

AN ORDINANCE CREATING A NEIGHBORHOOD DESIGN CHARACTER OVERLAY (ND-1) ZONE FOR 113.87± NET (150.90± GROSS) ACRES, TO PRESERVE EXISTING NEIGHBORHOOD CHARACTER FOR PROPERTIES LOCATED AT 200-368 BOILING SPRINGS DRIVE; 207-291 BURKE ROAD; 1443-1602 NORTH FORBES ROAD; 216-352 GLENDALE AVENUE; 212-353, 357 & 361 HILLSBORO AVENUE; 212-329 LARCH LANE; 1519-1649 OLD LEESTOWN ROAD (ODD ADDRESSES ONLY); 310-331 LEONA DRIVE; 1456-1650 MEADOWTHORPE AVENUE; 1541 & 1545 PENROD DRIVE; 215-267 PEPPER DRIVE; 209-340 TAYLOR DRIVE; AND 1442-1509 TOWNLEY DRIVE (URBAN COUNTY PLANNING COMMISSION).

WHEREAS, at a Public Hearing held on February 23, 2012, a petition for a zoning ordinance map amendment to add a Neighborhood Design Character Overlay (ND-1) zone for 113.87± net (150.90± gross) acres for properties located at 200-368 Boiling Springs Drive; 207-291 Burke Road; 1443-1602 North Forbes Road; 216-352 Glendale Avenue; 212-353, 357 & 361 Hillsboro Avenue; 212-329 Larch Lane; 1519-1649 Old Leestown Road (odd addresses only); 310-331 Leona Drive; 1456-1650 Meadowthorpe Avenue; 1541 & 1545 Penrod Drive; 215-267 Pepper Drive; 209-340 Taylor Drive; and 1442-1509 Townley Drive was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change; 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 herein by reference.

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

Section 1 - That the Zoning Ordinance of the Lexington-Fayette Urban County Government be amended to show a change in zone, to add a Neighborhood Design Character Overlay (ND-1) zone for 113.87± net (150.90± gross) acres for properties located at 200-368 Boiling Springs Drive; 207-291 Burke Road; 1443-1602 North Forbes Road; 216-352 Glendale Avenue; 212-353, 357 & 361 Hillsboro Avenue; 212-329 Larch Lane; 1519-1649 Old Leestown Road (odd addresses only); 310-331 Leona Drive; 1456-1650 Meadowthorpe Avenue; 1541 & 1545 Penrod Drive; 215-267 Pepper Drive; 209-

340 Taylor Drive; and 1442-1509 Townley Drive; being more fully described in Exhibit "A" which is attached hereto and incorporated herein by reference.

Section 2 - That the granting of this zone change is made subject to the following use restrictions as conditions of granting the zone change:

Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restrictions are proposed for the subject property via conditional zoning:

Design Standards

1. Exterior Building Materials (applicable to single-family detached, duplexes and multi-family)
 - a. Exterior wall coverings of the primary structure, including attached garages and chimneys, but with the exception of dormers and porch coverings, are to consist of laid brick or laid natural stone. Brick is defined as brick made of kiln-dried clay or ground shale, and recognized by the Brick Industry Association as such. Exterior wall coverings of additions to the primary structure, other than those behind the rear wall plane of the existing primary structure, shall be of brick or stone. Exterior wall coverings of additions to the primary structure, behind the rear wall plane of the existing structure, may be of any material approved by local building codes.
2. Floor Area Ratio (applicable to single-family detached and duplexes)
 - a. The floor area ratio, excluding basements, shall not exceed 0.25.
3. Building Heights (applicable to single-family detached and duplexes)
 - a. Maximum of 30 feet to highest ridge.
4. Rear Yard Setbacks (applicable to single-family detached and duplexes)
 - a. Setback shall be measured 60 feet from the front building plane (excluding porches) or 10 feet from the rear property line, whichever is greater.
5. Accessory Structures (applicable to single-family detached, duplexes and multi-family)
 - a. Maximum footprint of 800 square feet for all accessory structures per lot for single-family detached and duplexes. Maximum of 250 square feet per unit for multi-family. Maximum 22-foot height to roof ridge, but no accessory structure shall be taller at the roof ridge than the height of roof ridge of the primary structure; maximum 12-foot height to eave (aka gutter line). Maximum 12-foot height

for accessory structures with flat or shed roofs. Dormers shall be prohibited on accessory structures.

6. Minimum Wall Openings (applicable to single-family detached, duplexes and multi-family)
 - a. Minimum of 10 percent (10%) of the wall plane (surface) on each elevation (front, side and rear) of new construction to have windows, doors, and/or vented openings, unless such openings violate Building Code for fire protection. (Excludes any new construction with a wall plane area of less than 150 square feet, chimneys, and side walls of dormers).

7. Parking

Parking for Multi-Family Dwellings: No parking areas between the street and the front building plane of the principal structure on the lot. All parking areas are to be located to the rear and/or side of the principal structure on the lot.

Parking for Single-Family Detached and Duplexes: No driveways or parking areas directly between the front façade of the primary structure and the street unless it is a driveway directly in front of an attached garage. Loop or circular driveways shall also be prohibited.

These restrictions are appropriate, given the extensive study undertaken to identify the existing neighborhood character by the Meadowthorpe Neighborhood Association, and are necessary to maintain that existing character in the future.

Section 3 - That the Lexington-Fayette Urban County Planning Commission is directed to show the amendment on the official zone map atlas and to make reference to the number of this Ordinance.

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

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL

PUBLISHED: