

Mossotti, Chair
Scutchfield, Vice Chair
Kay
Stinnett
Akers
Gibbs
Lamb
Farmer
Bledsoe
Henson

A G E N D A

Planning & Public Safety Committee

February 9, 2016

1:00 P.M.

1. **December 8, 2015 Committee Summary** (1-4)
2. **Community Gardens – Kay** (5-7)
3. **H-1 & NCD Notification Process – Farmer** (8-13)
4. **Code Enforcement Policies, Guidelines & Resources – Kay** (14-38)
Code Enforcement Penalties & Fines
5. **Items Referred** (39)

“Planning and Public Safety Committee, to which shall be referred matters relating to the division of planning and including, but not limited to, matters relating to housing, infill and redevelopment, purchase of development rights and historic preservation, and any related partner agencies and to which shall be referred matters relating to the department of public safety and its related divisions.”

- Council Rules & Procedures, Section 2.102 (1) Effective January 1, 2015 adopted by Urban County Council September 25, 2014

2016 Meeting Schedule

February 9	June 14
March 8	August 16
April 12	October 11
May 10	December 6



Planning & Public Safety Committee

December 8, 2015
Summary and Motions

Chair Mossotti called the meeting to order at 1:00 p.m. All Committee Members were in attendance. Council Members F. Brown and Hensley were also in attendance.

I. Approval of November 10, 2015 Planning & Public Safety Committee Summary

A motion was made by Henson to approve the November 10, 2015 Planning & Public Safety Committee Summary, seconded by Lamb. The motion passed without dissent.

II. Community & Market Gardens

Jim Duncan, from Planning, gave an introduction of the proposal for community and market gardens. Traci Wade, a representative from Planning, presented the details of the proposal.

Farmer inquired if approval of the proposal would drop regulations, allowing Council to approve new ones. Wade stated this is correct and that Law is currently drafting that legislation.

Gibbs inquired if someone has a market garden on an R-1 property if they would require a conditional use permit, which Wade affirmed and stated that this would only be required if the goods were being sold onsite and would not apply to property whose produce is sold offsite.

Mossotti noted she did not see parks included in the proposal. Wade stated that parks are public property and that the Parks Department is exempt from zoning for market gardens.

Lamb inquired about the mention of fowl and if they have considered pre-existing ordinances regarding fowl. Wade stated they would look into this.

A motion was made by Farmer for the Law Department to draft language for community and market gardens to return to Committee, seconded by Henson. The motion passed without dissent.

III. Taxicab Ordinance

Henson introduced the item. Glenda George, from Law, gave an update of the current Taxi Cab Ordinance.

Farmer inquired about the need to take action today and there was discussion.

Akers noted she does not agree with regulating taxi companies at all.

In response to a question from Henson, Rick Curtis, from Public Safety, stated that any ordinance can be a Public Safety issue. Curtis noted that TNC companies are a complex issue

and it would be difficult to enforce all vehicles for hire. Henson stated she feels it would be better to pass an appeal than to leave the issue hanging.

Hensley stated he feels that repealing the ordinance is the right thing to do. He stated it would save the city in operating costs and level the playing field for commercial operators.

Lamb inquired if they appeal, rather than approve, the ordinance if each individual taxi driver would have to apply for a business license. Rusty Cook, Director of Revenue, stated this is correct. Lamb stated if this is repealed she would like to see language included in the ordinance that would require TNC companies to send their information to the city.

Bledsoe inquired if the ordinance is amended to remove the \$30 filing fee, if this would level the playing field between both types of company. George stated this is both true and false because TNC's are still not required to provide the city with their information and the taxi cab companies would still have other requirements. Bledsoe stated she is still in favor of repealing the ordinance.

Kay inquired what would the affect be if they leave the ordinance as is. George stated they need to remove the parts they no longer have the authority to require.

A motion was made by Lamb to approve the Taxi Cab Ordinance as currently outlined in the packet, seconded by Kay. The motion failed by a 3-7 vote. (Aye: Farmer, Gibbs, Lamb Nay: Akers, Bledsoe, Henson, Kay, Mossotti, Scutchfield, Stinnett)

A motion was made by Kay to repeal the entire Taxi Cab Ordinance, seconded by Akers. The motion passed by a 7-3 vote. (Yay: Akers, Bledsoe, Henson, Kay, Mossotti, Scutchfield, Stinnett Nay: Farmer, Gibbs, Lamb)

IV. Frequency of Helicopter Landings

Hensley introduced the item. Chet Lott stated he is a private pilot and businessman Bill Dougherty also spoke.

