

Rethinking Open Space



new regulations guided by the 2018 comprehensive plan

Introduction of Draft Text
Planning Commission Work Session
May 27, 2021

Valerie Friedmann, LFUCG Senior Planner & Greenspace Planner, Long Range Planning

Project Team: Hal Baillie, Sam Castro, Stephanie Cunningham, Libbe Jefferson, Donna Lewis, Parker Sherwood, Chris Taylor, Scott Thompson, Lauren Weaver, Chris Woodall

Open Space ZOTA Timeline

March 2020
Initial Concepts Introduced

May 12, 2020
First meeting of
Open Space Project Team

July 2020
First Draft Text vetted by
Open Space Project Team

Internal Research, Development, & Review

Open Space ZOTA Timeline

Sept. 17, 2020

Planning Commission Work Session
ZOTA Overview

November 4, 2020

Infill and Redevelopment
Steering Committee

November 11, 2020

Design and Development
Community Stakeholder Feedback

December 4, 2020

Stormwater Stakeholder
Advisory Committee

February 23, 2021

Building Industry Association
of Central Kentucky

February 25, 2021

Public Listening Session

Stakeholder and Public Engagement Phase I

Internal Research, Development, & Review

Open Space ZOTA Timeline



Stakeholder and Public Engagement Phase I

Phase II

Internal Research, Development, & Review

Open Space ZOTA Timeline - *Next Steps*

Fall 2021

Initiate Formal Text
Amendment Process

Summer 2021

Outreach and Engagement
LFUCG Divisions Review of Draft Text
Public Review of Draft Text

Stakeholder and Public Engagement Phase II

Internal Research, Development, & Review

Comprehensive Plan Goals and Objectives

Theme A: Growing successful neighborhoods

Goal 2: Support infill and redevelopment throughout the Urban Service Area as a strategic component of growth.

Incorporate adequate greenspace and open space into all development projects, which serve the needs of the intended population.



Comprehensive Plan Action Item

Amend the Zoning Ordinance to redefine open space requirements.



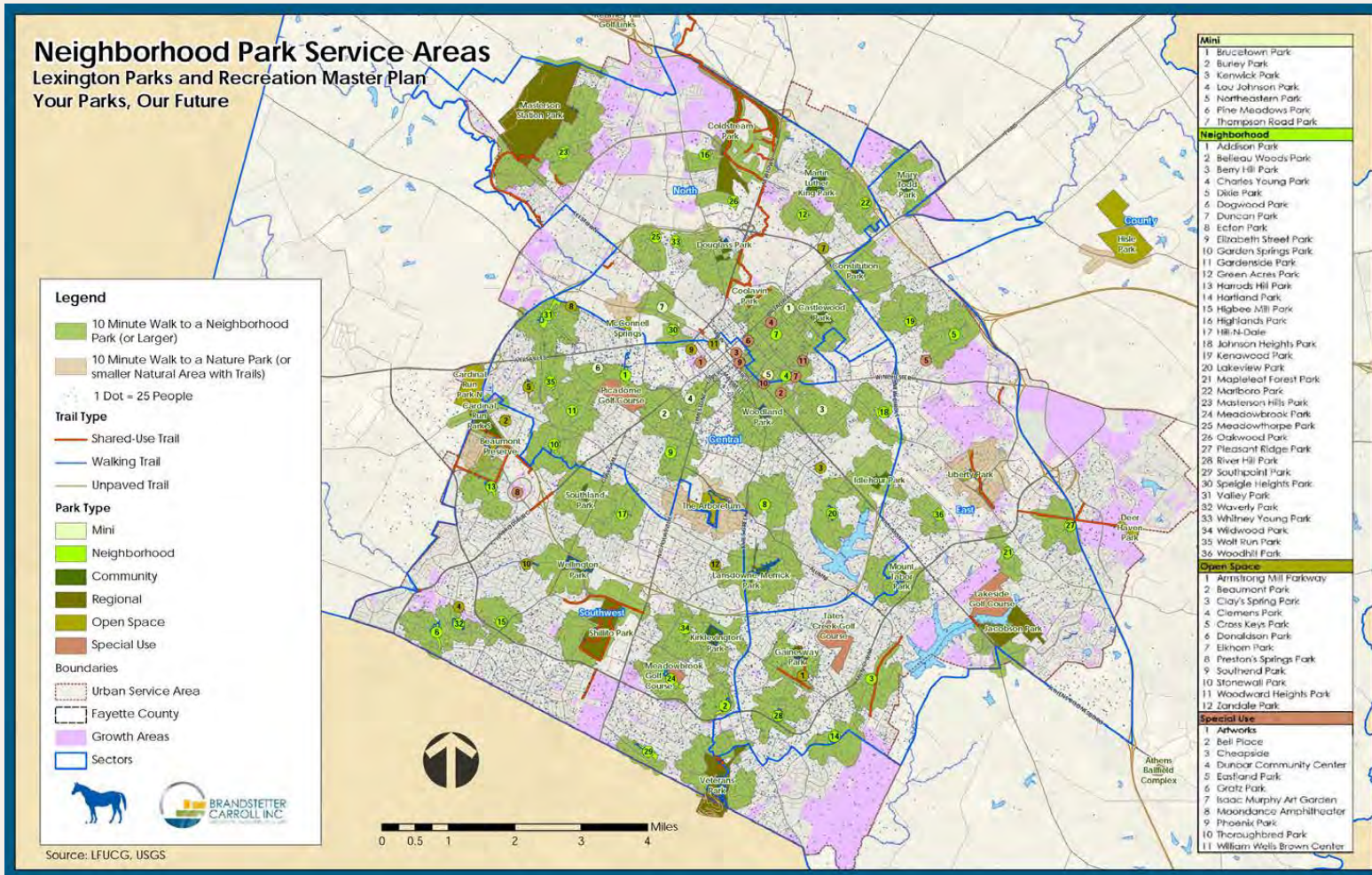
A new article drafted on data-driven goals

2018 Your Parks, Our Future Master Plan

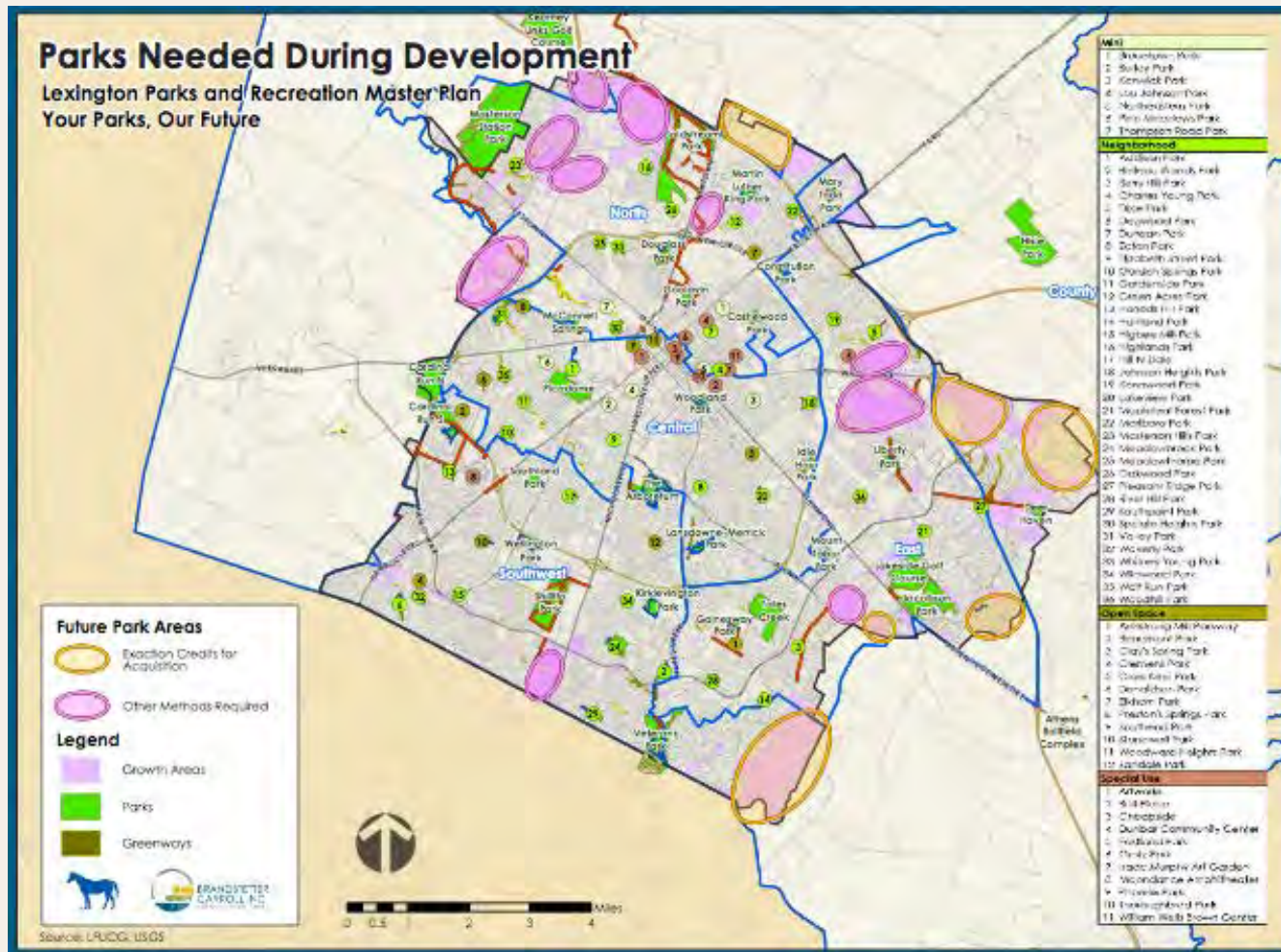
- 63% of households underserved by small neighborhood parks
- 34% list “too far from home” as reason for not using parks (national average is 12%)
- Small neighborhood parks second most needed behind walking and hiking trails



