DOCKET NO. 9-71-92
FLOYDS FORK AREAWIDE REZONING

Zoning Change Request:

(1) R-4 Residential Single Family to R-R Rural Residential;
R-1 Residential Single Family to R-R Rural Residential;
R-5A Residential Multi-Family to R-R Rural Residential;
C-1 Commercial to R-R Rural Residential;
C-2 Commercial to R-R Rural Residential; and

(2) the application of a Development Review Overlay District for the Floyds Fork Corridor; and

(3) adoption of the design guidelines to be applied within the Floyds Fork Development Review Overlay District

The public hearing was held on this proposal on January 14, 1993. The Commission deferred action on this request in order to further review testimony submitted during the public hearing.

The Planning Committee toured the area of the proposed rezoning on January 28, 1993 to look at sites mentioned in the public hearing and evaluate the proposed rezoning boundary. In a noon meeting of the Planning Committee this date, the Committee decided that two sections proposed for the development overlay district on the side of Thixton Lane away from Floyds Fork will be eliminated from this proposal. The Committee also agreed to revise DRO guidelines 7a. and 7c.

In a business session conducted subsequent to the public hearing, the Commission took the following action.

On a motion by Commissioner Butler, the following resolution was unanimously adopted:

WHEREAS, The Commission finds that the proposed Floyds Fork Corridor is an area of significant public value needing protection of natural features vulnerable to damage by development permitted under conventional zoning and building regulations, and the preservation of which is supported by Guidelines E-1, E-2, E-3, E-4, E-5, E-6, E-7, E-8, E-9, E-10, E-11 and E-12; and

WHEREAS, The Commission finds that the proposed areawide rezoning is a result of a citizen based planning effort initiated by County government; and

WHEREAS, The Commission finds that the proposed areawide rezoning will encourage the preservation of historic building, cemeteries, fence rows and archeological sites in compliance with Guideline E-20; and

WHEREAS, The Commission finds that the proposed areawide rezoning will protect existing neighborhoods from adverse impacts of proposed development and encourage compatible residential densities in compliance with Guidelines R-1 and R-5; and

WHEREAS, The Commission finds that the proposed areawide rezoning is in compliance with the recommendations of the Snyder Freeway Corridor Study, adopted by Fiscal Court in 1988; and

WHEREAS, The Commission finds that the rezoning of the area south of I-64 to five acre densities will reduce development in areas not served by utilities and support Guidelines U-1 and U-4; now, therefore, be it

DOCKET NO. 9-71-92 (continued)

RESOLVED, That the Planning Commission does hereby recommend to Fiscal Court the following: changes in zoning as described in the attached legal descriptions, application of the Development Review Overlay District to the Floyds Fork Corridor, and the adoption of the design guidelines to be applied within the Floyds Fork Development Review Overlay District as amended and as described in the attached legal descriptions, be approved as amended.

RESOLVED, That the Planning Commission does hereby APPROVE Docket No. 9-71-92 as amended.

The vote was as follows:

YES: Commissioners Auerbach, Butler, Duffy, Dulworth, Hettinger, Hutchinson, Herron, Taylor, Seraphine, and Thieneman.
NO: None.
NOT VOTING: No one.

2/4/93

Floyds Fork DRO Guidelines

Intent: The intent of the Floyds Fork Design Guidelines is to insure that new development within the Floyds Fork Corridor is designed to aid in restoring and maintaining excellent quality for land and water resources of the Floyds Fork Corridor. The design guidelines are also intended to complement the natural landscape in order to obtain an aesthetically pleasing, rural atmosphere.

Applicability: The following guidelines would apply to new development, including subdivisions, new construction, clearing and grading of land. Existing homes, farms and undeveloped property are not required to meet these standards. Before a building permit or subdivision is approved, the proposed plans would be reviewed for compliance with these standards. [Note: Environmental constraints referenced within these guidelines are shown in the Core Graphics Section of the Comprehensive Plan, copies of which are available at the Planning Commission].

1. Stream Corridors

   a. A buffer strip should be maintained a minimum of 100 feet wide on each side of Floyds Fork and a 50 foot wide strip on each side along tributaries shown on Map A. Steep slopes extending beyond the minimum buffer strip may necessitate a wider buffer. The buffer strip is to be measured from the ordinary high water mark. Riparian vegetation* should be established, as necessary, and maintained along stream banks to stabilize the banks and protect water quality. Where a bank has been denuded of its vegetation through erosion, slope failure or similar occurence, other vegetation such as KY-31 Fescue may be appropriate to quickly establish a vegetative cover. This should be considered however only as a temporary, interim solution. Selective removal of dying or diseased trees and shrubs within the buffer strip is permissible, provided that a live root system stays intact. Native plant meterial adequate for filtering surface drainage should be maintained within the buffer strip. [Note: Small lots within the buffer strip will not be prevented from developing.]

   b. Structures and impervious surfaces should be located at least 200 feet from each bank along Floyds Fork measured from the ordinary high water mark. In conjunction with the riparian vegetative buffer, this buffer protects the stream from adjacent development by filtering sediment, removing other pollution and reducing the force of runoff. In addition hazards from floods and erosion are reduced for development adjacent to the stream. [Note: Small lots within the buffer strip will not be prevented from developing.]

*Underlined terms are defined in the glossary.