Stinnett inquired how the Fire or Police Departments would be notified when planes land, if they need to define this and who would keep a log of these flights. Hensley stated currently call the 911 non-emergency line it seems unnecessary. Stinnett stated they may need to change this because he is unsure how they would track these. Commissioner Ronnie Bastin stated he would prefer a nonemergency line if they choose a notification procedure. Bastin stated that Public Safety has not had an issue with the current protocol. Stinnett inquired about enforcement of the ordinance.

In response to a question from Stinnett, Hensley stated they could provide notice to pilots through the Notes to Airmen sent out by each helipad. Stinnett inquired if the same rules apply to field landings. Hensley responded that it does not. Stinnett stated he would like clarification about what type of notification should be in place in the ordinance.

Gibbs inquired about what type of permit is needed to create a helipad. Bastin stated he does not know. Gibbs inquired why planes can land in fields without any regulation, while helipads are regulated. He stated he would like to see these regulated. He also stated his concern for air traffic, and his concern for the disruption to residents. Hensley stated the State controls helipads and air space is controlled by the FAA. There was discussion about the process of creating helipads.

Bledsoe requested clarification about which zones are currently allowable for helicopters to land. She further stated that removing the three times a month rule would encourage pilots to land in regulated helipads which would be safer, which Hensley confirmed.

Kay inquired if they could not regulate where conditional uses are permitted within the business and industrial zones. Kay stated he would not be in favor of increasing the number of landing times per month until they know what rights to regulate they may have and stated he would like to see further research.

Akers stated she would like to hear input from Planning, and that she has more questions about the topic. Akers inquired how pilots know that a helipad is not already in use. Hensley replied that there is a FAA guidance there is a prior approval and you would call a number for the helipad. Akers stated she believes there should be better communication between Police and Fire about these landings and she would like these concerns to be addressed in a future meeting.

Mr. Lott and Mr. Dougherty also spoke about the issue.

Lamb inquired if Public Safety communicated with the FAA tower. Bastin stated they can but usually do not need to communicate with them.

Kay requested clarification of language in the ordinance. He also inquired if this change would not mandate that all air traffic would use a helipad, although it could encourage it. Hensley stated this was correct and Kay inquired what the incentive would be to use a helipad over a field. Hensley stated that business that would like to put in a helipad are discouraged by the current ordinance.

Hensley stated he would like to open this up so that helipads could be constructed, and noted that under the current ordinance St. Joseph and Central Baptist are operating their helipads illegally. Kay stated as it is written it appears that the only change would be from 3 landing a month to 30.

Stinnett inquired if other cities require pilots to call Police and Fire. Lott stated they do not as they are in contact with the FAA during the flight. Stinnett stated he felt it would be redundant to leave the notification piece of the ordinance.

Akers inquired how Planning handles helipad issues. Jim Duncan stated this is not an issue that comes up often. Duncan stated helipads are a conditional use in several zones and is approved through the Board of Adjustment, not the Planning Commission.

Gibbs inquired if a property owner can give permission for a landing in a residential zone. Duncan stated that does not sound reasonable and confirmed that it would not be an accessory for a conditional use permit.

Melissa Murphy, a representative from Law, stated the ordinance stated landings are not permitted in residential areas.

Henson suggested exempting medical helicopters from this ordinance. Murphy stated they could do additional research into this.

Hensley stated there is a lot of regulation around this already in place. Hensley stated UK Hospital is the only hospital in Lexington who is currently exempted in the ordinance.

A motion was made by Stinnett to report out the Frequency of Helicopter Landings at today's Work Session for consideration by the full Council, seconded by Scutchfield. The motion tied by a 5-5 vote. (Yay: Akers, Bledsoe, Farmer, Scutchfield, Stinnett Nay: Gibbs, Henson, Kay, Lamb, Mossotti)

V. Items Referred

A motion was made by Farmer to remove Sky Lanterns from Committee, seconded by Bledsoe. The motion passed without dissent.

A motion was made by Bledsoe to adjourn, seconded by Scutchfield. The motion passed without dissent.

The meeting was adjourned at 2:33 p.m.
D.S. 12-15-2015

ORDINANCE NO. _____ - 2015

AN ORDINANCE AMENDING CHAPTER 10 OF THE CODE OF ORDINANCES TO ADD A SECTION REGARDING GARDENS.