Neighborhood Park Service Areas



Parks Needed During Development



A new article drafted on *local* standards

2018 Your Parks, Our Future Master Plan

“Increase the population served within a 10-minute walk of a Neighborhood Park (or larger) from the current 40% to 65% through development of existing parkland, new parks in growing areas (including developer contributions), and improved access to existing parks.”



A new article drafted on *national* standards

National Recreation and Park Association, The Trust for Public Land, & The Urban Land Institute

“Ensure that everyone in your city has safe, easy access to a quality park within a 10-minute walk of home by 2050.”



A new article drafted on *national* standards

LEED v4 Neighborhood Development

“Locate 90% of planned and existing dwelling units and nonresidential use entrances within a 1/4-mile (5-minute walk) walk of at least one civic and passive use space.”







Article 20: Standards for Open Space

20-1 Purpose

The Urban County Government recognizes that intentionally designed, equitably distributed, and well-connected open spaces are fundamental to the public health, safety, welfare, and quality of life in Lexington.



Article 20: Standards for Open Space

20-1 Purpose

1. Physical settings for people to gather and establish social connections, create a sense of community and social cohesion, and encourage health through outdoor activity.



Article 20: Standards for Open Space

20-1 Purpose

2. Green areas to offset the impacts of development, beautify our city, and preserve and grow our natural resources while offsetting our carbon footprint.



Article 20: Standards for Open Space

20-1 Purpose

3. Overall open space system which is integral to the development of

- complete neighborhoods and communities
- the future economy
- environmental quality and climate resiliency of Lexington and the entire Bluegrass region



Lexington's Open Space System

Article 20: Standards for Open Space

20-2 Definitions

New Terms

- Common Area
- Vegetated Area
- Open Space System



Article 20: Standards for Open Space

20-3 Combined Open Space

All open space requirements are listed as minimum requirements in Table 20-3(a).

Table 20-3(a) Combined Open Space Required, continued on next page.

Uses	Zones	Vegetated Area	Common Area	Private Open Space
Single Family Residential	R-1A, R-1B, R-1C, R-1D, R-1E, R-2, R-3, R-4, M-1P, R-1T	No limitation.	Ten thousand (10,000) square feet for development with twenty five (25) or greater principal primary dwelling units.	No limitation for detached single family dwelling units. For townhouses, private open space shall be provided for each individual townhouse. The private open space shall be: (a) sized with a least dimension of eight (8) feet; and (b) be physically delineated from other private open space or common open space by plantings, fences, grade, or walls.
Multi-Family Residential	R-3	20% of lot.	Eight thousand five hundred (8,500) square feet for development with twenty five (25) or greater principal primary dwelling units. For sites less than one (1) acre: (a) Private open space which abuts a common area or public right-of-way may be included in the Common Area calculation; or (b) Private open space which is physically delineated by grade, plantings, fences, or walls exceeding four (4) feet in height may be included in the Common Area calculation at a rate of fifty (50) percent.	No limitation.
	R-4	15% of lot.		
	R-5	10% of lot.		

Article 20: Standards for Open Space

Summary of Table 20-3(a) Combined Open Space Required*

Uses	Vegetated Area	Common Area	Private Open Space
Single Family	No Limitation	10,000 SF minimum for developments with 25 or more principle primary dwelling units	Required for townhouses
Multi-Family	10%-20% of Lot	8,500 SF minimum for developments with 25 or more principle primary dwelling units; provisions for lots less than 1 acre	No Limitation
Mixed Use / Commercial	% of lot based on zone	8,500 SF minimum for developments with 25 or more principle primary dwelling units or lots exceeding 3 acres	No Limitation

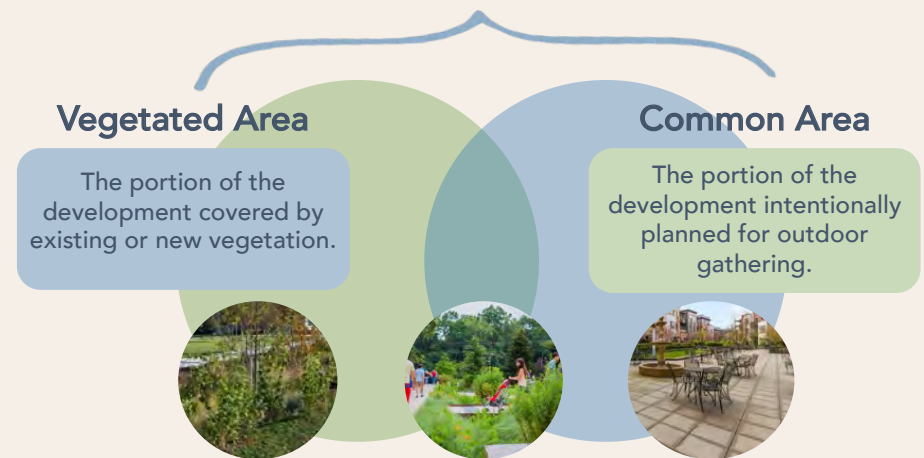
*See draft text for full table

Article 20: Standards for Open Space

20-3(c) Combined Open Space Overlap in Use and Purpose

Where Vegetated Areas also meet the requirements of a Common Area, it may be included in the Common Area calculation.

Where Common Areas or Private Open Spaces also meet the requirements of a Vegetated Area, they may be included in the Vegetated Area calculation.



Article 20: Standards for Open Space

20-4 Vegetated Area Standards

Vegetated Area: Outdoor ground-level or roof-level area of a lot or tract which consists of preserved existing vegetation or new vegetation. At least seventy five (75) percent of the area must be covered by live plant material. Interior landscaping for vehicular use areas is not included.



Article 20: Standards for Open Space

20-4(b) Vegetated Area Standards Exceptions and Reductions



Vegetated Area Type	Multiplier Rate
Vegetable Garden	1.15
Tree Stand ¹	1.5
Vegetated Green Infrastructure ²	1.75
Green Roof ²	2
Riparian Buffer Restoration/Preservation ³	2
Tree Preservation Area ⁴	2
Innovation Options	1.15

Article 20: Standards for Open Space

20-5 Common Area Standards

Common Area: Outdoor area of a lot or tract which is intentionally designed and planned to be usable by groups of people such as homeowners' and renters' associations, tenant associations, the general public and the like. Common areas must be easily accessible and open to public view so as to benefit area residents, enhance the visual character of the area, protect public safety, and minimize conflicts with adjacent land uses. Common Areas shall be preserved for the perpetual benefit of the community.



