Rethinking Open Space

new regulations guided by the 2018 comprehensive plan

Revised Draft Text Planning Commission Work Session September 15, 2022

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Check out the open space project page for the latest information and full draft text.

The goal:

Incorporate intentionally designed and equitably distributed open space and green space into all development projects.

Not more quantity, just better quality.

years

2+



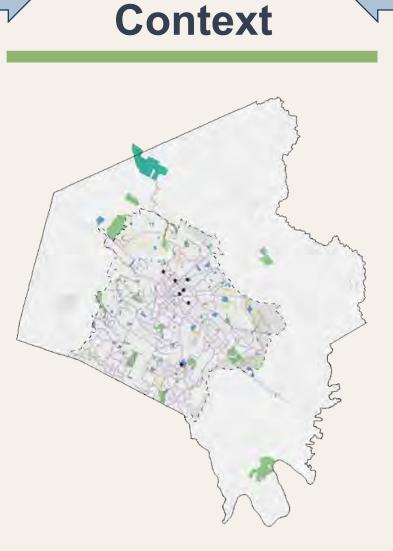
National Best Practices

LEED Neighborhood **Development Guide**

National Recreation and Park Association

Trust for Public Land

Urban Land Institute



Lexington

Charlotte, NC	Kansas City, MO
Chattanooga, TN	Lincoln, NE
Cincinnati, OH	Louisville, KY
olorado Springs, CO	Madison, WI
Durham, NC	Minneapolis, MN
Fort Collins, CO	Nashville, TN
Fort Wayne, IN	Norfolk, VA
Franklin, TN	Raleigh, NC
Greensboro, NC	St. Louis, MO
Henderson, NV	St. Paul, MN
Indianapolis, IN	Virginia Beach, VA

VA

Peer City

Review

20+ meetings

with public groups, organizations & stakeholders 2020 Planning Commission Work Session Infill & Redevelopment Steering Committee **Development and Design Community** Stormwater Stakeholder Committee 2021 BIA **Public Input Session Greenspace Commission** Parks and Recreation Leadership **Planning Staff Interim Review** Parks Advisory Board Planning Commission Work Session **Environmental Commission Fayette Alliance Board** Infill & Redevelopment Steering Committee **Greenspace** Commission Parks Advisory Board **Development and Design Focus Group Session 1 Development and Design Focus Group Session 2** FCNC **Planning Commission Work Session** Parks Advisory Board 2022 Trust for Public Land

2 focus group workshops

Design and Engineering Professionals

Gresham Smith Erin Masterson, PLA, ASLA

Banks Engineering Greg Smorstad, PLA

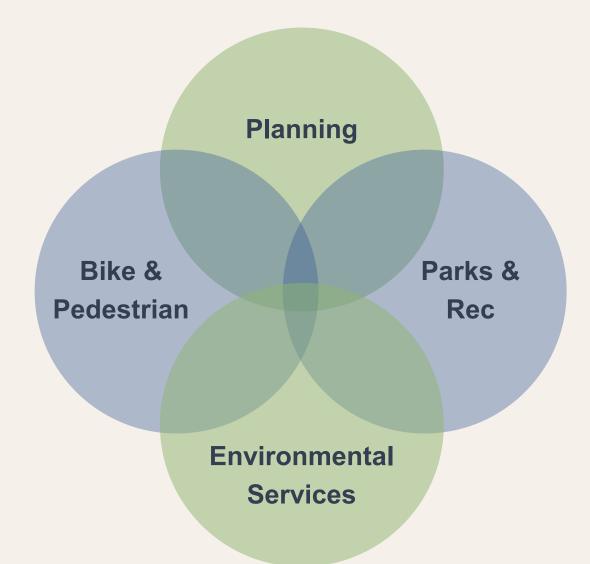
CARMAN Jason Hale, PLA, LEED AP Kevin Warner, PLA

Vision Engineering Matt Carter, P.E. **EA Partners** Rory Kahly, PLA

Earthcycle Design Scott Southall, PLA, AICP, LEED AP BD+C, ASLA

Barrett Partners Tony Barrett, PLA, LEED AP

Coordination with other Divisions



Trust for Public Land

10 Minute Walk Commitment



Park and Greenspace Access and Equity Accelerator

10-Minute Walk @10MinWalk

Launched today w/ mayors of 6 US cities, city staff, partners, and @tpl_org state offices, 10-Minute Walk's #ParkEquityAccelerator will bring focused resources and technical assistance to support local park equity goals through policy change and practical innovation.

Welcome to our 10-Minute Walk® Park Equity Accelerator cities!