WHEREAS, the Lexington-Fayette Urban County Council has reviewed the need for a new ordinance section governing gardens; and

WHEREAS, the Planning and Public Works Committee of the Urban County Council has reviewed and recommended specific amendments to Chapter 10 of the Code of Ordinances regarding gardens.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That Chapter 10 of the Code of Ordinances of the Lexington-Fayette Urban County Government is hereby amended by adding the following subsection:

Chapter 10: Food and Drugs

Article 1. In General

Sec. 10-14.1 Gardens

- (a) The primary purpose of private, community, and market gardens is to promote sustainable and affordable local food production for local consumption.
- (b) Private and community gardens, as defined herein (d), shall be permitted on any parcel of land in Fayette County, but shall comply with any and all regulations included herein and those established by other Federal, state or local agencies, such as the Kentucky Department of Public Health, Lexington-Fayette County Board of Health, and/or the Kentucky Department of Agriculture.
- (c) Market gardens, which may include on-site and/or off-site sales, and/or distribution of food crops and horticultural (non-food crops) products, shall be regulated through the LFUCG Zoning Ordinance.
- (d) As used in this article, gardens shall be defined as follows:
 - 1) Private Garden – an area of land used for the cultivation of food and/or non-food crops for personal use and consumption. Private gardens are an accessory use.
 - 2) Community Garden – an area of land less than five (5) continuous acres in size used for the cultivation of food and/or non-food crops by a group of individuals for their personal or group use, consumption, donation or off-site sales. The land may be divided into individual plots available for cultivation, and may include common areas maintained and used by group members. The garden may be located on the ground, in raised beds or on rooftops. Community gardens may be a principal or an accessory use.
- (e) Community Gardens must comply with the following regulations:
 - 1) On-site retail sales are prohibited.
 - 2) Identification and contact information shall be posted on the site with a clearly visible, non-illuminated sign that includes the name and contact information of the garden manager. The sign may also include the garden's rules of use. The sign shall have a maximum size of ten (10) square feet, and a maximum height of six (6) feet.

- The sign shall be located within five (5) feet of the right-of-way, but not be located within sight-distance triangles.
- 3) Hours of operation shall be limited to sunrise until ½ hour after sunset daily.
 - 4) Accessory structures maintained and used by the group are permitted. The combined areas of all buildings or structures shall not exceed 15 percent (15%) of the site area. Such structures may include:
 - i. Storage shed, limited to one shed no more than 120 square feet in size
 - ii. Cold frames and hoop houses, each one limited to three feet in width and three feet in height
 - iii. Raised and/or accessible planting beds (no railroad ties are permitted)
 - iv. Compost or waste bins
 - v. Fences
 - vi. Shade pavilion and trellises
 - vii. Signs and kiosks
 - viii. Benches, picnic tables and bike racks
 - ix. Garden art
 - x. Rain barrel system, (including mosquito control measures).
 - 5) The garden and accessory structures shall comply with applicable side and rear setbacks per the LFUCG Zoning Ordinance. The following accessory structures shall not extend into the front yard beyond the front yard setback:
 - i. Storage shed
 - ii. Cold frames and hoop houses
 - 6) The site must be designed and maintained so that water, chemicals or waste will not drain onto adjacent property, and measures are taken to control soil erosion.
 - 7) No garden shall be allowed in a FEMA floodway; however, a garden may be requested in the remainder of the 100 year floodplain. A special permit use shall be required from the Division of Engineering as regulated by Article 19-8 of the Zoning Ordinance, which will factor in slope, and/or existing vegetation. If the garden is approved, items that could be transported away by water shall not be left on-site.
 - 8) The parcel shall be maintained in an orderly manner throughout the year. Storage tools and supplies shall be indoors or removed daily from the site when unattended. The site must be maintain free of high weeds, grass and litter in compliance with Chapter 12 – Housing, Section 12-1 through 12-6 relating to property maintenance in the Code of Ordinance. The parcel shall be winterized, such as cleaning the site, and cutting, composting or removing stalks after harvesting.
 - 9) Compost must be stored in an enclosed container.
 - 10) Compost and waste bins shall be screened from adjacent properties through landscaping, fencing or location within a structure. They shall be maintained so as they do not attract insects, vermin, animals or create a nuisance; and, they shall be in compliance with Chapter 16, Section 16-10 of the Code of Ordinance.
 - 11) Any chemical and fuels shall be stored off-site or in an enclosed, locked structure when the site is unattended.
 - 12) No use shall emit an odor that creates a nuisance in compliance
 - 13) Keeping of livestock is prohibited. Keeping of fowl shall only be permitted when a community garden is located on the same parcel of land as a dwelling unit or where the community garden is managed on a daily basis by a non-profit organization.
 - 14) Mechanized equipment shall be those designed for household use, and shall comply with Chapter 14 – Offenses and Miscellaneous, Section 14-70 through 14-80 in regards to noise.