Article 20: Standards for Open Space

20-5(a) Location Criteria

1. The location of Common Area(s) shall be readily accessible and useable for all residents and users of the development;
2. The Common Area(s) shall be located within the development to connect to each other and the larger open space system via a walkable route.

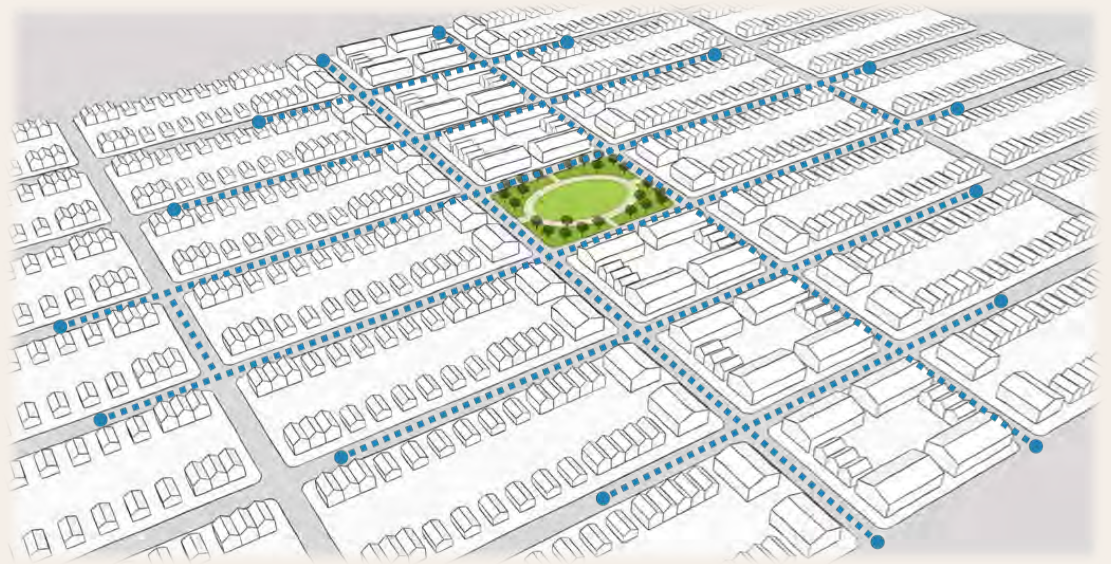
WALKABLE ROUTE - The route that a pedestrian may travel between origins and destinations without obstruction and with clear protection from motor vehicles. The walkable route shall consist of a continuous network of sidewalks, all weather-surface footpaths, crosswalks, or equivalent pedestrian facilities which are accessible to people of all ages and abilities, as defined by the Americans with Disabilities Act and other Federal, State, and local regulations and guidance. The walkable route must be drawn from an accessible building entrance to the pedestrian facility in the public right of way. Walking distance is specified as the length of the walkable route.

Article 20: Standards for Open Space

20-5(b) Minimum Standards for the Development for Common Areas

1. Accessibility

The development shall be planned so that a Common Area is within a 1/4 mile (1,320 feet) walking distance along a walkable route to ninety (90) percent of proposed dwelling units entrances or other applicable building entrances.



Article 20: Standards for Open Space

20-5(b) Minimum Standards for the Development for Common Areas

2. Median Size

Developments larger than 10 acres must have a median Common Area size of at least 1 acre (43,560 square feet). Common areas less than 1/2 acre do not count toward the median calculation.



20-5(b) Minimum Standards for the Development for Common Areas

3. Visibility

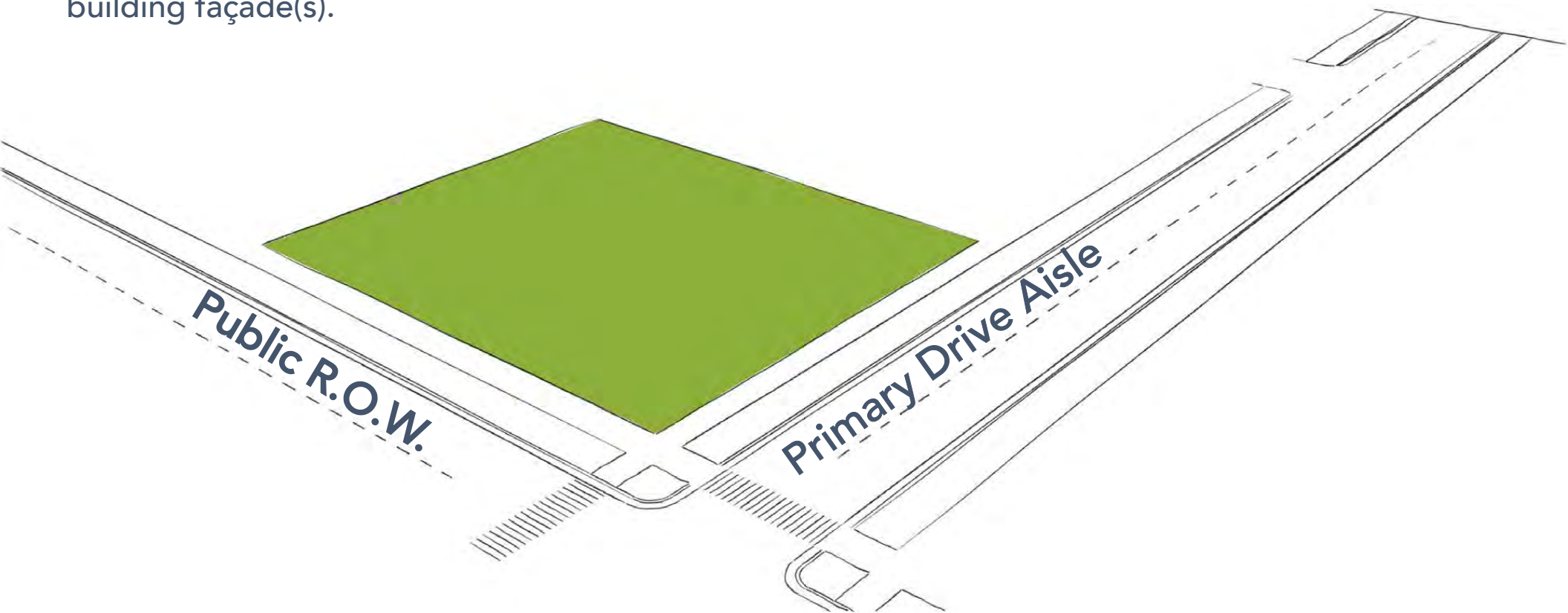
At least seventy five (75) percent of the Common Area perimeter shall have frontage on an approved street or public right-of-way, primary drive aisle, or be directly adjacent to an active building façade(s).