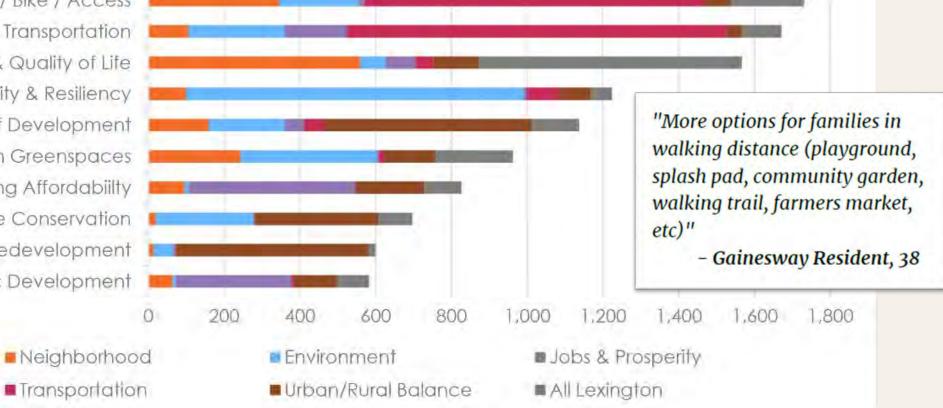
Chattanooga, TN Cleveland, OH Fort Worth, TX Lexington, KY Los Angeles, CA Scranton, PA #ParkEquityAccelerator PUBLIC LAND #10MinWalk 10minutewalk.org tpl.org

1:19 PM · Jul 7, 2022 · Twitter Web App

On the Table 2022 Public Input

TOP 10 CODES BY THEME

Walk / Bike / Access Public Transportation Amenities & Quality of Life Env. Sustainability & Resiliency Style of Development Urban Greenspaces Housing Affordability Rural Greenspace Conservation Infill & Redevelopment Economic Development



4 Planning Commission Work Sessions

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 Policies

Theme A: Growing Successful Neighborhoods

DESIGN POLICY #9: PROVIDE ADEQUATE GREENSPACE

Provide adequate greenspace for all neighborhoods within walking distance.

Action Item: Amend zoning ordinance to redefine open space requirements.

Theme B: Protecting the Environment

SUSTAINABILITY POLICY #4: ACCESSIBLE GREENSPACE

Make recommendations to locate new development within walking distance of existing greenspace / community centers, or create greenspace / community centers within walking distance of residential uses.

Existing Open Space Requirements

- Zoning Ordinance contains ~170 mentions of "open space"
- Scattered requirements across multiple zones/articles
- Ambiguous definition is unfocused, difficult to interpret and measure
- Lacking direction for open space to provide ecological benefits
- No requirement for accessible/walkable open space
- Standards don't apply in some areas where they should



Existing Standards: "Minimum Useable Open Space"