- 15) Fencing shall be compatible in appearance and placement with the character of nearby properties, and shall follow Article 15-4 of the Zoning Ordinance.

Section 2 – That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

Clerk of Urban County Council

Published:

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Lexington-Fayette Urban County Council

TO: Bill Farmer, Councilmember
5th District

FROM: Paul Schoninger
Research Analyst

DATE: February 2, 2016

SUBJECT: H-1/ND-1 Designation Notification

This is in response to your request for information pertaining to the issue of notification of the H-1 (Local Historic District Overlay) and ND-1 (Neighborhood Design Character Overlay) designations.

Briefly I will attempt to summarize the current process. Once the Planning Commission receives an H-1 designation application.

- Prior to initiating a zone change request for any overlay zone, notification is sent out to all property owners in the proposed district by LFUCG. The notice shall include a postcard with return postage surveying support, opposition or no opinion with respect to the proposed zone change proposal. (Article VIII-8.3 of the Planning Commission By-Law).
- If at least 50% of the affected property owners are in favor of the designation the Planning Commission considers whether it will initiate.
- The Board of Architectural Review (BOAR) shall hold a public hearing on the proposal within ninety days of receiving the application.
- Notice of the hearing shall be given at least fourteen (14) days prior to the hearing by first-class mail to all owners of property within the area of the proposed overlay zone. (Section 13-6(b)(3) of the Zoning Ordinance)
- BOAR shall forward its recommendation to the Planning Commission. (Section 13-4 of the Zoning Ordinance)
- The Planning Commission has six months to consider the overlay map amendment. (Section 6-4(a) of the Zoning Ordinance)
- The Planning Commission shall hold a public hearing on the proposal.

- Notice has be sent by first-class mail at least twenty-one days in advance of public hearing to all property within a 500 foot radius of the subject property. (Section 6-4(b) of the Zoning Ordinance)
- The Planning Commission shall forward its recommendation to the Urban County Council.
- The Council shall take final action within ninety (90) days of the Planning Commission final action. The Council can also hold a public hearing, notice of such hearing shall be in the same manner as prescribed in 6-4(b).

The overlay process can be initiated by the Planning Commission, the Urban County Council or a property owner or owners.

If, after reviewing this memo and attached materials, you have any questions, comments or need clarification, please don't hesitate to contact me.

Paul Schoninger
Research Analyst

c: Jessica Gies, Legislative Aide

BYLAWS

Adopted 4/12/12

- E. The matter does not involve a request for a waiver of the Land Subdivision Regulations.

Items placed on the Consent Agenda may be approved by a single motion and vote of the Commission.

7.7. Records – All records of the Planning Commission shall be open for public inspection pursuant to the provisions of KRS 61.870 et seq.

ARTICLE VIII: PUBLIC HEARING

8.1 When Hearings May Be Held – The Commission shall hold a public hearing prior to the adoption of the Comprehensive Plan or any of its elements, and prior to making a recommendation concerning the amendment of the text or the map of the Zoning Ordinance. In addition to those required by the law, the Planning Commission may hold public hearings whenever it decides that such hearings will be in the public interest.

8.2 Notice – Notice of the time, place, and reason for all public hearings shall be given by one publication in a newspaper of general circulation in the community not earlier than twenty-one days or later than seven days before a hearing, or in any other manner as deemed appropriate by the Planning Commission and which shall conform to the provisions of Chapters 100 and 424 of the Kentucky Revised Statutes.

* 8.3 Notice for Initiation of an Overlay Zone Change - Before the Commission initiates a zone change request to any overlay zone, a notice will be mailed to owners of all property within the area of the proposed map amendment at least twenty-one (21) days in advance of the meeting at which the Commission is to consider such action. The notice to property owners shall include a postcard with return postage to the Division of Planning or similar instrument surveying support, opposition, or no opinion with respect to the proposed zone change initiation. The Division of Planning shall provide the results of the survey to the Planning Commission at the meeting in which initiation is to be considered.

8.4—Transcripts – An audio tape recording of all public hearings and a video tape recording of all televised public hearings shall be made and retained by the Division of Planning for a period of five (5) years. A transcript may be prepared by a court reporter and audio recorder provided by an interested party, or from a duplicate of the Division of Planning's video tape recording at the expense of any requesting party. Before any such transcript may be considered an official record of the Planning Commission, it shall be reviewed for accuracy by the staff and bear the notarized signature of the Secretary.