20-5(b) Minimum Standards for the Development for Common Areas

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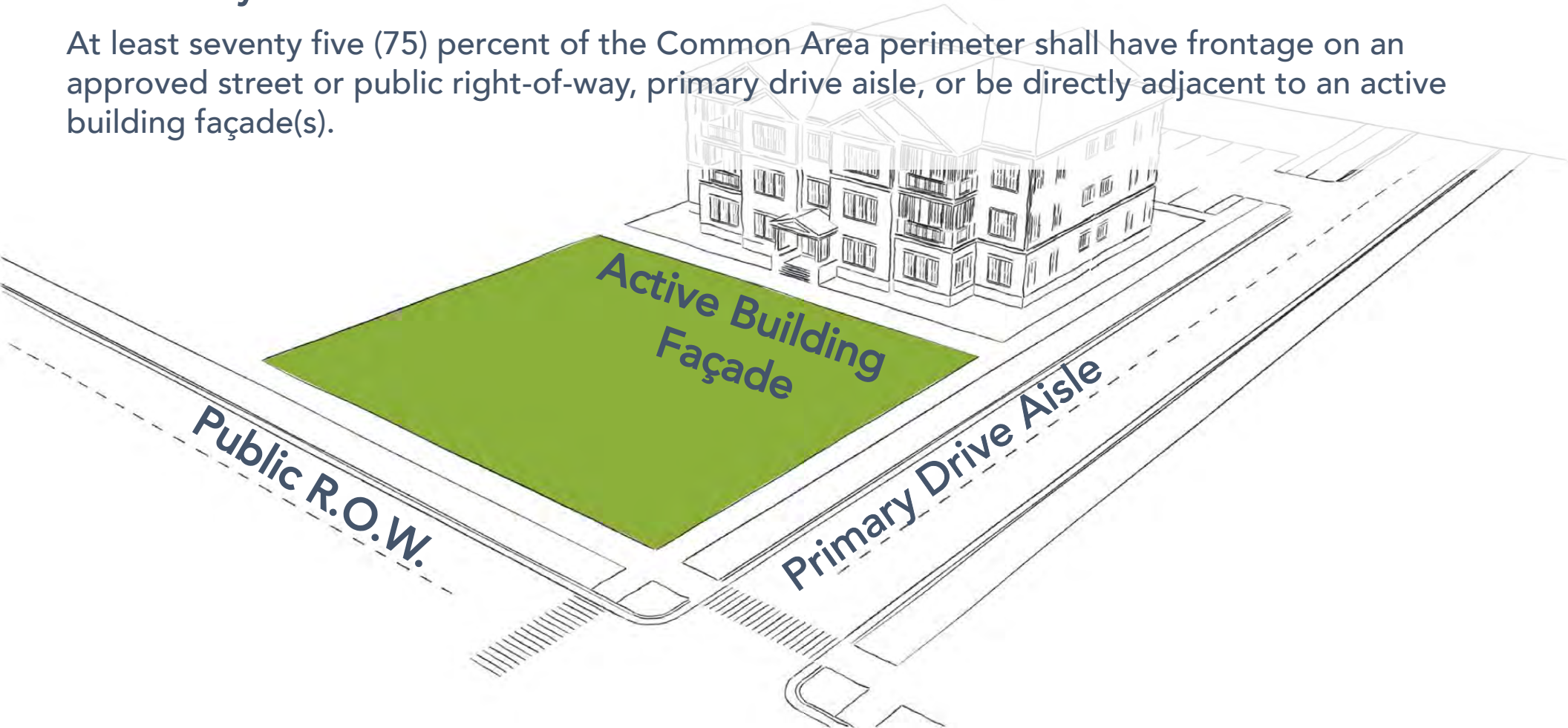
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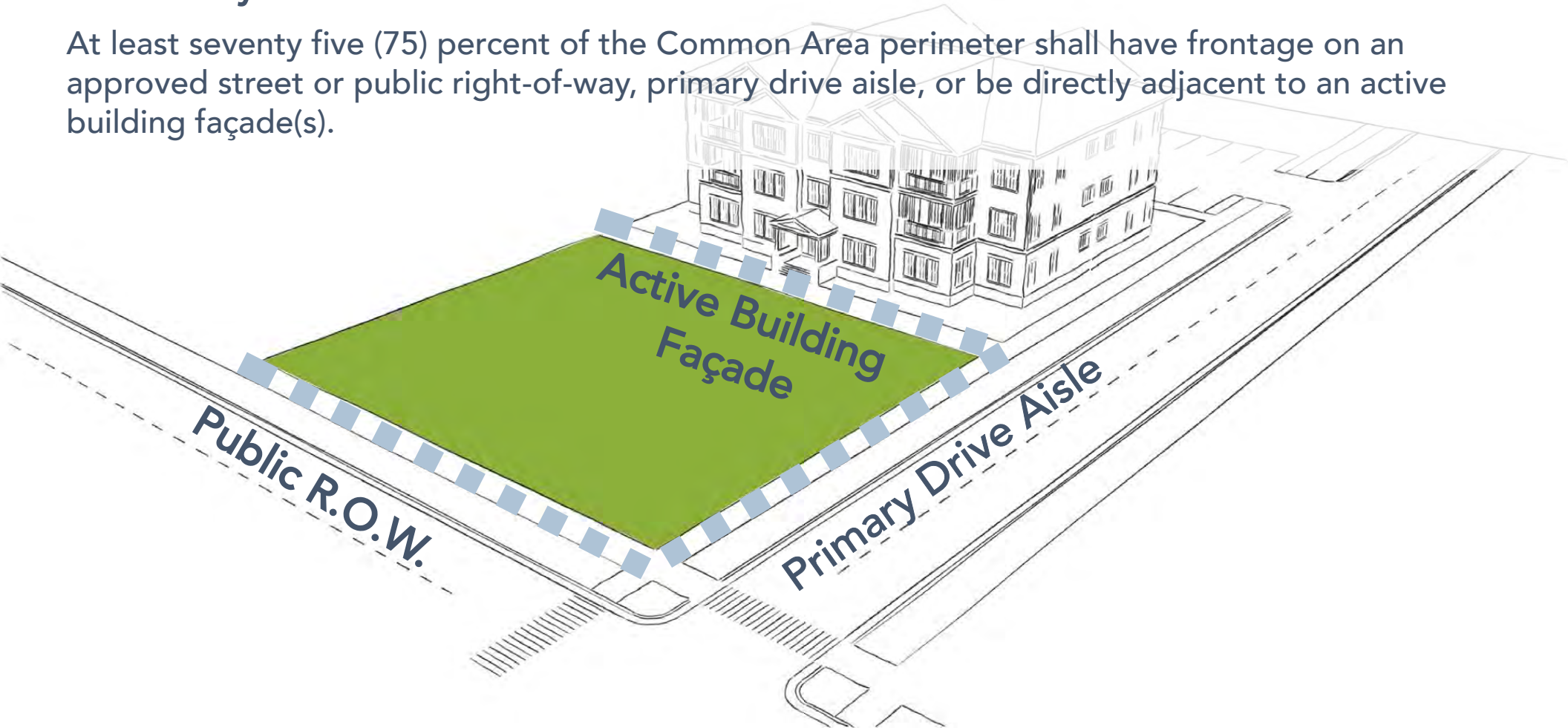
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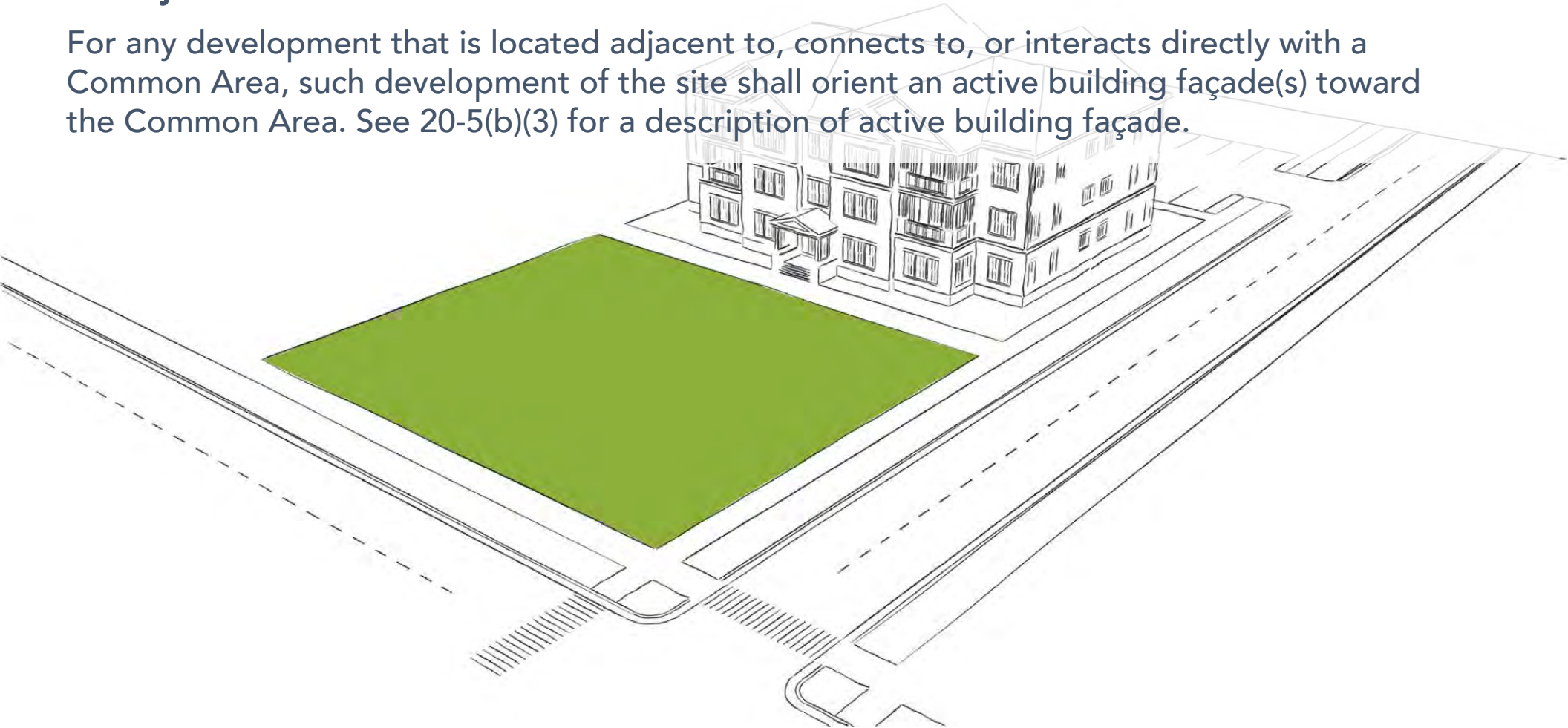
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20-5(b) Minimum Standards for the Development for Common Areas