ZONE	Minimum Useable Open Space
A-R Agricultural Rural	No limitation
A-B Agricultural Buffer	No limitation
A-N Agricultural Natural Areas	No limitation
A-U Agricultural Urban	No limitation
R-1A Single Family Residential	No limitation
R-1B Single Family Residential	No limitation
R-1C Single Family Residential	No limitation
R-1D Single Family Residential	No limitation
R-1E Single Family Residential	No limitation
R-1T Townhouse Residential	Not less than ten percent (10%) of the total lot area for any townhouse shall be devoted to private usable open space either on each lot or on land adjacent and directly accessible to each lot. Such open space shall be for the private use of the residents of each individual townhouse and shall be physically separated from other private open space or common open space by plantings, fences, or walls. The least dimension of the private open space shall be fet.
R-2 Two-Family Residential	No limitation
R-3 Planned Neighborhood Residential	Minimum Usable Open Space - 20%. (See also Group Residential)
R-4 High Density Apartment	Minimum Usable Open Space - 20%. (See also Group Residential)
R-5 High Rise Apartment	Minimum Usable Open Space - 20%. (See also Group Residential)
M-1P Mobile Home Park	Not less than ten percent (10%) of the site on which a mobile home park is located shall be devoted to open space available to the residents of the entire park.
MU-1 Neighborhood Node	Open Space - 10 percent.
MU-2 Neighborhood Corridor Zone	Open Space - 10 percent.
MU-3 Mixed-Use Community Zone	Open Space - 15%.
PUD-1 Planned Unit Development-1	22A-6(e) USABLE OPEN SPACE - Within a planned unit development, not less than thirty percent (30%) of the gross land area shall be restricted to upble space space
PUD-2 Planned Unit Development -2 (Luigart)	be restricted to usable open space. None Required.
P-1 Professional Office	No limitation, except where residences are provided, then 10%.
P-2 University Research Campus	40% for the entire P-2 development, as specifically regulated under Article 8-24(o) herein.
B-1 Neighborhood Business	No limitation, except where dwelling units are provided as principal uses; then 10%.
B-2 Downtown Business	No limitation (except that residential uses shall provide useable open space equal to not less than 10% of only those floors occupied by dwelling units).
B-2A Downtown Frame Business	No limitation, except that residential uses shall provide useable open space equal to not less than ten percent (10%) of only those floors occupied by dwelling units.
B-2B Lexington Center Business	No limitation, except that 10% shall be required for any residential area.
B-3 Highway Service Business	No limitation.
B-4 Wholesale and Warehouse Business	No limitation.
B-5P Interchange Service Business	(nothing listed)
B-6P Commercial Center	Minimum Usable Open Space – 15%
-1 Light Industrial	No limitation.
-2 Heavy Industrial	No limitation.
EX-1 Exclusive Use	(nothing listed)
EAR-1 Residential 1 EAMP	At least twenty-five percent (25%) of the net developable acreage of any project in the EAR-1 zone shall be open space.
EAR-2 Residential 2 EAMP	At least twenty-five percent (25%) of the net developable acreage of any project in the EAR-2 zone shall be open space.
EAR-3 Residential 3 EAMP	At least twenty-five percent (25%) of the net developable acreage of any project in the EAR-3 zone shall be open space.
CC Community Center EAMP	At least 25% of the net developable acreage of any development within a CC zone shall be open space.
CD Conservation District EAMP	(nothing listed)
ED Economic Development EAMP	At least 25% of the net developable acreage of any development within an ED zone shall be open space. Such open space may be clustered across multiple lots or tracts to facilitate the common use of the land.
AM-1 Ag Market Overlay Zone	24B-10(h) REQUIRED OPEN SPACE - No limitation, except for all uses permitted under Article 24B-3 above that are not listed as permitted in the zone classification underlying the AM-1 zone, then forty percent (40%) of the lot.

Group Resid	dential (R-3, R-4, R-5)
Density (d.u./net acre)	Usable open space required
<5 d.u./acre	5%
5 to 15 d.u./acre	20%
16 to 40 d.u./acre	15%
>40 d.u./acre	10%
and Redevelopment Space Reduction: "F 1,000 feet of an exist	al projects located in the Infill Area, there is an Open or projects located within ting LFUCG park space, the ben space shall be reduced

*Note that in many places throughout the Zoning Ordinance, additional open space can be provided to gain increased building height, FAR, etc. For example, see Zone B-2A and Article 9 Group Residential.

Existing Open Space Requirements

- Zoning Ordinance contains ~170 mentions of "open space"
- Scattered requirements across multiple zones/articles
- Ambiguous definition is unfocused, difficult to interpret and measure
- Lacking direction for open space to provide ecological benefits
- No requirement for accessible/walkable open space
- Standards don't apply in some areas where they should