8.5 Hearing for Adoption or Amendment of the Comprehensive Plan or Any of its Elements – Before the adoption or amendment of the Comprehensive Plan or any of its elements, the Planning Commission shall hold at least one public hearing in conformity with the requirements of KRS Chapter 100. A summary report of the proposed plan or amendment thereto shall be presented by a member of the Planning Commission or staff member(s) of the Division of Planning. Members of the public shall have an opportunity to present their views in a manner as determined by the Chairperson. At the conclusion of the public hearing, the adoption of the Plan or any element or amendment thereof shall be by a majority vote of the entire membership of the Commission.

County Government, individuals and organizations concerned with historic preservation.

- (4) Work toward the continuing education of citizens within the Certified Local Government's jurisdiction regarding historic preservation issues and concerns.
- (5) Attend at least one informational/educational meeting per year, approved by the State Historic Preservation Office.
- (6) Review design guidelines and make recommendations to the Historic Preservation Commission for changes to design guidelines.

13-6 DESIGNATION OF ZONES PROTECTED BY H-1 OVERLAYS

13-6(a) PURPOSE - To further the goals and purposes of this Article and the preservation, protection, perpetuation and use of historic districts and landmarks, the Urban County Council shall have the authority to designate historic districts or landmarks as zones protected by an H-1 overlay.

The Board of Architectural Review shall have the power and authority to make recommendations for the establishment of zones protected by an H-1 overlay.

13-6(b) PROCEDURE - The procedure for application and designation are as follows herein:

(1) APPLICATION - An application for the establishment of a historic district or landmark may be filed only by the Lexington-Fayette Urban County Council, the Planning Commission, the owner of the subject property or by a person with written authorization of the owner. The Board of Architectural Review, the Historic Preservation Commission, or an individual Lexington-Fayette Urban County citizen may request that the Lexington-Fayette Urban County Council or the Planning Commission initiate a Zone Map Amendment.

Said application shall be filed with the Planning Commission and transmitted to the Board of Architectural Review for its review and recommendation.

(2) STUDY - Upon the filing of an application for the establishment of a historic district for an area or an individual property as a landmark, the Board of Architectural Review shall study and review the application.

The Preservation staff shall prepare studies, reports and/or other information for consideration by the Board of Architectural Review.

(3) NOTICE OF BOARD OF ARCHITECTURAL REVIEW HEARING - The Board of Architectural

Review shall give notice of the time, place and reason for holding a public hearing thereon by one publication in the newspaper of highest circulation in Fayette County, Kentucky. This notice shall be published not earlier than twenty-one (21) days and not later than seven (7) days before the public hearing.

Notice of the hearing shall be given at least fourteen (14) days prior to the hearing by first-class mail to all owners of property within the area of a proposed historic district or within the area proposed as a landmark.

(4) BOARD OF ARCHITECTURAL REVIEW PUBLIC HEARING - After notice of the public hearing as provided herein, and within ninety (90) days after the filing date, the Board of Architectural Review shall hold a public hearing on the proposed application and recommend to the Planning Commission that the application be approved or disapproved and shall forward its recommendation in writing, citing appropriate guidelines and criteria upon which the decision is based to the Planning Commission.

(5) PLANNING COMMISSION PUBLIC HEARING - The Planning Commission shall consider the recommendation of the Board of Architectural Review at a public hearing with notice required by Article 6 herein.

Before considering the establishment of a historic district or landmark, the Planning Commission shall review and consider studies, reports and/or other information prepared by the Historic Preservation Office staff. The Division of Planning staff may assist with such studies and information.

After voting on whether the application for the establishment of a historic district or landmark should be approved or disapproved, the Planning Commission shall forward its recommendation, with its reasons in writing, to the Lexington-Fayette Urban County Council and the Kentucky Heritage Council.

(6) ACTION BY LEXINGTON-FAYETTE URBAN COUNTY COUNCIL - The Lexington-Fayette Urban County Council shall, as in the case of any map amendment request, act upon the application for the establishment of a historic district or landmark after it has received the written recommendation thereon from the Planning Commission. It shall take a majority of the entire Lexington-Fayette Urban County Council to override the recommendation of the Planning Commission.