9-11-92

c. Measures to avoid stream bank erosion are especially desirable; although limited grazing is beneficial to vegetation, excessive grazing of livestock near streams can be detrimental to vegetation and reduce the effectiveness of the buffer strip.

d. In areas experiencing stream bank erosion, planting of native riparian vegetation is preferred. If this stabilization technique is determined to be inadequate by the agency responsible for drainage review, the preferred alternative is riprap that is installed in a manner that allows tree growth among the stones.

e. Structures, impervious surfaces, septic systems and associated fill slopes should not be located within the floodplain. Stream crossings are an exception to this; crossings should be minimized and be aesthetically compatible with the natural values of the stream channel.

f. Filling and excavation should not be permitted in the floodplain. Floodplains are recommended for agricultural and recreational use.

g. Modification of streams shown on Map A, including stream relocation and channelization, is strongly discouraged. Watercourse modification as a convenience for site design purposes is not appropriate. Removal of fallen trees, tree limbs, brush and similar debris that accumulate naturally in creek beds and impede stream flow is acceptable.

2. Trees and Vegetation

a. Existing wooded areas, in addition to the riparian buffer strip, should be retained wherever possible. Hillside vegetation in particular should be preserved. [Note: For more information, refer to the "Tree Preservation" section of the Interim Planting Manual available from the Planning Commission.]

b. Wooded areas shown on the development plan as being retained should be preserved and maintained in healthy condition. As trees die or are removed, replacements should be provided.

c. Grading and soil compaction by construction vehicles under the drip lines of trees and wooded areas intended to be retained should be minimized.

d. Where grading within wooded areas is necessary, disturbed areas should be seeded to a shade tolerant plant species and mulched with straw.

e. Proposed major subdivisions should indicate the limits of the site disturbance area for each lot being created. The site disturbance area should be shown in relation to environmental constraints: slopes over 20%, floodplains and wet soils.

f. Proposed major subdivisions should indicate existing wooded areas to be retained and to be removed. The location of existing trees exceeding 18" in diameter at a point 54" above the ground that would be removed should be shown on the plan.

g. Temporary protective fences should surround features to be preserved during the construction process. Features to be preserved shall be defined during the review process (e.g., trees, slopes, historical and archeological sites).

3. Drainage and Water Quality

a. On site wastewater disposal systems should be located to minimize potential water pollution. Lateral fields should be sited at least 150 feet from the ordinary high water mark of a stream shown on Map A.

b. Areas identified as wetlands in studies approved by government agencies should be preserved in their natural state. Drainage, flooding patterns and any hydrologic system(s) needed to sustain the wetlands should not be altered. Existing vegetation and wildlife habitat should be preserved.

c. To avoid soil loss, property damage, pollution and clean-up costs, an erosion and sediment control plan should be submitted for major subdivisions and other developments with potentially significant water quality impacts. Guidelines found in the Soil Erosion and Sediment Control Practices Section of MSD's design manual currently in effect are to be used when preparing an erosion and sediment control plan. Additional information on this topic is available from Planning Commission staff.

d. Runoff from impervious surfaces should be conveyed in a manner that minimizes erosion. Natural stormwater channels are preferred over manmade materials such as conveyances constructed of concrete.

e. Adequate provision should be made to prevent any storm or surface water from damaging the cut face of any excavation or the sloping face of any fill. When necessary for protection of critical areas, diversion ditches or terraces should be provided.

f. Developers of major subdivisions should plant, water and maintain vegetative cover on graded slopes on each unsold property until all properties have been sold.

4. Hillsides

a. Design subdivisions and locate structures to preserve the natural character of the land to the greatest extent possible.

b. Areas with slopes of 20% or greater generally should not be disturbed.

c. Major subdivisions with developable lots or roadways situated on slopes of 33% or greater should be permitted only if a report prepared by a qualified geotechnical or soils engineer documents that the proposed design will not result in hazardous conditions and certifies work during construction.

d. Minimize cuts and fills. Necessary cuts, fills and other earth modifications should be replanted with appropriate vegetation. Minimize the practice of terracing hillsides in order to provide additional building sites. Structural containment of slopes should be minimized; retaining walls exceeding six feet in height should be avoided.

5. Clustering of Residential Use

a. Site planning should create cluster patterns of new development whenever possible: building sites and land disturbance activity should be concentrated in portions of the site better suited for development, to minimize disruption of environmentally sensitive areas and to retain the corridor's rural character. Clustering allows significant portions of the site to remain undeveloped, while achieving an amount of development comparable to traditional site plans and reducing development costs.

b. Preservation of agricultural use, including pastures and sustained-yield wood lots, is encouraged.

[Note: Cluster developments including lots less than 5 acres in size, with on-lot wastewater disposal, may be approved if designed in accordance with the DRO guidelines.]

6. Historic Elements

a. Where possible, preserve and retain historic elements and distinctive site features such as old buildings, cemeteries, archeological sites, fence rows, walls and other significant signs of past land use, and as otherwise identified by the agency responsible for historic preservation.

7. Vistas and Appearance

Residential Development

a. New construction along designated scenic corridors (Map A) should preserve the area's rural appearance. In existing wooded areas a buffer area 60 feet in width and densely vegetated should be maintained, to create an effective visual barrier. Outside the wooded areas (agricultural or open lands), new development should provide a substantial setback from the roadway (400 feet minimum) with plantings to partially screen buildings (1 tree per 25 feet of building facade visible from the road). An alternative to the substantial setback is to create a 60 foot buffer thickly planted with fast growing native trees and shrubs. Residential developments having two or more dwellings per acre should provide the 60 foot buffer.

b. Placement of new homes within an existing wooded area, or along far edges of open fields adjacent to a woodland; is encouraged (to reduce impact upon agriculture, to provide summer shade and shelter from wind and to enable new construction to be visually absorbed by natural landscape features).

c. Creation of new driveways from designated scenic corridors should be minimized; common driveways and shared access points are encouraged. Where appropriate for the site's topography and traffic volumes gravel rather than paved drives are encouraged.

d. Signature entrances located along designated scenic corridors should not exceed six feet in height or 50 feet in total length (25 feet each side).