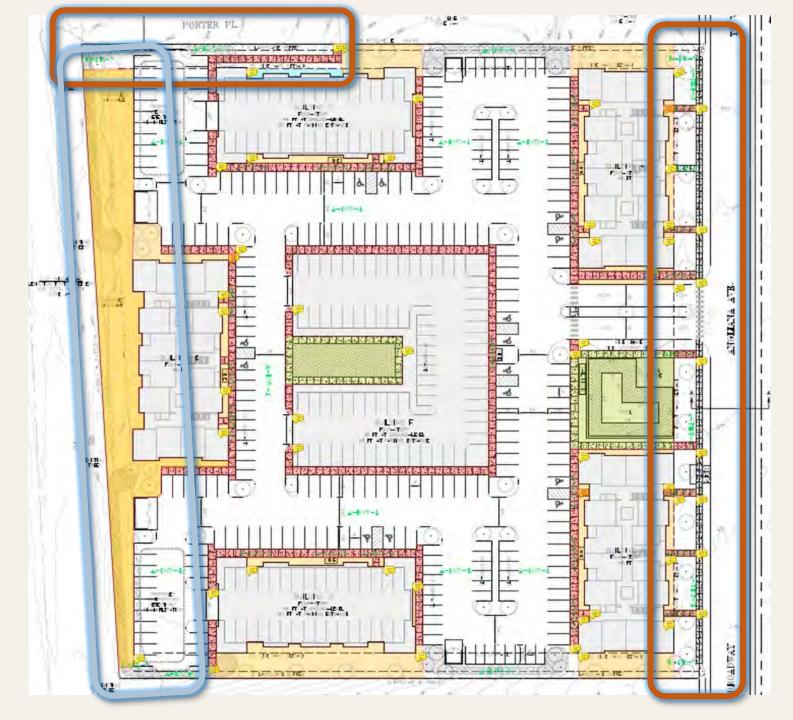


Exisiting definition

OPEN SPACE, USEABLE - Outdoor area of a lot or tract which is designated and used for outdoor living, recreation, pedestrian access or planting. Such areas may be ground or roof space seventy-five percent (75%) open to the sky, balconies a minimum of five (5) feet wide, an enclosed deck, porch, or ground floor portions of a building constructed on columns. Off-street parking and loading areas, driveways, vehicular use area perimeter landscaping and interior landscaping, unenclosed fire escapes, or required front and side street side yard areas do not qualify as useable open space; provided, however, that those portions of the required side street side yard may qualify as useable open space, as long as such open space is separated from the street right-of-way by a fence or solid screen planting.

An example

- R-5 Group residential
- 5.6 acres
- 385 dwelling units
- Minimum <u>useable</u> open space
 - Required: 10%
 - Provided: ~20%





Existing Open Space Requirements

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Four main issues with existing text

1. Inefficient

Definition is unfocused. Regulations are scattered across individual zones.

3. Single Family

Our single family residential developments deserve access to neighborhood-serving open space, too.

2. Multi-family

Current requirements do not ensure common areas planned for use by people; not incentivizing environmental landscaping.

4. Commercial/Industrial

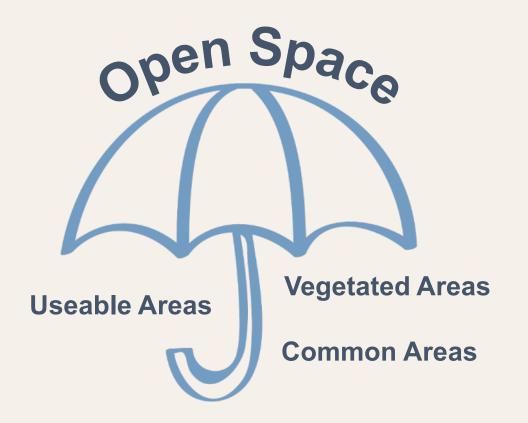
We need consistency across all zones; incentives to address stormwater and heat island effects.

Article 20: Open Space Standards

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rved for finne use)	Article 20 OPEN SPACE STANDARDS			
	Sec. 20-1. Intent.		he	
	The intent of this Article is to incorporate intentionally designed and equitably distributed open space into all development projects.	10 10		
	The regulations contained in this provision are intended to.			est.
	 Protect and enhance public health, safety, and quality of life by providing safe and accessible open spece where people can gather and establish a sense of community. Increase environmental sustainability and realismcy by providing green space to offset the impacts of the 	ronage	#1). F	
	 built environment: Support the Urban Country Government's goal of providing access to open space within a 10-minute welk of all neighborhoods and communities. 	Article	and	n of
	Sec. 20-2. Open space requirements.	rcentage		191 -
	are types of open space that may overlap in use and purpose. The area of one type of open space			
	The becaused the moments represented of other types where the applicable standards of each are been as			••••
	Ref. F. P. J. P. J. S. J.			•••• ••• •••
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Article 1: Definitions

- Green Infrastructure (new)
- Open space, useable (deleted)
- Open space (new)
 - Common area (new)
 - Useable area (new)
 - Vegetated area (new)
- Walkable Route (new)



Sec 20-1. Intent.

The intent of this Article is to incorporate intentionally designed and equitably distributed open space into all development projects. The regulations contained in this provision are intended to:

- Protect and enhance public health, safety, and quality of life by providing safe and accessible open space where people can gather and establish a sense of community.
- Increase environmental sustainability and resiliency by providing green space to offset the impacts of the built environment.
- Support the Urban County Government's goal of providing access to open space within a 10-minute walk of all neighborhoods and communities.



Sec 20-2. Open Space Requirements.

Overlap in use and purpose of open space types.



Vegetated Area

Existing or new vegetation.

Useable Area

Outdoor living and pedestrian access (i.e. balconies, patios, walkways)

Common Area

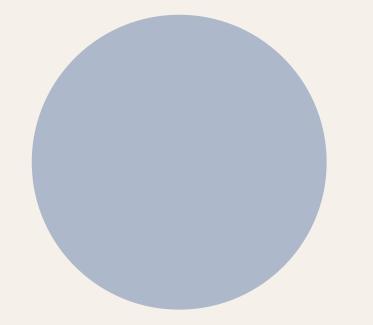
Intentionally planned for outdoor gathering.