13-7 CERTIFICATES OF APPROPRIATENESS - A Certificate of Appropriateness shall be required before a person may undertake any exterior changes on a property or structure within a zone protected by an H-1 overlay. Ordinary maintenance may

zone map amendment at the same conference. The Division of Planning shall not accept an application for a zone map amendment or a text amendment for which a pre-application conference has not been held.

6-4 COMMISSION PROCEDURE - Upon the filing of an application for an amendment to the Zoning Map or the text of this Zoning Ordinance, or a duly imposed binding condition or restriction as set forth in Article 6-7, the Commission shall direct its staff to review the application, make whatever studies the Commission deems necessary, and report its findings at a public hearing. In addition, the Commission may require the applicant to submit further information subsequent to the filing of an application, as provided by KRS 100 and the bylaws of the Commission. A development plan may be required as set forth in Article 21-3.

* 6-4(a) PUBLIC HEARING ON AMENDMENT APPLICATION - After notice of the public hearing, as provided in Section 6-4(b) herein below, the Commission shall hold a public hearing and vote to recommend approval or disapproval of the proposed amendment within sixty days of the date of filing for any Council-initiated text amendment, within six (6) months of the date of filing for all other text amendment requests, within six (6) months of the date of filing of any H-1 or ND-1 zoning map amendment, or within ninety (90) days of the date of filing of all other zoning map or binding conditions or restriction amendment requests, unless the time is extended by the request of or the agreement of the applicant. At the public hearing, the Commission shall receive the report of the staff, orally or in writing, and shall hear the testimony of the staff members as it sees fit. The Commission shall allow the applicant, protestors, and other interested citizens to testify and rebut the evidence presented by other parties, provided that the Chairman shall have the power to limit repetitive testimony and exclude irrelevant testimony and evidence.

* 6-4(b) NOTICE OF PUBLIC HEARING BEFORE THE PLANNING COMMISSION - Before voting upon any proposed text amendment; zone map amendment; or binding condition or restriction amendment, notice of the time, place and reason for holding a public hearing shall be given by one publication in the newspaper of highest circulation in Fayette County, Kentucky, not earlier than twenty-one (21) days or later than seven (7) days before the public hearing. In addition, for any map amendment, or binding condition or restriction amendment, notice of the public hearing shall be posted on the subject property for fourteen (14) consecutive days prior to the hearing, and notice shall be given by first-class letter at least twenty-one (21) days in advance to owners of all property within a 500-foot radius of the subject property. In the event that the subject property adjoins land that is zoned Agricultural Urban (A-U), Agricultural Rural (A-R), Agricultural Natural (A-N), or Agricultural Buffer (A-B), notification shall be given by first-class mail to not only those properties within a 500-foot radius of the subject property, but

to the next two properties beyond those included in the 500-foot radius; but in no event shall notice be required for property more than 2,400 feet from the subject property for a zone change or variance request, or more than one (1) mile from the subject property for a conditional use request in conjunction with a zone change as allowed in Article 6-4(c). For any Council- or Commission-initiated map amendment, notice by first-class letter shall be given to all owners of property, the classification of which is proposed to be changed, at least thirty (30) days prior to the public hearing.

6-4(c) CONDITIONAL USES AND VARIANCES ALLOWED AT THE TIME OF ZONING - The Planning Commission may hear and act upon requested conditional uses and variances associated with a zone change. If the Planning Commission should choose to hear a conditional use or variance request, the Planning Commission shall have all of the powers and responsibilities of the Board of Adjustment, as defined in Articles 7-6(a) and 7-6(b) of the Zoning Ordinance. All conditional use and variance applications shall be acted upon by the Planning Commission within ninety (90) days from the date of the application, unless postponed further by the applicant.

* 6-4(d) RECOMMENDATION OF COMMISSION FOR ZONING MAP AMENDMENT - Before recommending to the Lexington-Fayette Urban County Council that an application for amendment to the Zoning Map be granted, the Commission shall find that the map amendment is in agreement with the Comprehensive Plan adopted by the Commission; or, in the absence of such a finding, that: (1) the existing zoning classification given to the property was inappropriate and the proposed zoning classification is appropriate; or (2) there have been major changes of an economic, physical or social nature within the area involved, which were not anticipated in the Comprehensive Plan adopted by the Commission and which have substantially altered the basic character of such area. The findings of fact made by the Commission shall be recorded in the minutes and records of the Commission. The Commission shall vote to recommend that an application for amendment to the Zoning Map be approved, approved with binding conditions or restrictions, or disapproved. A tie vote shall be subject to further consideration by the Planning Commission for a period not to exceed thirty (30) days, at the end of which, if the tie has not been broken, the application shall be forwarded to the Urban County Council without a recommendation of approval or disapproval.