Non-Residential Development

e. New development should be setback a minimum of 50 feet from the right-of-way line of designated scenic corridors (Map A). This area is reserved to accommodate landscaping consistent with the "rural character" of the Floyds Fork corridor. When used in this context, development includes all buildings, signs, parking lots, service drives and access roads that parallel designated scenic corridors.

f. Landscaping in the 50 foot green space (1.a. above) along designated scenic corridors should include earth berming (average height of three feet) and shrub masses to screen parking areas. Large deciduous trees, a minimum of one tree for every 50 feet of roadway frontage, should be planted in the green space. Existing trees should be retained whenever possible, both in the buffer area and within the area to be developed. Trees should be planted at least ten feet from the right-of-way.

g. Parking lots should be provided only at the side or rear of the buildings to reduce visual impact of the use while providing an appropriate level of visibility.

h. Buildings, parking lots, and other impervious surfaces should cover no more than 75 percent of each site. The remainder of the site should be planted and maintained with live vegetative cover so as to reduce visual impacts as well as drainage and run off problems.

i. Newly installed utility services should be underground and service structures should be screened as required by Article 12 of the Development Code.

j. Attached and monument type signs are preferred (see glossary for definition); pole signs should be avoided.

k. Permanent freestanding signs for property or business identification should not exceed six feet in height or sixty square feet in area. Attached signs are governed by size standards found in the Zoning District Regula- Regulations.

l. No billboards, off-premise advertising signs of any kind, banners, balloons, and pennants should be visible from a scenic corridor.

All Development

m. Buildings should be planned and designed and vegetation should be managed to preserve and enhance scenic vistas along roadways shown on Map A.

n. The visual impact of new structures proposed for prominent hillsides visible from public facilities, scenic corridors and the stream itself should be minimized. Trees should be retained or planted to screen them or to create a filtered view of these structures (one tree per 25 feet of building facade length).

o. When it is necessary to use retaining walls, their height should be minimized. A series of smaller retaining walls is preferable to one large wall, provided that the series of walls can be built without excessive removal of vegetation during construction. Retaining walls faced with brick or stone are preferable.

p. Hedges and fence rows (trees and shrubs growing along a fence) are the preferred means of property enclosure provided they do not obstruct scenic vistas. If chain link fencing is to be used, it should blend with its setting (painted or vinyl coated with dark colors such as black, green or brown). Unscreened galvanized chain link fencing is appropriate only for areas not visible from roads shown on Map A.

q. Parking areas, outbuildings, satellite dishes, and other less attractive aspects of a development should be screened from view. Where total screening is impractical, partial measures that lessen the full visual impact of development are recommended.