4. Adjacent Uses

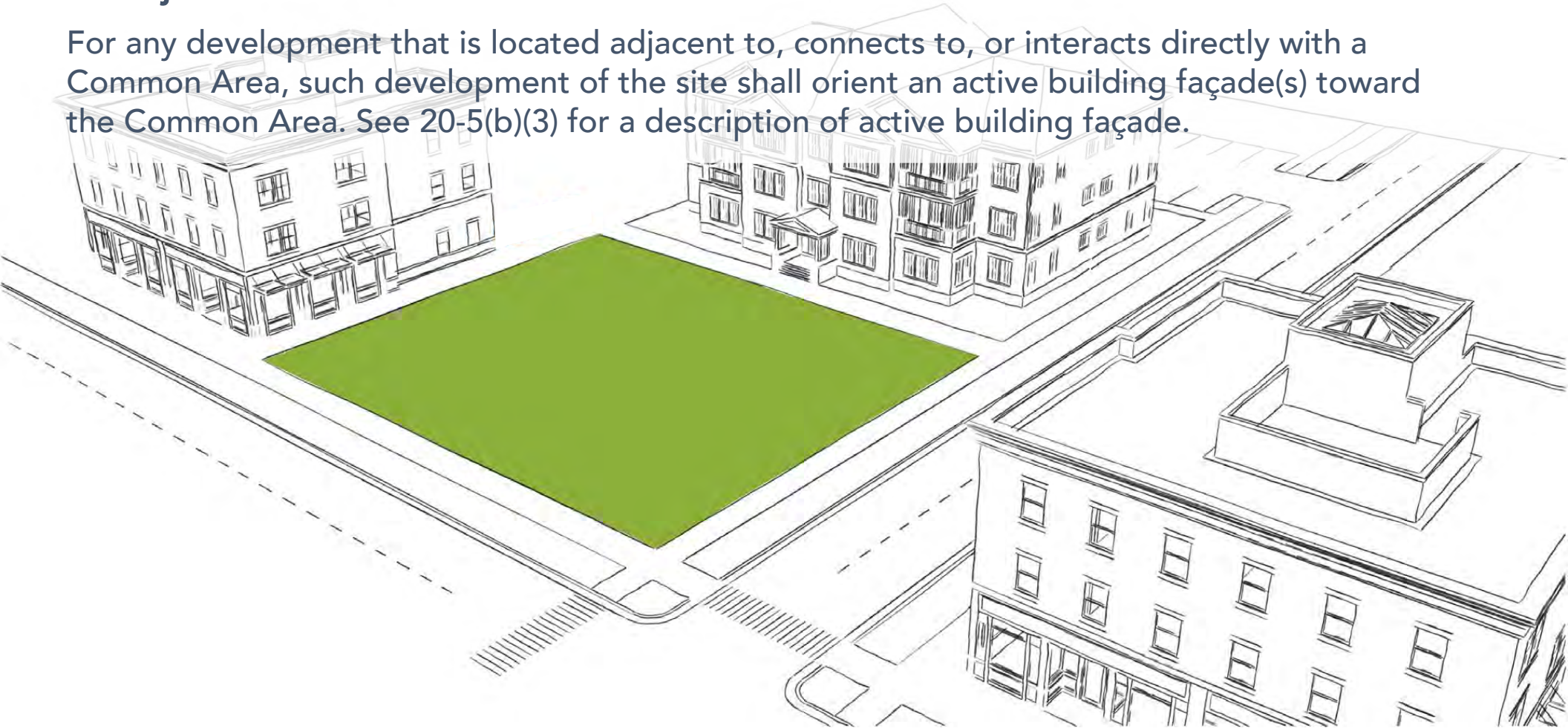
For any development that is located adjacent to, connects to, or interacts directly with a Common Area, such development of the site shall orient an active building façade(s) toward the Common Area. See 20-5(b)(3) for a description of active building façade.



20-5(b) Minimum Standards for the Development for Common Areas

4. Adjacent Uses

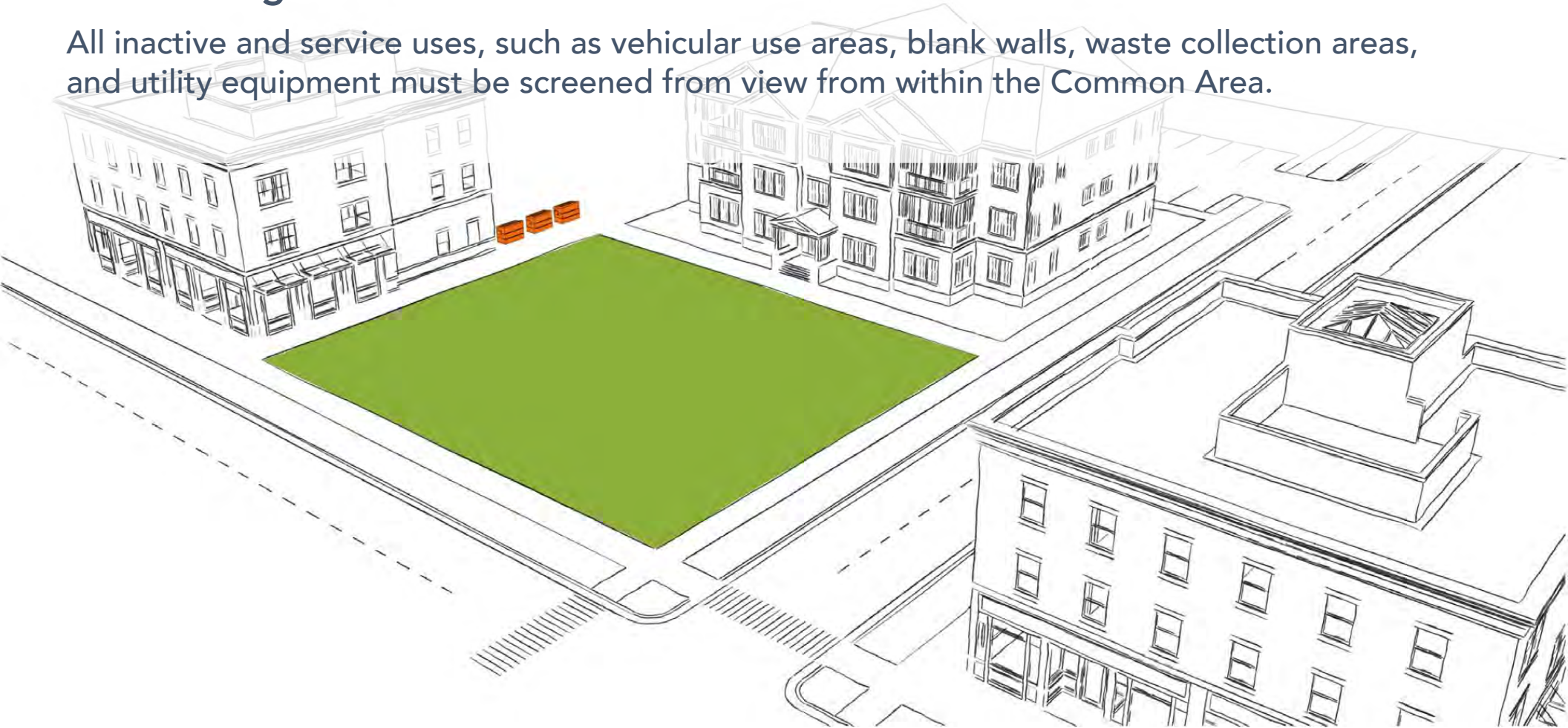
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20-5(b) Minimum Standards for the Development for Common Areas