* 6-4(e) RECOMMENDATION OF COMMISSION FOR TEXT AMENDMENT - After voting to recommend that an application for amendment to the text of this Zoning Ordinance be granted or denied, the Commission shall forward its recommendation in writing to the Lexington-Fayette Urban County Council.

6-5 FORWARDING OF THE PLANNING COMMISSION'S ACTION TO THE URBAN COUNTY COUNCIL -

Within fourteen (14) days of the Commission's final action to recommend that a zone map amendment be approved, approved with binding conditions or restrictions, or disapproved, the development plan(s) and/or other plans filed in conjunction with the map amendment shall be certified by the Commission's Secretary as set forth in Article 21-4 herein, or else the final action of the Commission on the zone map amendment shall be null and void. Any further consideration of the zone map amendment shall be treated as a new application and shall be reviewed as set forth herein. Upon certification of the plan(s), the Commission's Secretary shall forward its report in writing to the Urban County Council. This report shall include at least the application, legal description of the property, notification area map, staff report, and the findings of fact and conclusions of law and the recommendation of the Planning Commission, including any binding conditions or restrictions to be imposed as set forth in Section 6-7 below. Minutes of the Planning Commission public hearing shall be included in the final report whenever they are available.

6-6 ACTION BY LEXINGTON-FAYETTE URBAN COUNTY COUNCIL ON ZONING MAP AMENDMENTS -

The Lexington-Fayette Urban County Council shall take final action upon a proposed map amendment within ninety (90) days of the date upon which the Planning Commission takes its final action upon such a proposal. The Council shall not act upon a proposed amendment to the Zoning Map until it shall have received the written report from the Commission. Upon receiving the report, the Council may adopt the recommendation of the Commission without a public hearing or may elect to hold a new public hearing. In the event that the Council shall have a public hearing, notice of such hearing shall be in the same manner as the notice required to be given under Article 6-4(b) herein. The Council shall allow testimony from members of the staff, the applicant, protestors, and any other interested citizens; and it shall allow parties to rebut the evidence presented by other parties, provided that the Mayor or presiding officer of the Council shall have the authority to limit repetitive testimony and to exclude irrelevant testimony or evidence. Regardless of whether or not the Council holds a public hearing, the Council may order a written transcript of the Planning Commission's hearing to be prepared for distribution to each Council member. In the event the Council shall order the preparation of a transcript, it shall be prepared at the cost of the applicant, certified by the Secretary of the Commission, and distributed to each Council member at least forty-eight (48) hours prior to second reading of the ordinance pertaining to the zoning map amendment. It shall take a majority of the entire Lexington-Fayette Urban County Council to override the recommendation of the Commission, and it shall take a majority of the entire Council to adopt a zone map amendment whenever the Planning Commission forwards the application to the Council without a recommendation due to a tie vote.

6-7 CONDITIONS TO GRANTING A ZONE MAP AMENDMENT -

Pursuant to KRS 100.203(8), Planning Commission or the Urban County Council may, as a condition to granting a map amendment, restrict the use of the property affected to a particular use, a particular class of use, or a specified density within those permitted in a given zoning category; impose architectural or other visual requirements or restrictions upon development in areas zoned historic; and impose screening and buffering restrictions upon the subject property. In recognition that the aforementioned powers may be useful in accomplishing the purposes set forth in Section 1-3, but at the same time in recognition that such powers should be thoughtfully and sparingly used, the method whereby such restrictions or conditions may be imposed, modified, removed, amended and enforced is set forth below.

6-7(a) CRITERIA AND TERMS - A binding restriction or condition may be imposed whenever one or more of the specifications of the Zoning Ordinance for the proposed zoning category, if exercised by the applicant, would impair the integrity and character of the area in which the subject property is located or adjoining areas, unless restrictions or conditions as permitted in this Article are imposed in addition to those imposed in the Zoning Ordinance. Such restriction or condition may include, but shall not be limited to, time limitations; requirements that one or more things be done; or restrictions or conditions of a continuing nature, so long as the same are limited to the matters set forth in Section 6-7. No restriction or condition may be imposed which shall deprive the applicant of a reasonable use of the land or create an unnecessary hardship on the applicant.