DRO Guidelines
FLDFKS

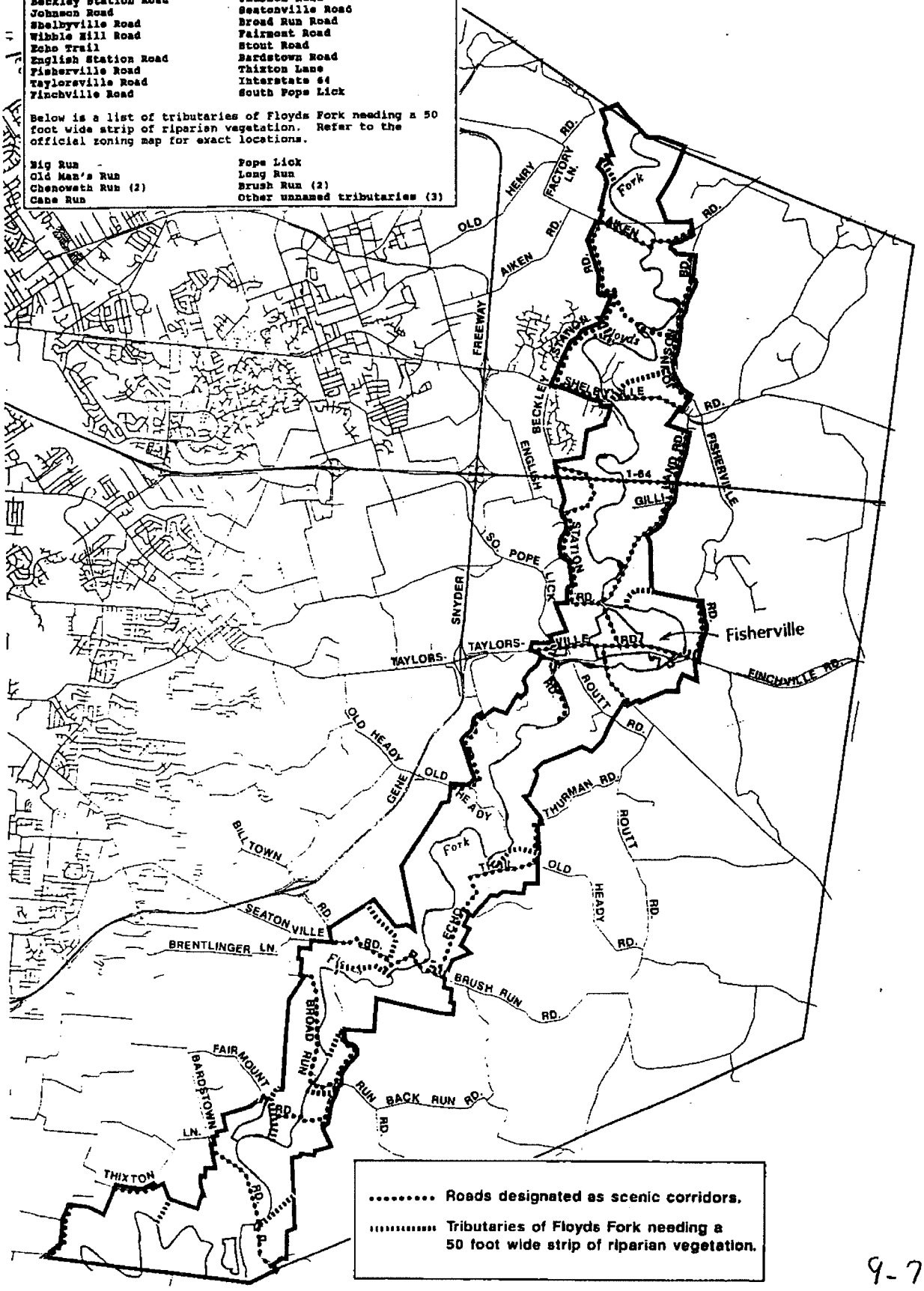
Map A

Below is a list of streets that are des[illegible]as scenic corridors. Please note that only porti[illegible]reets listed and shown on this map are located in the Flo[illegible]Fork corridor. Refer to the official zoning map [illegible]exact locations.

Aiken Road	Hopewell Road
Beckley Station Road	Thurmon Road
Johnson Road	Seatonville Road
Shelbyville Road	Broad Run Road
Wibble Hill Road	Fairmont Road
Echo Trail	Stout Road
English Station Road	Bardstown Road
Fisherville Road	Thixton Lane
Taylorsville Road	Interstate 64
Finchville Road	South Pope Lick

Below is a list of tributaries of Floyds Fork needing a 50 foot wide strip of riparian vegetation. Refer to the official zoning map for exact locations.

Big Run	Pope Lick
Old Man's Run	Long Run
Chenoweth Run (2)	Brush Run (2)
Cane Run	Other unnamed tributaries (3)



..... Roads designated as scenic corridors.

..... Tributaries of Floyds Fork needing a 50 foot wide strip of riparian vegetation.