Sec 20-2. Open Space Requirements.

Summary table of open space requirements.

Single Family Residential	Useable Area (See Article 1)	Vegetated Area (See Articles 1, 20-3 to 20-4)	Common Area(s) (See Articles 1, 20-5 to 20-8)
R-1A, R-1B, R-1C, R-1D, R-1E, R-1T, R-2, R-3, R-4, M-1P	Not required.	Not required.	Required for > 25 dwelling units
Multi-Family Residential / Group Residential Projects	Useable Area	Vegetated Area	Common Area(s)
R-1T	10%	10%	Required for > 25 dwelling
R-3	20%	20%	units
R-4	15%	15%	
R-5	10%	10%	
Mixed Use / Commercial	Useable Area	Vegetated Area	Common Area(s)
B-1, P-1, B-3, B-4, B-5P, MU-1, MU-2, I-1, I-2	10%	10%	Required for sites > 3 net acres and/or > 25 dwelling
B-2, B-2A, B-2B	5%	5%	units
B-6P, MU-3	15%	15%	
P-2	40%	20%	

	Zone	Existing	Proposed	Change	Common Area ¹	Exis	sting / Proposed Open Space Required
Single Family Residential	R-1A, R-1B, R-1C, R-1D, R-1E, R-1T, R-2, R-3, R-4, M-1P	0%	0%		 (Everyone deserves access
	R-1T (subdivided)	10% ²	0%	\checkmark	✓	The second	within a 10-Minute Walk
	R-1T (group)	20%	10%	\checkmark	\checkmark		
Multi-Family	R-3	20%	20%		√ r		
& Group Residential	R-4	20%	15%	\checkmark	~		Less in exchange for better.
Residential	R-5	20%	10%	\checkmark	\checkmark		
	B-1	0% ³	10%	\uparrow	\checkmark		
	P-1	0% ³	10%	\uparrow	\checkmark		
Consumer & Service	B-3	0%	10%	\uparrow	\checkmark		
Commercial	B-5P	0%	10%	\uparrow	\checkmark		
	B-6P	15%	15%		\checkmark	~	Baseline consistency across all
	MU-1	10%	10%		✓ [zones, address stormwater and
	B-4	0%	10%	\uparrow	 ✓ 		
Industry &	I-1	0%	10%	\uparrow	\checkmark	~	heat island effects.
Employment	I-2	0%	10%	\uparrow	\checkmark		
	P-2	40%	40%		✓		
	B-2	0%/10% 4	5%	$\wedge \downarrow$	\checkmark		
	B-2A	0%/10% 4	5%	$\uparrow\downarrow$	~		Ease of use, improvements in
Downtown	B-2B	0%/10% ³	5%	$\wedge \downarrow$	~		
	MU-2	10%	10%		\checkmark		quality and access.
	MU-3	15%	15%		\checkmark		

¹ When DU/Size threshold met; ² Private useable open space; ³ 10% of lot where residences provided; ⁴ 10% of residential floor area

Sec 20-3. Vegetated Area Standards.

Requirements.

- 75% ground coverage
- Excludes *required* vehicular use area interior landscaping (but includes VUA perimeter landscaping)
- Excludes invasive tree and plant species
- Clear instructions for different
 Development Plans



Sec 20-4. Vegetated Area Incentives for Green Infrastructure.

Sites 3 acres or less can provide green infrastructure to reduce required vegetated area.

Green Infrastructure Type	Multiplier Rate
Innovative Design ¹	1.15
Community Garden ²	1.15
Tree Stand ³	1.5
Vegetated Green Infrastructure ⁴	1.75
Vegetated Roof ⁴	2
Riparian Buffer Restoration/Preservation ⁵	2
Tree Preservation Area ⁶	2



Sec 20-5. Common Area Standards.

Location Criteria

- 10 minute walk to 90% of entrances
- Connected to other open spaces



Sec 20-5. Common Area Standards.