5. Screening

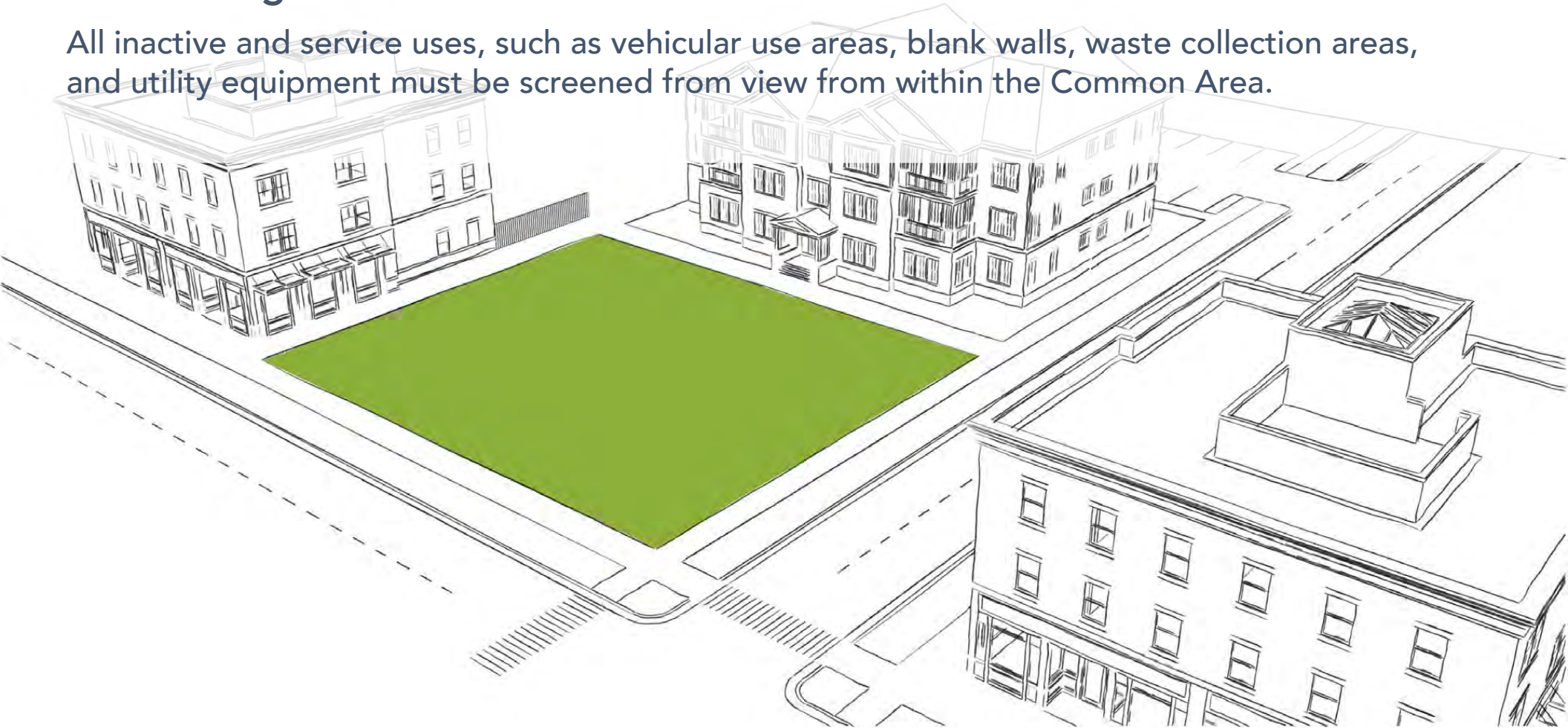
All inactive and service uses, such as vehicular use areas, blank walls, waste collection areas, and utility equipment must be screened from view from within the Common Area.



20-5(b) Minimum Standards for the Development for Common Areas

5. Screening

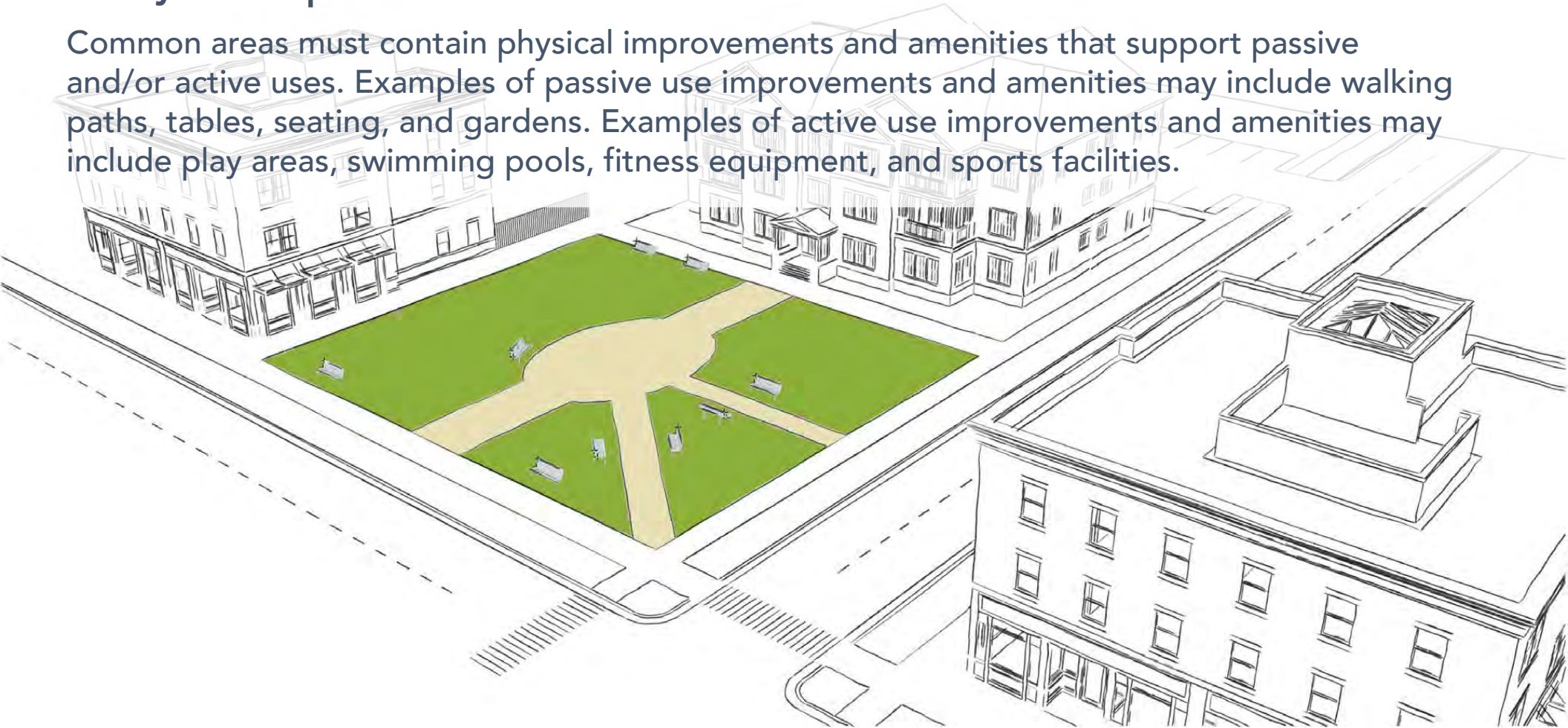
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20-5(b) Minimum Standards for the Development for Common Areas