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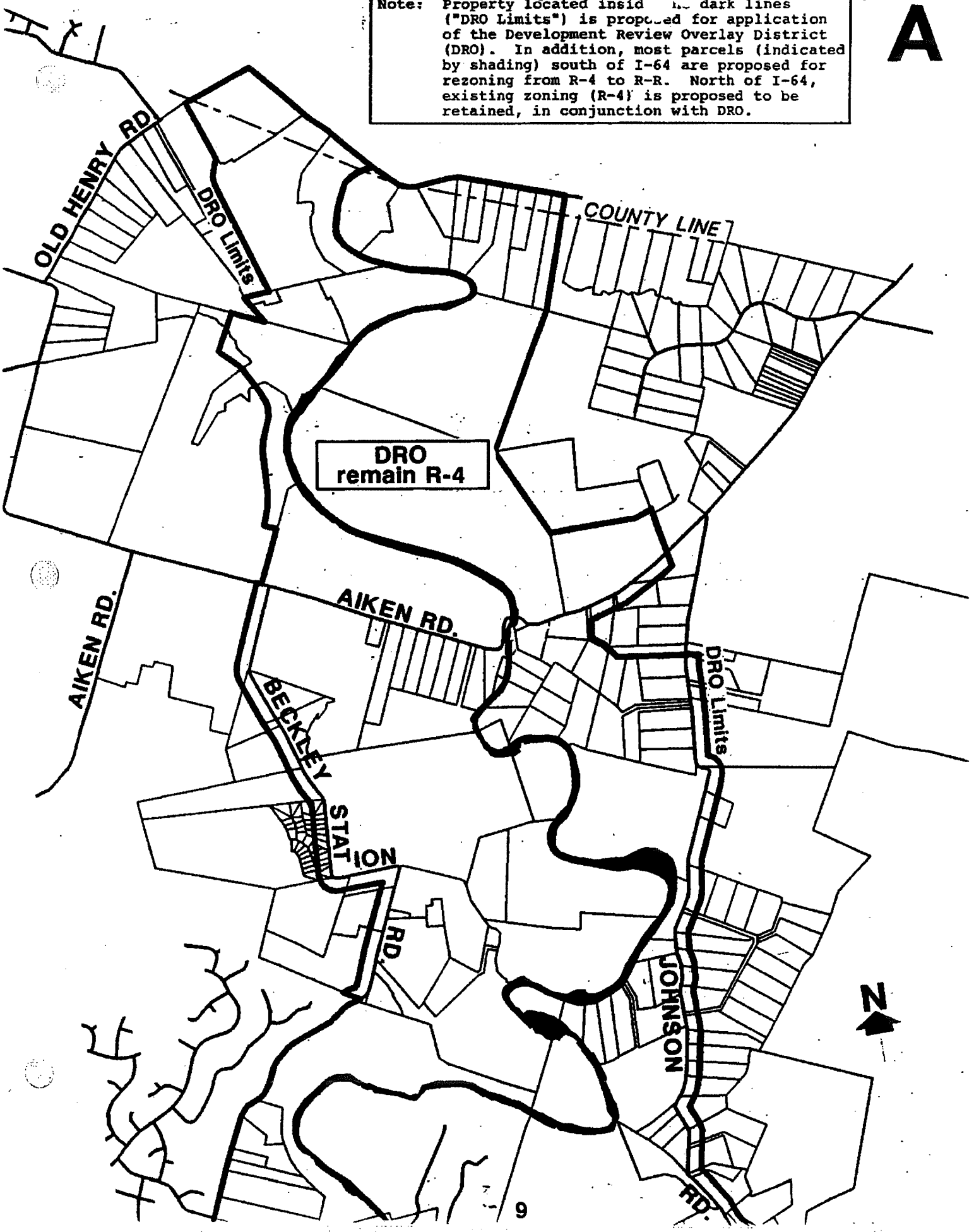