Development Standards

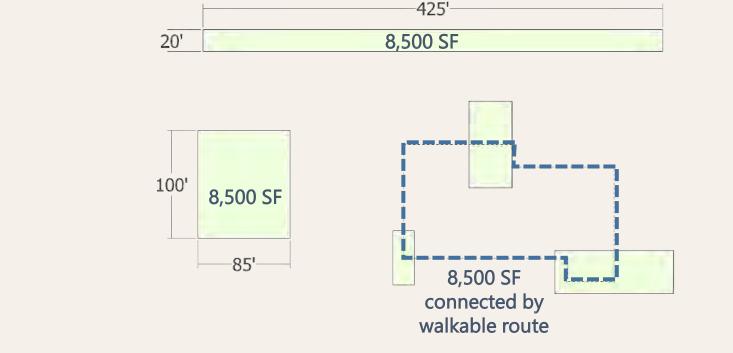
- Health, Safety, Welfare -
- 1. Primary access and visibility
- 2. Secondary entry points
- 3. Physical improvements
- 4. Canopy coverage and shading
- 5. Topography and hydrology

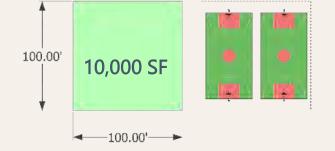


Sec 20-5. Common Area Standards.

Single Family Context 10,000sf, 100' minimum width

Multi-family / Mixed-use / Commercial Context 8,500sf, 20' minimum width

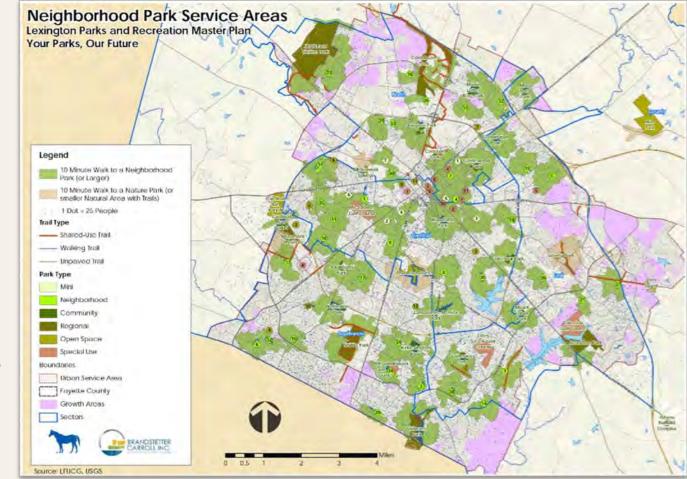




Sec. 20-6. Common area exemption for development near publically accessible open spaces.

Common areas not required in the following instances:

- 1. ¹/₂ mile walk of an entrance to a LFUCG park
- ¼ mile walk of an entrance to a portion of a greenway which meets common area requirements
- 3. ¹/₄ mile walk of an entrance to another existing publicly accessible open space which meets common area requirements



Sec. 20-7. Common area signage and shared use path access.

Signage

- Incidental signs hours of operation, maintenance contact
- May reference KRS 411.190 limits owner's liability when land is used for recreational purposes

Shared use path access

- Appropriate easement shall be provided
- Access shall be available 24/7



Sec. 20-8. Multiphase developments and timing.

- Common area(s) calculated based on total development
- Build common area in phase one or subsequent phases
- Commercial, industrial, and mixed use development: common areas / improvements by 50% buildout
- Residential development: common areas / improvements by 50% dwelling units constructed



Sec. 23A. Expansion Area Zones.

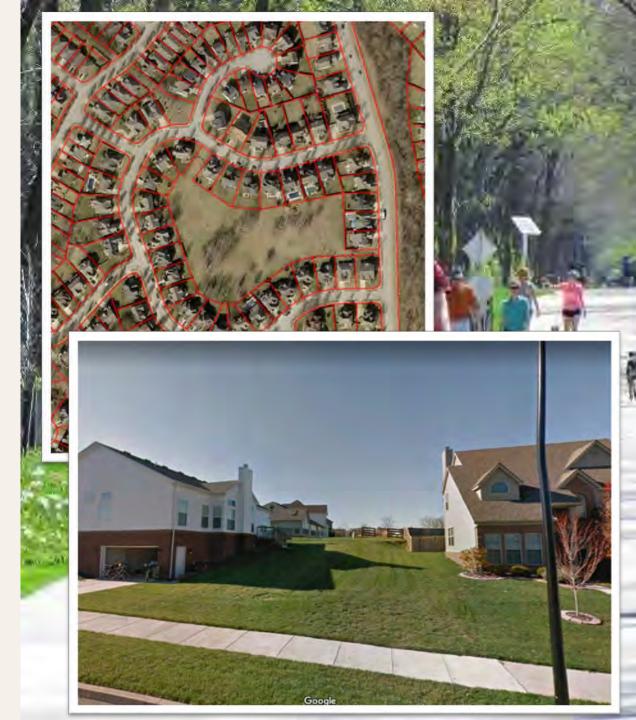
EAR-1 / EAR-2 / EAR-3 / CC / ED

25% of the net developable acreage shall be open space. (existing)

New:

Common open space access point every 1/4 mile.

