

VI. COMMISSION ITEMSA. PUBLIC HEARINGS ON SUBDIVISION REGULATIONS AMEMENDMENTS1. SRA 2017-4: AMENDMENT TO ARTICLE 6 TO UPDATE STANDARD CROSS SECTIONS TO REFLECT ON-STREET PARKING LIMITATIONS AND TO DELETE NEO-TRADITIONAL STANDARDS

REQUESTED BY: Lexington-Fayette Urban County Council

PROPOSED TEXT: Copies are available from the staff.

The Subdivision Committee recommended: Approval.

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

1. The proposed text amendment to Article 6 of the Land Subdivision Regulations will maintain standard right-of-way widths, but restrict on-street parking to maintain large vehicle clearance within residential subdivisions. In this regard, the public health, safety and welfare of the community is preserved and the general intent of the regulations to "encourage the development of sound, healthful and economically stable residential areas; to provide for safe, convenient and efficient traffic circulation; and to provide for the overall harmonious development of the community in accordance with the adopted Comprehensive Plan" is upheld.
2. The proposed text amendment to Article 6 will allow for traffic calming measures in accordance with the LFUCG *Neighborhood Traffic Management Manual* to be integrated into all street designs in order to improve overall public safety by ensuring safe operating speeds. Traffic calming measures will also help to facilitate context sensitive design that results in a safe multi-modal street network.

Staff Presentation – Ms. Wade presented a PowerPoint presentation, and gave a brief description of each slide. Ms. Wade described the proposed changes to the standard cross-sections, noting that parking would be restricted on one side of residential local streets if the developer elects to build a street that is less than 30 feet wide. She stated that the right-of-way widths are not proposed to be altered with this text amendment. She indicated that the staff was recommending approval of the text amendment to Article 6 of the Land Subdivision Regulations, subject to the reasons provided on today's agenda.

Commission Questions – Ms. Mundy said that she had lived in an area where the streets were very narrow and designated as private. The neighborhood association had restricted parking to one side of the street, opposite of the fire hydrants. She explained that there was a situation in that neighborhood where the street was not wide enough for the fire trucks to maneuver around the parked cars to access the fire hydrants. She asked if there was a way to ensure the fire hydrants are open and available to the fire trucks. Ms. Wade said that the Fire Department can restrict the parking to the opposite side of the fire hydrants. Ms. Mundy said that the fire hydrants was on the opposite side of the street, but there were cars parked directly across from the fire hydrants. Captain Legal explained that the Fire Department will restrict the parking in front of the fire hydrants, but as far as cars parked directly across from the fire hydrants, that is associated with the street width not being adequate. He said that the Fire Department prefers the street width to be 30 feet, but they can compromise with a street width of 27 feet. If the streets are restricted to parking on one side, then the 27 foot width would allow the fire trucks to maneuver through the area, as needed. Mr. Martin said that the Land Subdivision Regulations require private streets to meet all public standards as well as acquire the Commission's approval. If this text amendment becomes an approved regulation, then private streets will have to comply.

Mr. Cravens asked if the text amendment would apply to access easements. Ms. Wade replied that access easements are created with a separate finding, which is approved by the Commission. Mr. Martin also said that the Commission has the authority to impose additional conditions on an access easement. Ms. Wade noted that the Division of Traffic Engineering could also impose a restriction of no parking on the access easement.

Mr. Wilson asked if the Commission is initiating this text amendment. Ms. Wade indicated that the Urban County Council initiated the text amendment, at which time the Commission has 60-days to review the proposed amendment.

Ms. Wade noted that the Staff and the Subdivision Committee recommend approval of the Staff Alternative Text, for the following reasons:

1. The proposed text amendment to Article 6 of the Land Subdivision Regulations will maintain standard right-of-way widths, but restrict on-street parking to maintain large vehicle clearance within residential subdivisions. In this regard, the public health, safety and welfare of the community is preserved and the general intent of the regulations to "encourage the development of sound, healthful and economically stable residential areas; to provide for safe, convenient and efficient traffic circulation; and to provide for the overall harmonious development of the community in accordance with the adopted Comprehensive Plan" is upheld.
2. The proposed text amendment to Article 6 will allow for traffic calming measures in accordance with the LFUCG *Neighborhood Traffic Management Manual* to be integrated into all street designs in order to improve overall public safety by ensuring safe operating speeds. Traffic calming measures will also help to facilitate context sensitive design that results in a safe multi-modal street network.

Citizen Comments – Walt Gaffield, Fayette County Neighborhood Council, believed that if 30 feet was needed to accommodate the fire trucks, it would be easier to require 30 feet than compromising with 27 feet. He indicated that existing neighborhoods do not want narrow streets because it will harm the real estate values, as well as making the area less desirable. He asked who would be responsible with informing a potential homeowner that parking is restricted to one side of the street and who would be responsible for maintaining the sign posting. He expressed that if Traffic Engineering calls for traffic calming devices then they should be able to require that as a condition versus making a suggestion.

Amy Clark, 628 Kastle Road, indicated what is being introduced is a retro fit to a complaint driven problem and asked if the Commission could consider type II physical barrier traffic calming devices. She noted that in her neighborhood the resident's park on both sides of the street, which acts as traffic calming devices to reduce the speed. She believe a parking pattern along the street would accommodate what the Fire Department needs.

Staff Rebuttal – Captain Legal said that, with regards to the complaint driven comment, when someone calls in saying a fire truck cannot access their road, the Fire Department takes those types of calls very seriously. He then said that they do not turn a blind eye to the citizens' concerns and should there be an emergency, they want a clear path with no obstacles. This issue has been a talking point for the Fire Department for 10 years and recently it has picked up speed due to Council involvement. He added that 27 feet of width was a doable compromise with all the parties involved.

Ms. Wade said that this text amendment would allow the Division of Traffic Engineering to make suggestions, but require those particular changes on the street through their signoff. If the applicant disagrees, they could present their proposal to the Commission for further consideration. She said that the type II traffic calming devices are not typically suggested for existing streets because it costs the city money, so less invasive solutions are done first, then if more is required the Division of Traffic Engineering can investigate the problem through a very detailed study.

Citizen Rebuttal - Mr. Gaffield said that it is his experience the best traffic calming is to park cars on both sides of the street.

Action – A motion was made by Mr. Berkley, seconded by Ms. Mundy, and carried 8-0 (Brewer, Bell and Richardson absent) to approve **SRA 2017-4: AMENDMENT TO ARTICLE 6 TO UPDATE STANDARD CROSS SECTIONS TO REFLECT ON-STREET PARKING LIMITATIONS AND TO DELETE NEO-TRADITIONAL STANDARDS**, for the reasons provided by the staff.