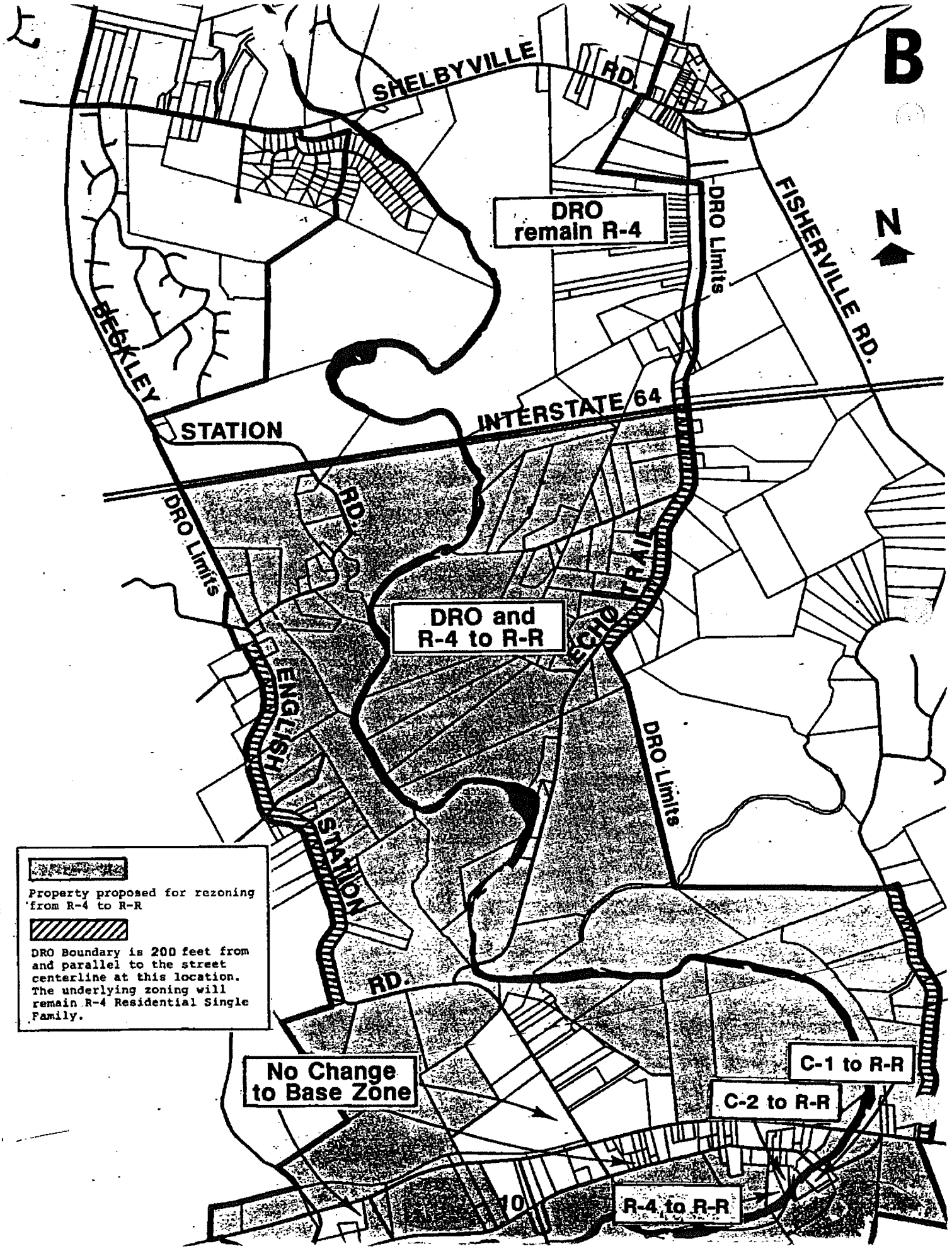
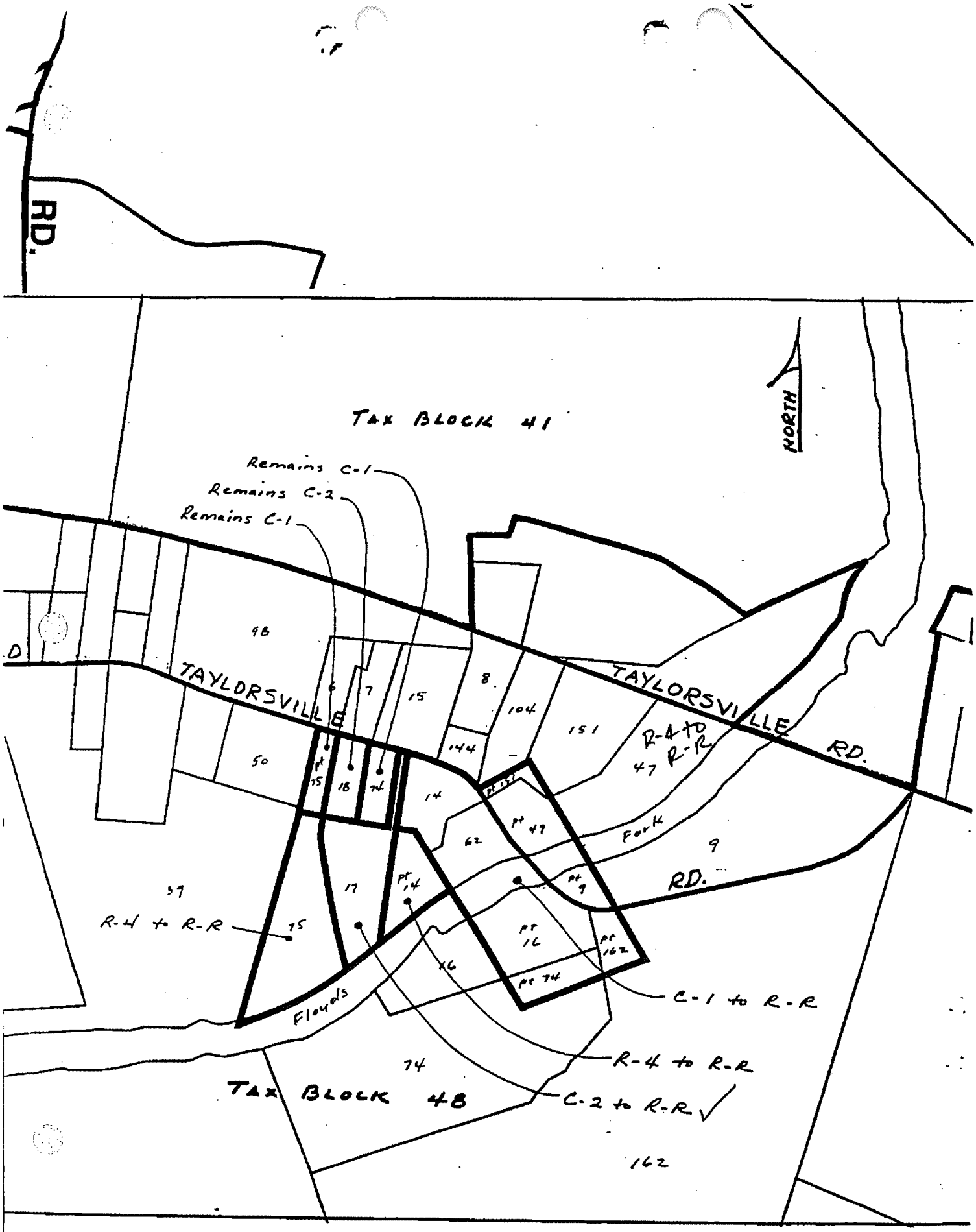
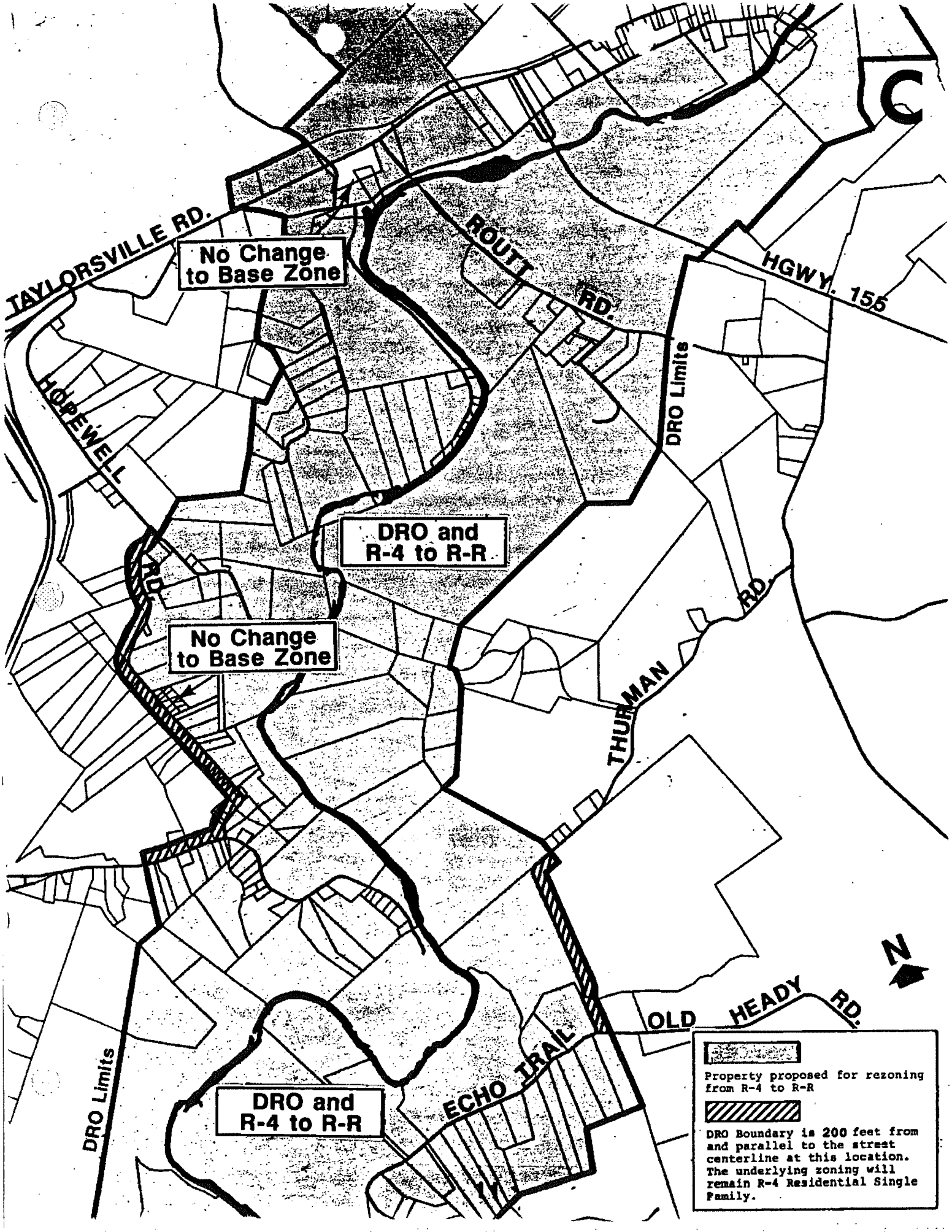