6. Physical Improvements

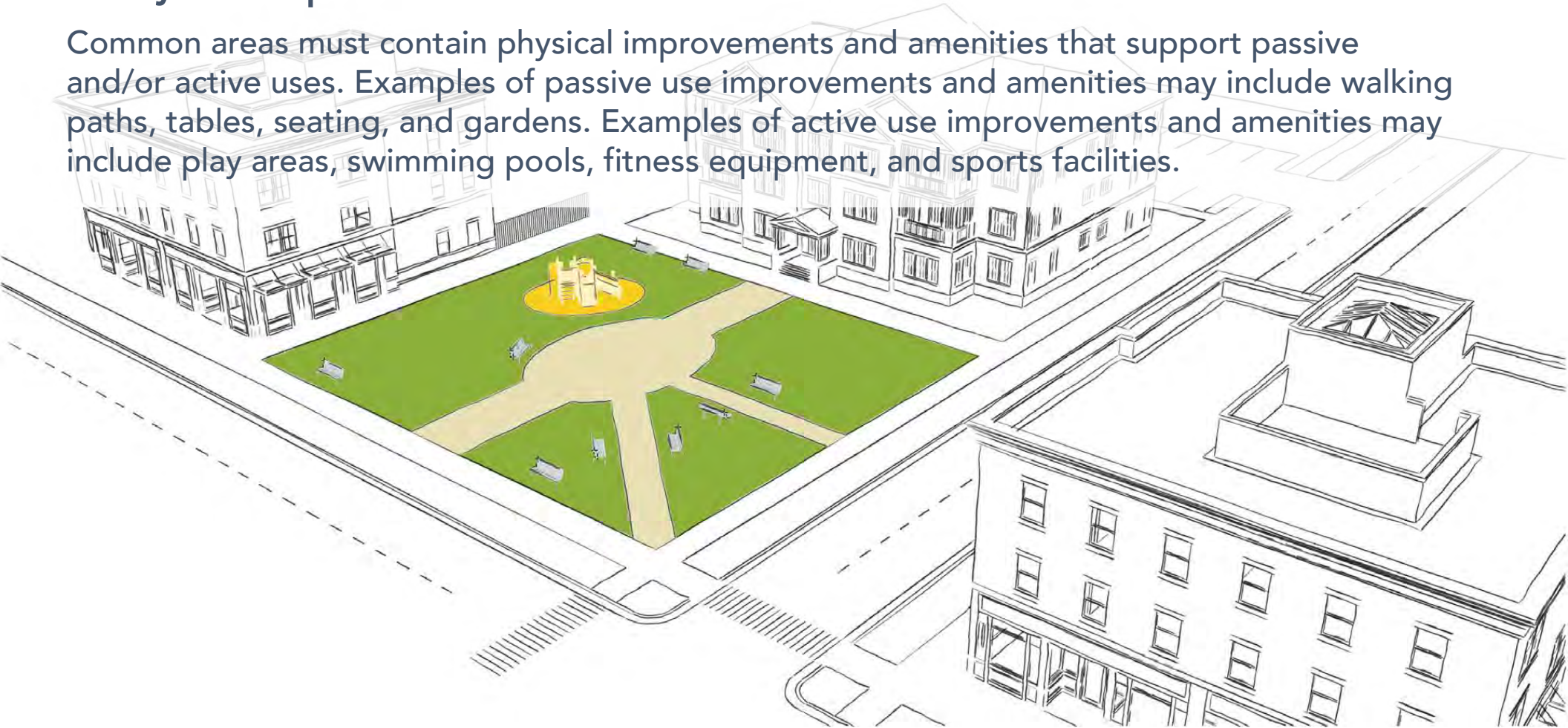
Common areas must contain physical improvements and amenities that support passive and/or active uses. Examples of passive use improvements and amenities may include walking paths, tables, seating, and gardens. Examples of active use improvements and amenities may include play areas, swimming pools, fitness equipment, and sports facilities.



20-5(b) Minimum Standards for the Development for Common Areas

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Common areas must contain physical improvements and amenities that support passive and/or active uses. Examples of passive use improvements and amenities may include walking paths, tables, seating, and gardens. Examples of active use improvements and amenities may include play areas, swimming pools, fitness equipment, and sports facilities.



20-5(b) Minimum Standards for the Development for Common Areas

7. Accessibility for Persons with Disabilities

All site facilities and amenities shall be accessible to people with disabilities in accordance with the provisions of the 2010 Americans Disabilities Act (ADA) or its most recent update and the accessibility standards of the Kentucky Building Code.



20-5(b) Minimum Standards for the Development for Common Areas

8. Heat Reduction

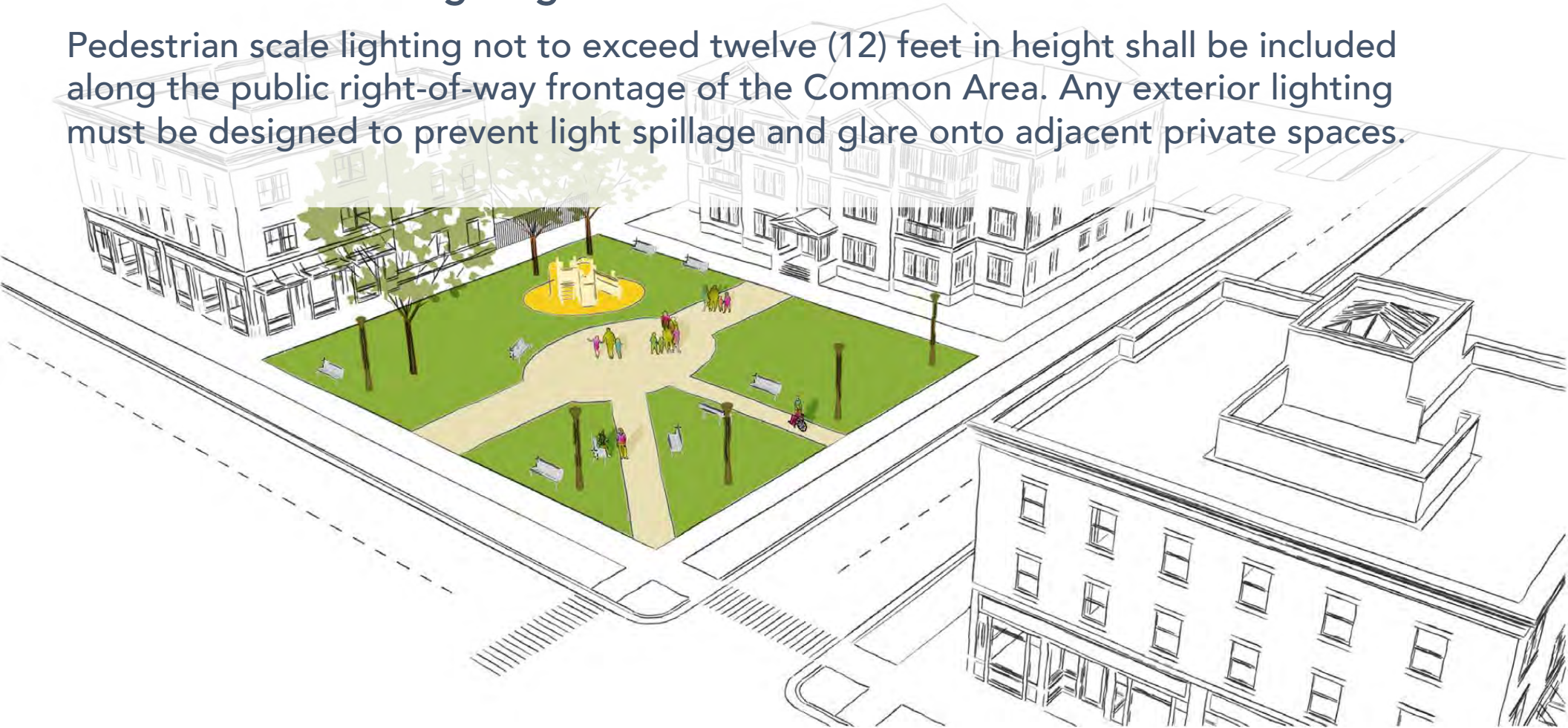
Large trees (Group A species) or other shade providing structures must cover thirty (30) percent of the Common Area.



