

ORDINANCE NO. _____ - 2021

AN ORDINANCE AMENDING ARTICLES 6-10(b)(2) AND 6-10(c)(1) OF THE LAND SUBDIVISION REGULATIONS TO REVISE STANDARDS FOR STREET TREE LOCATIONS NEAR INTERSECTIONS. (PLANNING COMMISSION).

WHEREAS, the Lexington-Fayette Urban County Planning Commission has initiated a text amendment to Articles 6-10(b)2 and 6-10(c)(1) of the Land Subdivision Regulations to revise standards for street tree locations near intersections; and

WHEREAS, the Planning Commission has considered a text amendment to Articles 6-10(b)(2) and 6-10(c)(1) of the Land Subdivision Regulations to revise the standards for street tree locations near intersections. The Planning Commission did recommend APPROVAL of the text by a vote of 10-0; and

WHEREAS, this Council agrees with the recommendation of the Planning Commission; and

WHEREAS, the recommendation form of the Planning Commission is attached hereto and incorporated by reference herein.

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

Section 1 – That Article 6-10(b)(2) of the Land Subdivision Regulations of the Lexington-Fayette Urban County Government is hereby amended as follows:

6-10(b)(2) LOCATION CRITERIA - Two options shall be permitted at the developer's discretion. The first option shall be to place the trees within a planting easement with a minimum width of 5', to be located immediately adjacent and parallel to the street right-of-way. The second option shall be to plant the trees within the street right-of-way between the street curb and the sidewalk in the area, commonly called the "utility strip." The developer's choice shall be shown on the appropriate subdivision and development plans, and shall be consistent on any given street. Large and small trees may be planted in a utility strip with a width of seven (7) feet or greater. Medium trees may be planted in a utility strip with a width of five (5) feet or greater. No street tree shall be located in the right-of-way within seventy-five (75) feet of the street intersection.

Section 2 – That Article 6-10(c)(1) of the Land Subdivision Regulations of the Lexington-Fayette Urban County Government is hereby amended as follows:

6-10(c)(1) TYPE, NUMBER, AND LOCATION - A continuous 6' high hedge shall be required with the same species to be used for the entire frontage of the development. Where possible, the hedge should be planted in the right-of-way, and 3' from the right-of-way fence. Trees should be planted in the right-of-way with the exact location to be approved by the Traffic Engineer and the Commercial Landscape Examiner. All trees are to be planted a minimum of 10' from the right-of-way fence. Where there is less than 10' between the right-of-way fence and the sidewalk, or where there is no sidewalk, less than 10' feet between the right-of-way fence and the curb line of the arterial street, no trees are required. No street tree shall be located in the right-of-way within seventy-five (75) feet of

the intersection. Trees shall be required as described in Table B. (The Planting Manual and Plant Materials List shall be used to meet the minimum requirements set forth herein).

Where, due to site restrictions, the planting cannot be placed in the right-of-way, the Commission may allow the landscaping to be placed on the adjacent property.

Section 3 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

Clerk of Urban County Council

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