

VI. COMMISSION ITEMS -

A. PUBLIC HEARINGS ON SUBDIVISION REGULATIONS AMEMENDMENTS

1. **SRA 2019-1: UPDATE ARTICLE 6 FOR SIDEWALKS AND SHARE-USE PATHS** – The staff will present the proposed amendment to Article 6 of the LFUCG Subdivision Regulations to update the requirements for sidewalks and shared-use paths.

REQUESTED BY: Urban County Planning Commission

PROPOSED TEXT: Copies are available from the staff.

The Subdivision Committee recommended: Referral.

The Staff Recommends: Approval of the Staff Alternative Text, for the following reasons:

1. The proposed amendment to Article 6 of the Land Subdivision Regulations to update the requirements for sidewalks and shared-use paths will provide a more diverse transportation network with options for residents and visitors to our community, while also promoting economic growth, public health, and the quality of life of the Lexington's current and future residents.
2. The proposed text amendment will work to achieve an effective and comprehensive transportation network (Theme D, Goal #1), by supporting the Complete Streets concept, prioritizing a pedestrian-first design that also accommodates the needs of bicycle, transit and other vehicles (Theme D, Goal #1.a).
3. The proposed text amendment meets the minimum design standards established by the Kentucky Transportation Cabinet, the United States Access Board, and the Americans with Disabilities Act (ADA).

Staff Presentation – Mr. Baillie presented a PowerPoint presentation, and said that this update is for Article 6 of the Land Subdivision Regulations, which establishes the basic and minimum design and improvement standards, which will be required as a precondition to development or in conjunction with development for lots, streets, utilities, and other physical elements in a subdivision. He added that this is a precondition to construction and not an active change, and that anything that is proposed in this section is focused on new and updated construction. He said that this amendment is to promote development that is most harmonious with the existing environment, while providing guidelines and standards to protect the public health, safety and welfare of the community.

Mr. Baillie said that the focus of these changes is Article 6-8, which provides the elements of Street Standards. The amendments seek to promote connectivity and equity as it relates to the transportation network in urbanized areas. The amendments also promote greater mobility and will impact how the built environment directly affects economic growth, public health, and quality of life of our city's current and future residents.

Mr. Baillie said that the staff has received five letters of support, which he distributed to the Planning Commission. He said that sidewalks and shared-use paths are part of the required infrastructure in our community, and that a greater emphasis on connectivity should be applied to future development taking into account context-sensitive design as it relates to multi-modal transportation networks. Design of this infrastructure should include both micro- and macro-views of the context of current and future use, so that more sustainable development patterns are promoted. In an effort to ensure that the preferred types of multi-modal networks become the normal development type, this amendment provides guidance for the construction of this infrastructure. This will ensure that we are in compliance with Federal Standards while also protecting the health, safety, and welfare of our community. He said there are three changes to Article 6-8. The first is the modification of sidewalk widths for new construction of non-residential, industrial collectors and connectors, residential collectors and connectors and industrial locals, and local residential, local residential cul-de-sac, arterial major and minor roadways. Most sidewalks will be required to be five feet wide. For arterial streets, sidewalks will be increased to a six-foot minimum, with a minimum of 8 feet in high use areas, such as downtown, schools, shopping centers, civic facilities, etc. These proposed changes are in compliance with local, state, and federal guidance, and will enable sidewalk construction that is context sensitive.

Mr. Baillie said the second change is focused on the definition of the shared-use paths, which is where these paths are indicated in the Comprehensive Plan, as outlined in the Lexington area MPO Bike 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 adopted Roadway Manual. He added that these were not defined previously and we have an incredible network of shared-use paths that are developing throughout our community.

Mr. Baillie said that the third change is to the language of this section of the Subdivision Regulations. He said that the Subdivision Regulations and Zoning Ordinances are living documents and require updating to remove outdated terms and to include texts that have been adopted by the Planning Commission, as well as other LFUCG divisions and the Urban County Council.

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- Mr. Baillie said that the main reason for these updates are for compliance with the minimum design standards of the federal government, the Kentucky Transportation Cabinet, and the MPO Bicycle and Pedestrian Master Plan. The LFUCG Subdivision Regulations states that "all sidewalks and shared-use paths primarily provided for convenience and/or improved flow 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)." He said that the ADA guidelines minimum requirements state "the minimum clear width of a pedestrian access route shall be 60 inches, or 5 feet, exclusive of the width of the curb. Additional width where possible, especially in high use areas such as in downtown urban environments, near shopping centers, schools, civic facilities, which is recommended that the pedestrian access route be no less than 72 inches wide."