20-5(b) Minimum Standards for the Development for Common Areas

9. Pedestrian Scale Lighting

Pedestrian scale lighting not to exceed twelve (12) feet in height shall be included along the public right-of-way frontage of the Common Area. Any exterior lighting must be designed to prevent light spillage and glare onto adjacent private spaces.



20-5(b) Minimum Standards for the Development for Common Areas

10. Topography and Soils

No less than seventy five (75) percent of the Common Area shall be at a 1:48 (2.08%) slope, and the topography, soils, hydrography and other physical characteristics of this portion of the Common Area shall be of such quality as to create a flat and dry surface.



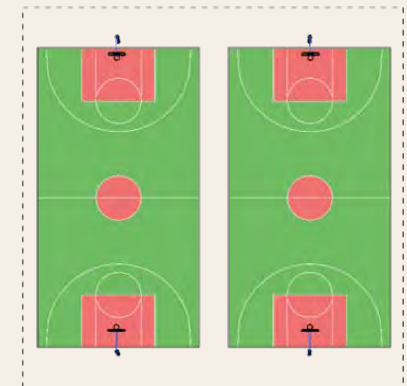
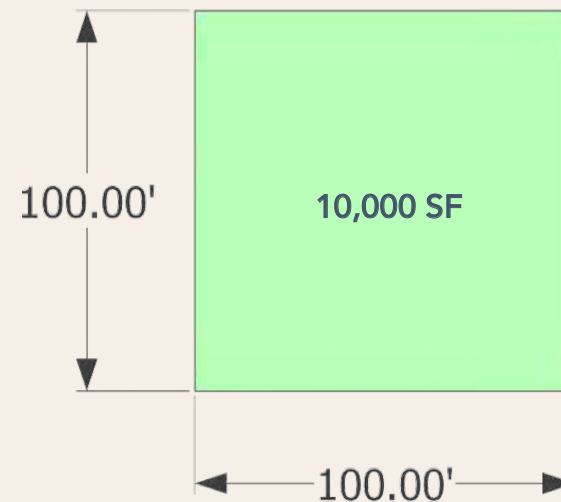
20-5(b) Minimum Standards for the Development for Common Areas



Article 20: Standards for Open Space

20-5(c) Additional Standards for the Development of Common Areas in Single Family Developments

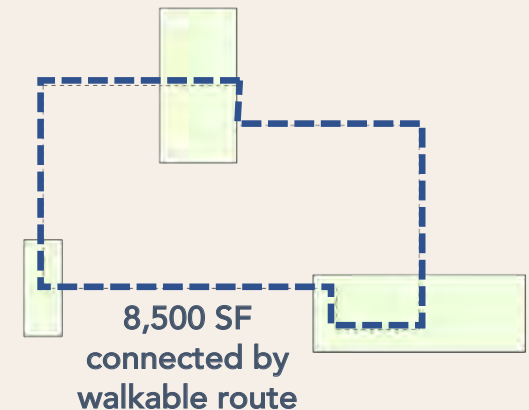
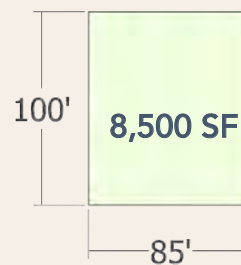
1. Minimum Size – 10,000 square feet in area.
2. Proportions – The least dimension shall be one hundred (100) feet.



Article 20: Standards for Open Space

20-5(d) Additional Standards for the Development of Common Areas in Multi-Family and Mixed-Use and Commercial Developments

1. Minimum Size – (8,500) square feet in area.
2. Proportions – Least dimension of twenty (20) feet.
3. Connectivity – When multiple Common Areas are provided to meet the minimum size requirement, they must be connected via an internal walkable route.



Article 20: Standards for Open Space

20-5(f) Development Near Publicly Accessible Open Spaces

Where proposed dwelling unit entrances or other applicable building entrances are located within $\frac{1}{4}$ mile walking distance of:

1. An existing or proposed LFUCG Park; or
2. An existing or proposed portion of a greenway that meets 20-5(b) and 20-5(c) or 20-5(d); or
3. An existing privately owned publicly accessible open space that meets 20-5(b) and 20-5(c) or 20-5(d);

Those dwelling unit entrances or other applicable building entrances may be exempted from the locational requirements of this Article.



Article 20: Standards for Open Space

20-5(g) Public Access

1. Access easements shall be provided where needed to connect Common Areas to a street right-of-way. The minimum width of such access must be at least 40 feet. Should properties abut the access easement fence height shall not be greater than six (6) feet.
2. Shared use trails are a part of Lexington's transportation network and shall be situated within an easement. Trails that connect to or are classified as a main line trail, major trail or minor trail that will be maintained by LFUCG shall be in the form of a dedicated easement. Trails that connect to or are classified as a main line trail, major trail or minor trail that are maintained by others and local or minor trails shall be in the form of an access easement. Access shall be available for 24 hours of the day 7 days of the week.
3. Signage indicating the hours of operation and ownership or party responsible for maintenance shall be posted at each street frontage primary entrance point to the Common Area. The signage may also reference the Kentucky Recreational Use Statute (KRS 411.190) , which encourages owners of land to make land and water areas available to the public for recreational purposes by limiting their liability toward persons entering thereon for such purposes.



Article 20: Standards for Open Space

20-5(h) Provisions for Multi-Phase Developments and Timing of Open Space

1. Development proposed in phases shall be considered as a single development for the purposes of calculating the Common Area(s).
2. In cases where less than one hundred (100) percent of the total amount of Common Area is provided within the first phase of a multiphase development, the remaining amount shall be apportioned into each of the remaining development phases.
3. For commercial, industrial, and mixed use development all common open spaces and associated improvements shall be completed at the time of 50% buildout.
4. For residential development all common open spaces and associated improvements shall be completed at the time that 50% of dwelling units have been constructed.



Article 20: Standards for Open Space

20-6 Park Development Fee-In-Lieu of Common Area

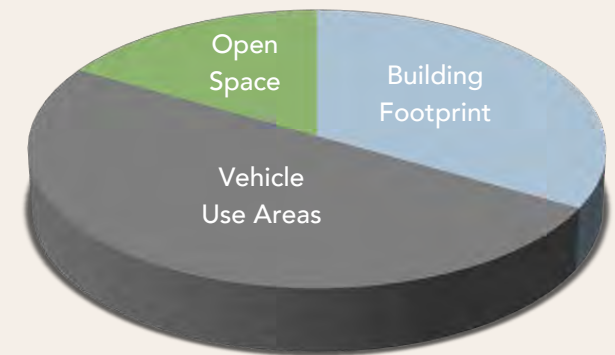
Under review.

The Community AND Developers Need Reform

- Our focus throughout implementation of the 2018 Comprehensive Plan has been to unlock higher utilization of existing land.
- That land is very expensive.
- Two primary constraints:
 - Address the needs/wants of the community
 - Ensure that developers have the tools to meet those needs AND make a profit

What does this mean for the Open Space ZOTA?

- The Open Space ZOTA works in tandem with the Parking ZOTA (reducing parking requirements) and the F.A.R. ZOTA (increased density)
- The three things that constitute a site: building footprint, parking areas, and open space
- We are tackling these changes with a coordinated, multipronged approach
- Parking ZOTA and FAR ZOTA make more room for development...in exchange for more purposeful open spaces





Questions?