Access points minimum of 40' wide with a 5' sidewalk.



Orenco Station Hillsboro, Oregon

Starle and Bart

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1778 NE 63rd Ave Hillsboro, Oregon

Google

Primary access and visibility
 Physical improvements
 Canopy coverage and shading
 Topography and hydrology



Orenco Station Hillsboro, Oregon

48 ac 330 dwelling units

Spring Lake - 2300 Sandersville Road

Statistics

- 140 ac total
- R-3 / R-4
- 17 ac ROW

Single Family Lots

- 322 units
- **46 ac** •
- 50'-120'/130' lots

Townhouses

- 35 units
- 8.5 ac

Apartments

- 378 units
- 37 ac total •
- 8.1 ac open space (22%)

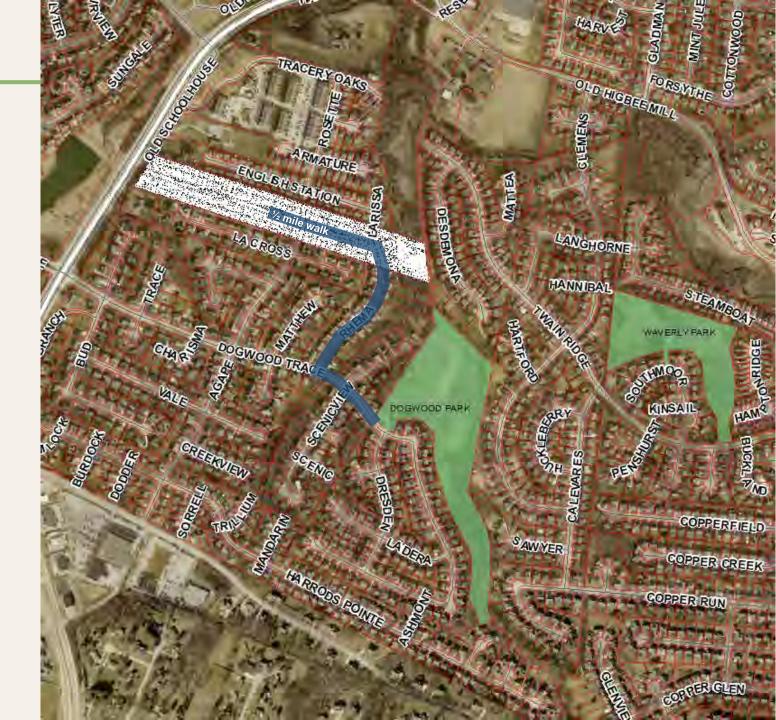
Remaining Open Space

• ~31 ac



Camic Property

Partially within ½ mile walk of an entrance to Dogwood Park



Camic Property

Statistics

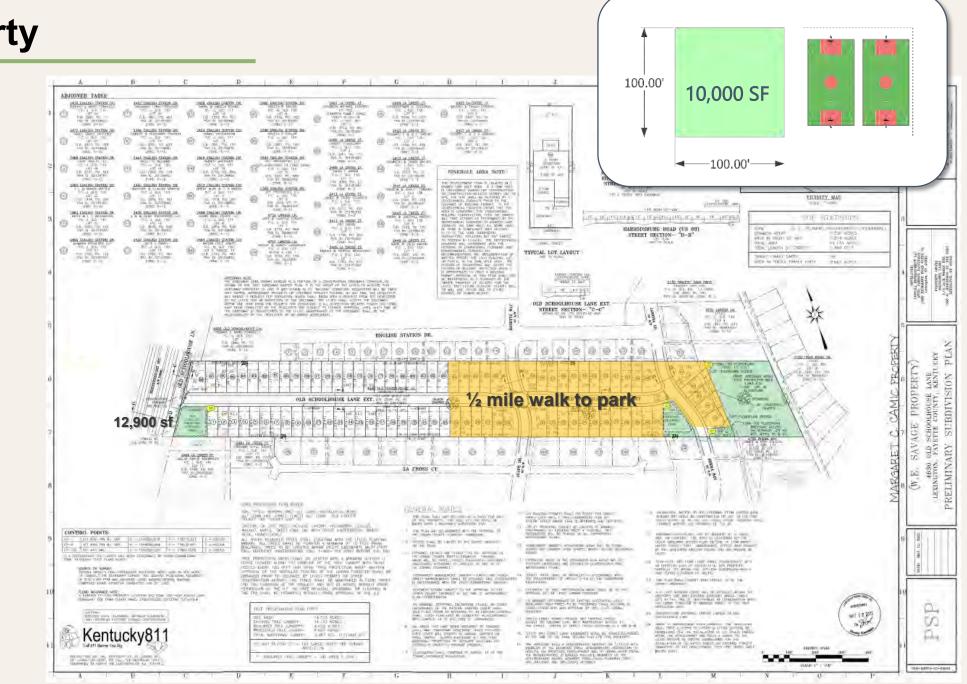
- 15 ac total
- R-3
- 2.9 ac ROW

Single Family Lots

- 88 units
- 9.8 ac
- 40'x120' lots

Remaining Open Space

• 2.3 ac



Oak Dale – 1201 Greendale Road

Statistics

- 9.5 ac total
- B-6P
- .7 ac ROW

Apartments

- 144 units
- 7 ac total

Commercial

• 1.8 ac

Open Space