Mr. Baillie then displayed photos of differences of the ability for an individual to maneuver in a wheel chair in areas where sidewalks are three feet, four feet, and five feet. He also displayed photos of an individual riding a motorized wheelchair in the roadway because there is no other way for him to get around town. Another photo of individuals walking on the grass because the sidewalk is too narrow or the sidewalk just terminates.

Mr. Baillie said that it is also important to have facilities that will allow for individuals who have a disability to be accompanied by others. He added that compliance with the ADA standards is also complimentary to bringing the minimum standards for development in line with the Kentucky Transportation Cabinet's design guidelines and comply with the United States Access Board's standards for access in the public right-of-way. He said that compliance with federal requirements for accessibility protects future funding for transportation system projects and aligns with LFUCG's efforts to provide a more comprehensive transportation network. The proposed Land Subdivision Regulation changes also support LFUCG's larger safety and transportation goals, which emphasize the well-being of people of all ages and abilities across all modes of transportation operating within the public right-of-way. This text amendment supports development that serves the needs of all people consistent with the community's equity goals. This amendment to the Land Subdivision Regulations is in agreement with the 2018 Comprehensive Plan. The proposed text amendment will work to achieve an effective and comprehensive transportation network, by supporting the Complete Streets concept, prioritizing a pedestrian-first design that also accommodates the needs of bicycle, transit and other vehicles. He said that the staff is recommending approval of this Land Subdivision Regulation amendment. However, the Subdivision Committee recommended referral to the full Planning Commission due to the concern of members of the Division of Engineering and Traffic Engineering that haven't been involved with this process. He stated while the representative members on the Subdivision Committee were not involved in the outreach process, the managers and directors were, and they agreed with the proposed change. He announced that Scott Thompson, MPO Bicycle and Pedestrian Planner is available for questions.

Commission Question – Mr. Nicol asked if the staff has received any letters of opposition. Mr. Baillie said that there are no letters of opposition. He also said that they reached out to the Builders Association and provided them information and they have not responded in any positive or negative way. He said that they have only asked for more information.

Citizens in Support - Ashley Smith, 1171 Redwood Drive, representing the Fayette Alliance. She said that they are in support of this amendment and commend the staff for amendments that helps our community be more people-centric beyond the automobile. She said that the staff expresses how they will achieve their vision of diversifying transit opportunities and making communities more pedestrian friendly, which will reap benefits in many areas, such as economic development, quality of life, accessibility, and more. Many people prefer to live, work, and shop in walkable places with good transit access. She stated that there is a correlation between transit and property values, which has been shown. Additionally, with demographics continuing to change, a need for better facilities is even more robust. She said that improved design, planning, and building of streets and public spaces are crucial to provide citizens with what they desire from their city, and the proposed amendment is an example of how our planning staff is diligently working toward those goals that our community outlined in the 2018 Comprehensive Plan.

Laura Thomas, 301 Ash Street, said that her neighborhood is not accessible for her. She said that beyond her house are 3-foot sidewalks and they are not wide enough for her wheelchair. She has fallen out of her chair because of this. She travels by paratransit and they are the only reason she gets out because they do door-to-door service. She added that the sidewalks in this city are not adequate.

Sandra Broadus, 441 Kingswood Drive, Chairperson of the Lexington Bicycle & Pedestrian Advisory Committee. She said that the committee supports this amendment. She said that the ability to get around your community creates sense of place.

Kerry Churchill, 2901 Richmond Road, said that she is in support of this amendment. She said that she is a nurse and has helped many people that have sustained a pedestrian accident. She said that the wheelchair and mobility device widths have increased, and the sidewalks are too narrow to travel safely.

Kristy Stambaugh, Director of Aging and Disability Services. She is also in support of this amendment.

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Commission Question – Mr. Nicol asked for clarification about how this regulation change will be implemented. Mr. Martin said that it would need to a major redevelopment that would be impacting the public improvements. He added that this is a Land Subdivision Regulation so that it would affect subdivision of properties and not every development plan. Mr. Nicol then asked if there would a retrofit of the 3-foot sidewalks within our city. Mr. Martin said that only if it is a public project.

Action – A motion was made by Mr. Wilson, seconded by Mr. Forester, and carried 9-0 (Bell and Brewer absent) to approve SRA 2019-1: UPDATE ARTICLE 6 FOR SIDEWALKS AND SHARE-USE PATHS, for the reasons provided by the staff.