

ORDINANCE NO. _____ - 2019

AN ORDINANCE AMENDING ARTICLES 6-8(i), 6-8(n), 6-8(n)(1), 6-8(n)(2), 6-8(n)(3), 6-8(p), 6-8(p)(1) AND 6-8(p)(2) OF THE LAND SUBDIVISION REGULATIONS TO UPDATE THE REQUIREMENTS FOR SIDEWALKS AND SHARED-USE PATHS. (PLANNING COMMISSION).

WHEREAS, the Lexington-Fayette Urban County Planning Commission has initiated a text amendment to Articles 6-8(i), 6-8(n), 6-8(n)(1), 6-8(n)(2), 6-8(n)(3), 6-8(p), 6-8(p)(1) and 6-8(p)(2) of the Land Subdivision Regulations to update the requirements for sidewalks and shared-use paths; and

WHEREAS, the Planning Commission has considered a text amendment to Articles 6-8(i), 6-8(n), 6-8(n)(1), 6-8(n)(2), 6-8(n)(3), 6-8(p), 6-8(p)(1) and 6-8(p)(2) of the Land Subdivision Regulations to update the requirements for sidewalks and shared-use paths. The Planning Commission did recommend APPROVAL of the alternative text by a vote of 9-0; 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 6-8(i) of the Land Subdivision Regulations of the Lexington-Fayette Urban County Government is hereby amended as follows:

6-8(i) BICYCLE ROUTE STANDARDS – Where indicated in the Comprehensive Plan, the Planning Commission shall require the construction of the appropriate a bicycle facility in the vehicular right-of-way as determined by the design matrix outlined in the Lexington Area MPO Bicycle and Pedestrian Master Plan in accordance with the Roadway Manual.

Section 2 – That Article 6-8(n) of the Land Subdivision Regulations of the Lexington-Fayette Urban County Government is hereby amended as follows:

6-8(n) SIDEWALK AND SHARED-USE PATH STANDARDS - All sidewalks and shared-use paths primarily provided as a part of the transportation system shall conform to the following standards and shall be designed in accordance with the Division of Engineering Roadway Manual, the Division of Engineering Standard Drawings, and in conformance with the Americans with Disabilities Act (ADA).

Section 3 - That Article 6-8(n)(1) of the Land Subdivision Regulations of the

Lexington-Fayette Urban County Government is hereby amended as follows:

6-8(n)(1) SIDEWALK STANDARDS - Conventional pedestrian sidewalks shall be required on both sides of all roads unless the street is specifically exempted by these Subdivision Regulations, or a specific waiver is granted by the Planning Commission. A meandering sidewalk alignment may be approved by the Planning Commission to save trees or other major plantings, avoid rock outcroppings, or to avoid other physical conditions. Sidewalks shall be constructed of concrete and shall be four and one-half (4½) inches in thickness and a minimum width of five (5) feet. Sidewalks shall be placed adjacent to the street right-of-way line, except as noted in Exhibit 6-7 for cul-de-sacs. Slope toward curb shall be one-quarter (¼) of an inch to the foot. Sidewalks shall include a curb ramp wherever an accessible route crosses a curb. Where sidewalks are required on bridges, they shall have a minimum, barrier-free, width of eight (8) feet. The Standard Sidewalk Alignment width shall be determined by the project road classification at the full build as described in Table A.

Section 4 – That Article 6-8(n)(2) of the Land Subdivision Regulations of the Lexington-Fayette Urban County Government is hereby amended as follows:

6-8(n)(2) OTHER PEDESTRIAN WALKWAYS- In addition to the sidewalks paralleling streets, the Commission also may require pedestrian walk- ways, with at least a 10-foot easement, at mid-block or other locations, to provide better pedestrian access to parks, schools, cemeteries, greenways or other land uses.

