN	

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DATE	NAME (PLEASE PRINT)	ADDRESS	SIGNATURE
		1136 PROVIDENCE LN	
		1140 PROVIDENCE LN	
		1144 PROVIDENCE LN	
		998 PROVIDENCE LN	
		101 ROMANY RD	
		102 ROMANY RD	
		105 ROMANY RD	
		108 ROMANY RD	
		109 ROMANY RD	
		112 ROMANY RD	
		117 ROMANY RD	
		125 ROMANY RD	
		135 ROMANY RD	
		141 ROMANY RD	
		145 ROMANY RD	
		160 ROMANY RD	
		166 ROMANY RD	
		169 ROMANY RD	
		171 ROMANY RD	
		175 ROMANY RD	

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DATE	NAME (PLEASE PRINT)	ADDRESS	SIGNATURE
		201 ROMANY RD	
		205 ROMANY RD	
		209 ROMANY RD	
		213 ROMANY RD	
		217 ROMANY RD	
		221 ROMANY RD	
		300 ROMANY RD	
		307 ROMANY RD	
		1015 TATES CREEK RD	
		1125 TATES CREEK RD	
		1225 TATES CREEK RD	
		1405 TATES CREEK RD	

Services Committee Items

09.03.2008

Item	Referred By	Date Referred	Status
Man O War Truck Traffic Restrictions	Stevens	8-19-08	
Smoking Ban	Stevens	8-19-08	Moved from Planning to Services
On Street Parking	Ellinger	7-8-08	Parking Authority Recommendation
Multi-Way Stop Glendover Dr @ Valley Rd	Beard	7-8-08	Petition Drive
Virtual Fake Speed Humps	Ellinger	7-1-08	Traffic Engineering
Refuse Collection Ordinance Sec 16 of the UCG Code	DeCamp	4-8-08	
Zandale Storm Water Ditch	Beard	11-20-07	
Traffic Safety: Streets Adjacent to Christ the King Church	Stevens	10-23-07	Fall 08
Vicious Dogs	Moloney	9-18-07	
Alcohol Sales Impact on Local Government	Ellinger	9-18-07	Task Force To Be Formed
Par 3 Golf Course	Stevens	8-14-07	
New Rack Ordinance	DeCamp	5-15-07	Self Policing Policies

<u>Item (cont)</u>	<u>Referred By</u>	<u>Date Referred</u>	<u>Status</u>
Dispatching Inter City Buses from Terminals	Moloney	3-13-07	
Door to Door Peddlers	Stinnett	2-27-07	
Imposing Fines for ROW Signage	Moloney	11-14-06	
Cambridge Drive Parking	Moloney	10-17-06	
Citizens' Advocate Standards	Myers	2-14-06	Merged with Citizens' Advocate Policy/Procedures Task Force
Private Swimming Pool Safety /Regulations	Moloney	6-21-05	
Curb Replacement Program	Gorton	3-12-05	