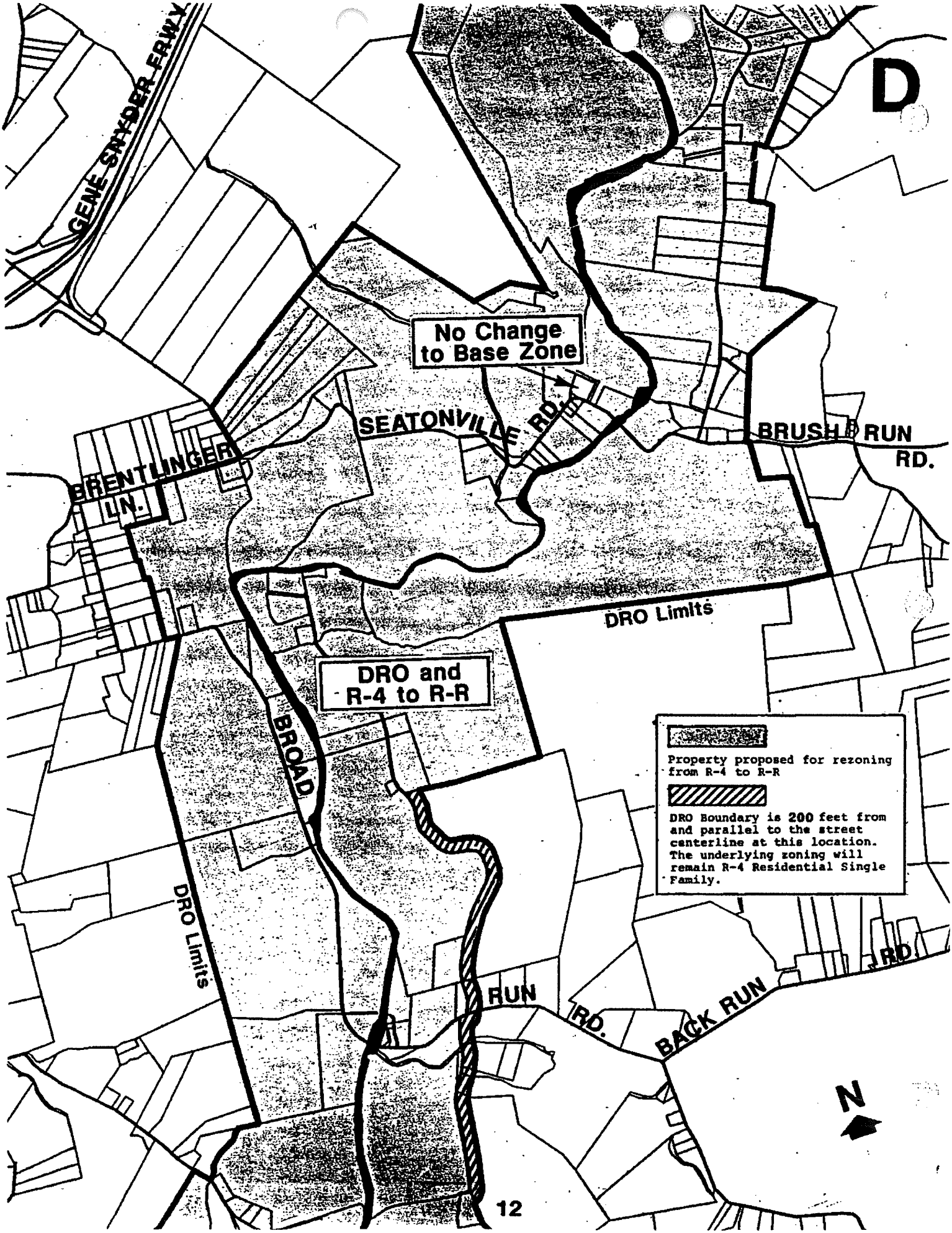
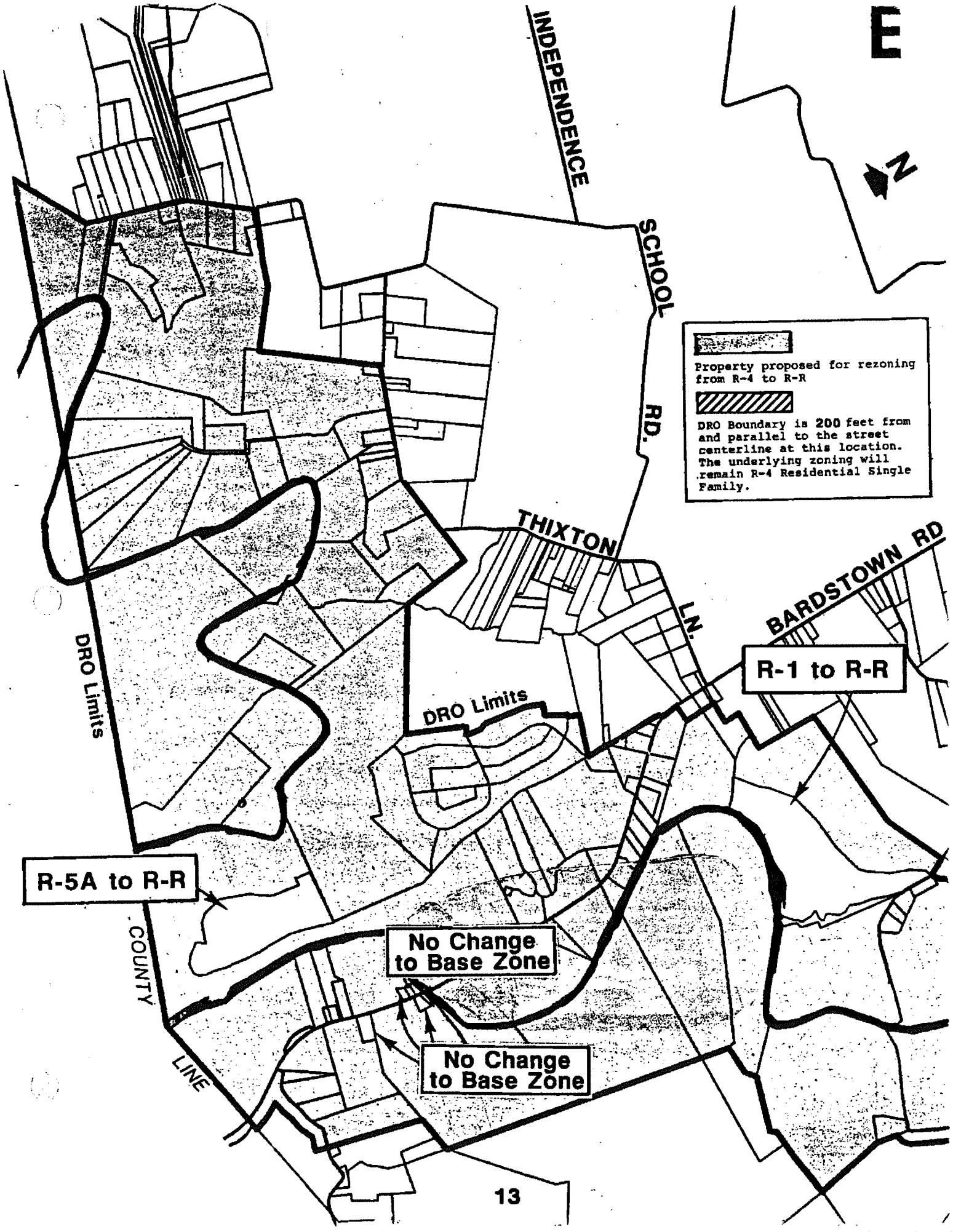