TABLE A: STANDARD SIDEWALK ALIGNMENT

STREET CLASSIFICATION	WIDTH (FEET)	
	DISTANCE FROM ROADWAY	WIDTH OF SIDEWALK
Non-Residential and Industrial Collectors/Connectors (40' Street Width)	10.5	6.0
Non-Residential and Industrial Collectors/Connectors (51' Street Width)	5.0	6.0
Residential Collectors/Connectors and Industrial Locals	5.5	6.0, 8.0 in high use area*
Local Residential	5.5	5.0
Local Residential Cul-de Sac	7.0	5.0
Arterial Major and Minor	7.0	6.0, 8.0 in high use area*

* Downtown and urban environments, near shopping centers, schools, civic centers, etc.

Section 5 – That Article 6-8(n)(3) of the Land Subdivision Regulations of the Lexington-Fayette Urban County Government is hereby amended as follows:

6-8(n)(3) SHARED-USE PATH STANDARDS - Where these paths are indicated in the Comprehensive Plan as outlined in the Lexington area MPO Bicycle and Pedestrian Master Plan and where existing trails provide opportunities for connections, the Commission shall require the dedication of right-of-way, or an easement of sufficient width for the construction and use of the path. If a shared-use path is required by the Commission in lieu of a sidewalk, the developer shall build the shared-use path at a minimum width of ten (10) feet. The shared-use path shall be designed and constructed in conformance with the Roadway Manual.

Section 6 – That Article 6-8(p) of the Land Subdivision Regulations of the Lexington-Fayette Urban County Government is hereby amended as follows:

6-8(p) STREET IMPROVEMENT REQUIREMENTS FOR DEVELOPMENT ADJOINING EXISTING ROADWAYS – Any substantial development of subdivided property may reasonably be anticipated to create a burden on existing public roads, thereby posing a congestion and safety hazard for motorists, pedestrians or bicyclists. In order to ameliorate that hazard and to advance the public's interest in having a safe, equitable and adequate

transportation system, the following requirements shall apply whenever a subdivision is proposed for property abutting an existing public roadway which does not meet the right-of-way and pavement width standards for the functional classification of that street:

Section 7 – That Article 6-8(p)(1) of the Land Subdivision Regulations of the Lexington-Fayette Urban County Government is hereby amended as follows:

6-8(p)(1) PROPOSED SUBDIVISION OF PROPERTY ABUTTING AN ARTERIAL STREET - Whenever a subdivision is proposed for property which abuts a local or collector/connector street, as defined in these Land Subdivision Regulations, the developer shall be required to dedicate right-of-way along the entire street frontage to a width which will provide one-half of the total right-of-way necessary to comply with the standards as set out in Exhibit 6-1 of these Land Subdivision Regulations. It is assumed that the same right-of-way dedication will be required on the opposite side of the roadway at such time as that property develops, thereby providing the full necessary right-of-way width. Construction of roadway widening improvements (including paving, curb, gutter, sidewalk and shared-use path, where appropriate) shall also be required as necessary to bring the roadway up to full cross-section requirements as set forth in Exhibits 6-1 and 6-3 of these Land Subdivision Regulations. Upon the recommendation of the Commissioner of Public Works, the Commission may permit a long-term surety to be posted in lieu of construction of such improvements where such are intended to augment programmed improvements to be made by the government.

Section 8 - That Article 6-8(p)(2) of the Land Subdivision Regulations of the Lexington-Fayette Urban County Government is hereby amended as follows:

6-8(p)(2) PROPOSED SUBDIVISION OF PROPERTY ABUTTING AN ARTERIAL STREET - Whenever a subdivision is proposed for property that abuts an arterial street which is, or is proposed to be, four lanes or more in width, the developer may be required to dedicate sufficient right-of-way to permit any necessary widening. In consideration of the fact that such dedication requirement may exceed that which would ordinarily be required for subdivisions abutting local or collector/connector streets, the developer shall not be required to construct roadway widening improvements for the full road frontage; but rather, improvements such as turn lanes for new intersecting streets or other access points may be required when necessary to provide as safe a situation as possible under the circumstances. Construction of sidewalks or shared-use paths shall be required to provide an accessible route in the public right-of-way.

Section 9- - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

Clerk of Urban County Council