- 1.8 ac provided (20%)
- 15% required



425

Blackburn Avenue

Fully within ½ mile walk of an entrance to Coolavin Park



Blackburn Avenue

Statistics

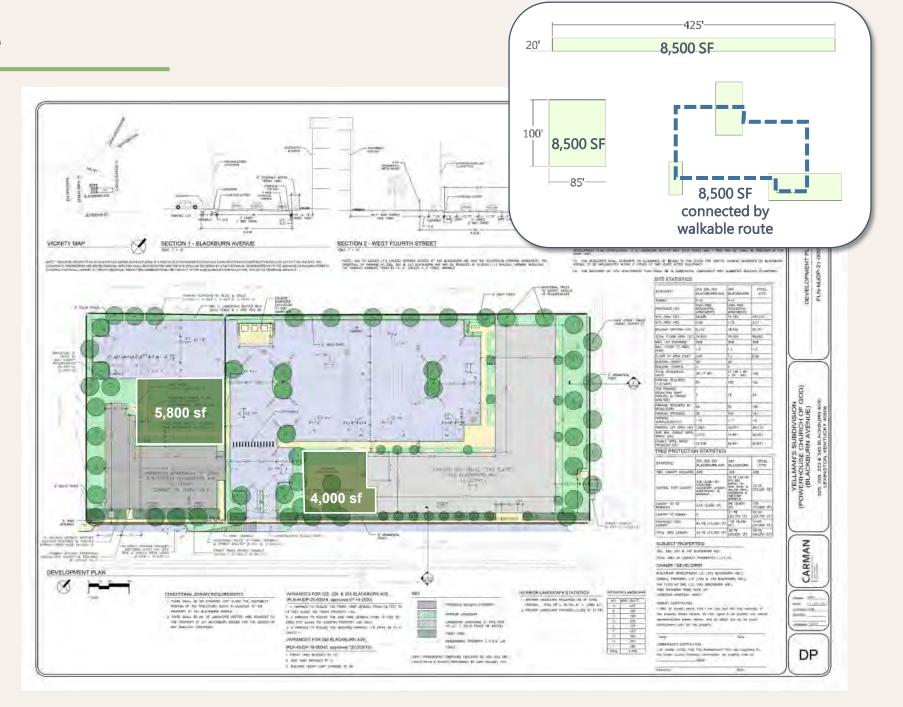
- 2.37 ac total
- R-5

Apartments

• 108 units

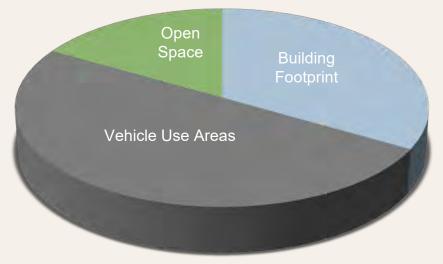
Open Space

- .61 ac provided (25.7%)
- 20% required



Coordinated Regulation Updates

- 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 <u>open space</u>
- Parking ZOTA and F.A.R. ZOTA make more room for development...in exchange for more purposeful open and green spaces



The Community AND Developers Need Reform

- Our focus throughout implementation of Imagine Lexington 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

Next steps

- File in October
- October Work Session (if needed)
- November Committee Meetings
- Goal November Planning Commission Hearing

Questions & Comments?

Send an email to be added to the notification list for this ZOTA, or check out the project page for the latest information—including a link to our feedback form.

vfriedmann@lexingtonky.gov

https://imaginelexington.com/ZOTA_Open-Space