



# Lexington-Fayette Urban County Government

200 E. Main St  
Lexington, KY 40507

## Legislation Details (With Text)

<b>File #:</b>	0892-16	<b>Version:</b>	1	<b>Name:</b>	[MAR 2016-17]
<b>Type:</b>	Ordinance	<b>Status:</b>		<b>Status:</b>	Approved
<b>File created:</b>	8/2/2016	<b>In control:</b>		<b>In control:</b>	Urban County Council
<b>On agenda:</b>	8/30/2016	<b>Final action:</b>		<b>Final action:</b>	8/30/2016
<b>Enactment date:</b>	8/30/2016	<b>Enactment #:</b>		<b>Enactment #:</b>	O-138-2016

**Title:** An Ordinance adding a Neighborhood Design Character Overlay (ND-1) zone for 23.33 net (29.81 gross) acres, to preserve existing neighborhood character for properties located at 201-540 Clinton Rd. (Urban County Planning Commission; Council District 5). Conditional Approval 10-0 OBJECTOR (To be heard by September 22, 2016.) [Div. of Planning, Duncan]

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. MARV 2016-17 report, 2. MAR 2016-17, 3. Clinton Rd Proposed ND-1 Overlay Boundary Map, 4. MAR 2016-17, 5. MAR 2016-17 minutes, 6. ORDINANCE - 138-2016 - complete.pdf

Date	Ver.	Action By	Action	Result
8/30/2016	1	Urban County Council	Approved	Pass
8/18/2016	1	Urban County Council	Received First Reading	

An Ordinance adding a Neighborhood Design Character Overlay (ND-1) zone for 23.33 net (29.81 gross) acres, to preserve existing neighborhood character for properties located at 201-540 Clinton Rd. (Urban County Planning Commission; Council District 5). Conditional Approval 10-0 OBJECTOR (To be heard by September 22, 2016.) [Div. of Planning, Duncan]

[An Ordinance changing the zone to a Neighborhood Design Overlay (ND-1) zone, for 23.33 net (29.81 gross) acres, for properties located at 201-540 Clinton Road. (Urban County Planning Commission; Council District 5). Conditional Approval 10-0 OBJECTOR (To be heard by September 22, 2016.) [Div. of Planning, Duncan]

WHEREAS, at a Public Hearing held on June 23, 2016, a petition for a zoning ordinance map amendment to add a Neighborhood Design Character Overlay (ND-1) zone for 23.33 net (29.81 gross) acres for property located at 201-540 Clinton Road, was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change having voted 10-0; 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 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 23.33 net (29.81 gross) acres for property located at 201-540 Clinton Road; 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:

Alternative Design Standards

**1. Building Setbacks**

Building setbacks shall be as follows:

- a. 200 and 300 blocks of Clinton road: 50 feet
- b. 400 and 500 blocks of Clinton Road (odd-numbered houses): 60 feet
- c. 400 and 500 blocks of Clinton Road (even-numbered houses): 50 feet

**2. Lot Widths**

Minimum lot widths shall be as follows:

- a. 200-400 blocks of Clinton Road: 100 feet
- b. 500 block of Clinton Road: 80 feet

**3. Floor Area Ratio**

The Floor Area Ratio (excluding basements) may not exceed 0.33.

**4. Building Heights**

Maximum of 30 feet to highest ridge line (excludes new additions, which may exceed 30 feet in order to match existing ridge lines).

**5. Exterior Building Materials**

Allowable exterior finish building materials are brick, stone finished wood, cementitious fiberboard siding, or the same material as 90 percent of the existing structure (excludes windows and doors and their respective frames). Vinyl is allowable on eaves and cornices only and is otherwise prohibited. All other materials are prohibited.

**6. Landscaping**

Front yard fences and free-standing walls shall be limited to a maximum of 36" in height. Allowable materials for front yard fences and walls are brick, stone, wood and iron. Chain link fences are prohibited in the front yard. If a retaining wall is used, it shall be subject to a maximum height of 18" above the unbalanced fill in the front yard.

**7. Rear Yard Setbacks**

Rear yard setback shall be a minimum of 40 feet, as measured from the rear property line, excluding accessory structures.

**8. Accessory Structures**

Maximum footprint of 800 square feet for all accessory structures per lot.

**9. Building Orientation**

The front plane and front entrance of the principal structure shall face Clinton Road.

These restrictions are appropriate, given the extensive study undertaken to identify the existing neighborhood character by the neighbors of Clinton Road, 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