Note: Property located inside the dark lines ("DRO Limits") is proposed for application of the Development Review Overlay District (DRO). In addition, most parcels (indicated by shading) south of I-64 are proposed for rezoning from R-4 to R-R. North of I-64, existing zoning (R-4) is proposed to be retained, in conjunction with DRO.
A
OLD HENRY RD.
DRO Limits
COUNTY LINE
DRO remain R-4
AIKEN RD.
AIKEN RD.
DRO Limits
BECKLEY STATION RD.
JOHNSON RD.
N


B
SHELBYVILLE RD.
DRO remain R-4
DRO Limits
FISHERVILLE RD.
N
BECKLEY STATION
INTERSTATE 64
RD.
DRO Limits
DRO and R-4 to R-R
ECHO TRAIL
ENGLISH STATION RD.
DRO Limits
Property proposed for rezoning from R-4 to R-R
DRO Boundary is 200 feet from and parallel to the street centerline at this location. The underlying zoning will remain R-4 Residential Single Family.
No Change to Base Zone
C-1 to R-R
C-2 to R-R
R-4 to R-R


RD.
TAX BLOCK 41
NORTH
Remains C-1
Remains C-2
Remains C-1
TAYLORSVILLE
TAYLORSVILLE RD.
98
50
6
7
15
8
104
144
151
R-4 TO R-R
47
pt 75
18
74
14
pt 49
62
Fork
9
RD.
39
R-4 to R-R
75
17
pt 14
pt 9
pt 16
pt 162
46
pt 74
C-1 to R-R
Floyds
74
R-4 to R-R
TAX BLOCK 48
C-2 to R-R ✓
162


TAYLORSVILLE RD.
No Change to Base Zone
ROUTT RD.
HGWY. 155
HOPEWELL RD.
DRO Limits
DRO and R-4 to R-R
No Change to Base Zone
THURMAN RD.
OLD HEADY RD.
ECHO TRAIL
DRO Limits
DRO and R-4 to R-R
N
Property proposed for rezoning from R-4 to R-R
DRO Boundary is 200 feet from and parallel to the street centerline at this location. The underlying zoning will remain R-4 Residential Single Family.


D
GENE SNYDER FRWY.
No Change to Base Zone
SEATONVILLE RD.
BRUSH RUN RD.
BRENTLINGER LN.
DRO Limits
DRO and R-4 to R-R
BROAD
DRO Limits
RUN
RD.
BACK RUN
RD.
Property proposed for rezoning from R-4 to R-R
DRO Boundary is 200 feet from and parallel to the street centerline at this location. The underlying zoning will remain R-4 Residential Single Family.
N


E
N
INDEPENDENCE
SCHOOL
RD.
THIXTON
LN.
BARDSTOWN RD
DRO Limits
DRO Limits
R-1 to R-R
R-5A to R-R
COUNTY
LINE
No Change
to Base Zone
No Change
to Base Zone
Property proposed for rezoning from R-4 to R-R
DRO Boundary is 200 feet from and parallel to the street centerline at this location. The underlying zoning will remain R-4 Residential Single Family.