

Recd by F-20

Date: 11-8-19

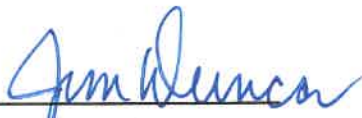
RECOMMENDATION OF THE
URBAN COUNTY PLANNING COMMISSION
OF LEXINGTON AND FAYETTE COUNTY, KENTUCKY

IN RE: ZOTA 2019-5: AMENDMENT TO ARTICLES 1, 3, 8, 15, 22 and 23: ACCESSORY DWELLING UNITS –a Zoning Ordinance text amendment to update Articles 1, 3, 8, 15, 22 and 23 of the LFUCG Zoning Ordinance to include general zoning provisions for the incorporation and regulation of Accessory Dwelling Units (ADU).

Having considered the above matter on **September 26, 2019**, and **October 21, 2019**, at two Public Hearings and having voted **9-0** that this Recommendation be submitted to the Lexington-Fayette Urban County Council, the Urban County Planning Commission does hereby recommend **APPROVAL of the Staff Alternative text** for this matter for the following reasons:

1. The proposed text amendment is in agreement with *Imagine Lexington*, the 2018 Comprehensive Plan Theme A, Goals 1 to provide additional housing choice. Accessory dwelling units will provide a needed affordable and accessible housing type that supports aging in place.
2. The proposed text amendment is in agreement with *Imagine Lexington*, the 2018 Comprehensive Plan Theme A, Goals 2 to support Infill and Redevelopment throughout the Urban Service Area as a strategic component of growth. Accessory dwelling units will provide an infill opportunity available throughout the Urban Service Boundary, offering equitable access to the entire community.
3. The proposed text amendment is in agreement with *Imagine Lexington*, the 2018 Comprehensive Plan Theme A, Goals 3.a to expand options for mixed-type housing throughout Lexington-Fayette County. Accessory Dwelling Units are a new housing product for Lexington that will provide greater flexibility to all residents.

ATTEST: This 8th day of November, 2019.


Secretary, Jim Duncan

MIKE OWENS
CHAIR

At the Public Hearing before the Urban County Planning Commission, this petition was represented by **Chris Taylor, Administrative Officer, Division of Planning, Long Range Planning Section.**

OBJECTORS

- Anne Graham, 1225 Providence Lane
- Walt Gaffield, 2001 Bamboo Drive, President of Fayette County Neighborhood Council
- Janet Cabaniss, 704 Cumberland Road, Stonewall Community Association Board of Directors
- Sarah Smith, 307 Desha Road, vice-president of Ashland Park Neighborhood Association
- Mary Campbell, 328 South Mill Street, Historic South Hill Neighborhood Association
- Dana Manning, 1120 Slashes Road
- Jennifer Braddock, 424 West Third Street, Northside Neighborhood Association
- Mark Streeby, 1020 Fincastle Road
- Mike Kirwin, 1225 Cooper Drive
- Kathy Simon, 237 Desha Road
- Jean Jacobs, 1347 Strawberry Lane
- Jack McKinney, 726 Melrose Avenue
- Patricia Kwik Elperin, 1306 Fincastle Road
- Catherine Adams, 202 Tahoma Road
- Gigi Bray, 3704 St. Andrews Walk
- John Hackworth, 220 Market Street

SUMMARY OF OBJECTIONS

- Concerns about negative impacts of increased number of rental properties on neighborhoods
- Negative impacts of increased demand on stormwater and sanitary sewer infrastructure
- Concerns about increases in density, parking, traffic, population, and renters
- Concerns about lack of design standard requirements
- Concerns about possible lack of enforcement
- ADU manual should provide more than “guidelines”
- Concerns about negative impact on the tree canopy
- Licensing and inspection of ADUs will be critical
- Concerns about minimum setback of 18”
- Concerns about maintaining neighborhood character
- Concerns that the proposed text amendment is in effect a “county-wide zone change”
- Concerns about the short-term rental of ADUs
- Community should be able to have input on building materials, etc., for ADUs via a conditional use permit requirement
- Concerns that construction of ADU would require only a building permit, not review of appropriateness
- ADU occupancy should be limited to elderly and children with special needs
- Concerns about negative impact on quality of life of adjacent homeowners
- Concerns about lack of public input
- Rental registry requirement should be in place
- Neighborhoods should be able to opt in if they choose
- Concerns about increases in impervious surface area
- Apartment renters have credit and background check, while ADU tenants would not
- Concerns about increased burden on emergency services
- Residential zoning is negated if density can be doubled via a Zoning Ordinance text amendment

VOTES WERE AS FOLLOWS:

AYES: (9) Bell, de Movellan, Forester, Mundy, Nicol, Owens, Penn, Plumlee, and Pohl

NAYS: (0)

ABSENT: (2) Brewer and Wilson

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for **Approval of the staff alternative text of ZOTA 2019-5** carried.

Enclosures: Comprehensive Plan summary
Staff Report
Recommended Text
Applicable excerpts of minutes of above meetings