6-7(b) PROCEDURE - Imposition of binding restrictions or conditions may be considered at any point in the zoning map amendment procedure. However, before the Commission recommends such a restriction or condition or the Urban County Council adopts the same, it shall make findings of fact and conclusions of law which are supported by substantial and competent evidence, which are not arbitrary or capricious; and which demonstrate that the effect of the proposed zoning map amendment on the public health, safety and welfare in the area in which the subject property is located and adjoining areas has been considered. The Council may also designate certain conditions or restrictions as amendable only by Council action. Any such condition or restriction so designated may only be amended, modified or removed by Council action as set forth under Section 6-7(c)(1). Conditions or restrictions not so designated may be amended, modified or removed by the Planning Commission as set forth under Section 6-7(c)(2). Only when the Urban County Council holds its own public hearing or reviews the record and the transcript of the Commission hearing may the Council impose a binding restriction or condition not recommended by the Commission, or modify or remove a restriction recommended by the Commission or designate certain conditions as amendable only by Council action. Any binding restriction or condition finally imposed after completion of the zoning map

Division of Code Enforcement: General Operations and Future Considerations

Planning and Public Safety Committee Meeting

Tuesday February 9th, 2016

1:00pm

Department of Planning, Preservation, and Development

Division of Code Enforcement

General Operations

Primary Goal

- **Cooperative Compliance and Safety**
 - Code enforcement (CE) works with property owners, renters, business owners, civic groups and other governmental entities to ensure Lexington stays one of the safest and most beautiful cities in the United States.
 - CE hopes to accomplish this by working with these groups to ensure property owners adhere to all laws/ordinances that apply to the maintenance of all property in Fayette County.
 - A vast majority of violations come to the attention of Code Enforcement via citizens based complaints.

General Operations

Code Enforcement Addresses Four Specific Areas

- **Housing:** Property fails to meet International Property Maintenance Code Standards and/or Chapter 12 of the Code of Ordinances. (\$100-\$2,000+)
- **Nuisance:** Notices are issued for tall grass, weeds, junk vehicles, indoor furniture outdoors, trash and debris and other violations of Chapter 17 of the Code of Ordinances. (\$100-\$1,000 and/or Abatement Cost)
- **Sidewalks:** Issued when sidewalks require repair, replacement due to a safety issue. (\$10psf,max. \$500)
- **Temporary Signage:** Right-of-Way/Governmental Property

General Operations

Possible Actions Taken

- **Repair Notice/Abatement Notice**
 - Owner is initially provided 14N-30H days to address violations. (emergency nuisance abatement)
 - If Compliance is achieved in the allotted time frame, no other action is taken.
 - If appealed, an Appeals Hearing will occur.
 - If Property owner takes steps to address the violations, provides a reasonable work schedule and/or provides a justifiable reason why the repairs may be hindered (i.e. medical issues, weather related, etc.) an extension may be provided.

General Operations

Possible Actions Taken

■ Civil Penalties/Abatement Costs/Liens

- The Property owner is provided 10N/20H days to appeal the civil penalty. If they do appeal, an Appeals Hearing will take place. If they do not, they have 30 days to pay the civil penalty or abatement costs.
- Additional civil penalties may be issued on 14N-30H day intervals if compliance has not been gained or extension has not been provided.
- May be dismissed based by Appeals Hearing Officer or held in abeyance with a documented, justifiable reason; a clearly defined work schedule and director approval.
- If payment is not received in the time allocated, the outstanding fund balance will be assessed as lien against the property. Unfortunately an accumulation of Liens may result in foreclosure.

Future Considerations

Leadership Goals

- Code Enforcement Database
- Reorganization of Personnel and Assignments
- Standardization and Consistency in Operations
- Update Code of Ordinances and Move to 2015 International Property Management Code
- Public Education and Outreach Programs
- Increased Training and Development of Officers and Supervisors

Future Considerations

Leadership Goals

- Assistance Programs and Community Partnerships
- Vacant Property Commission
- Appeal Hearings
- Reduction of Outstanding Liens
- Research and Consider Current/Future Trends

Code Enforcement Database

Goals

- Transparency
- Focused on standardization and documentation.
- Access in the field.
- Data validation
 - Parcels and Addresses
 - Ownership Information

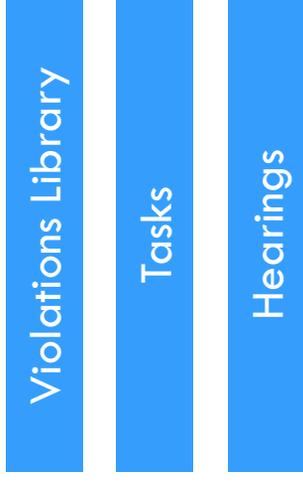
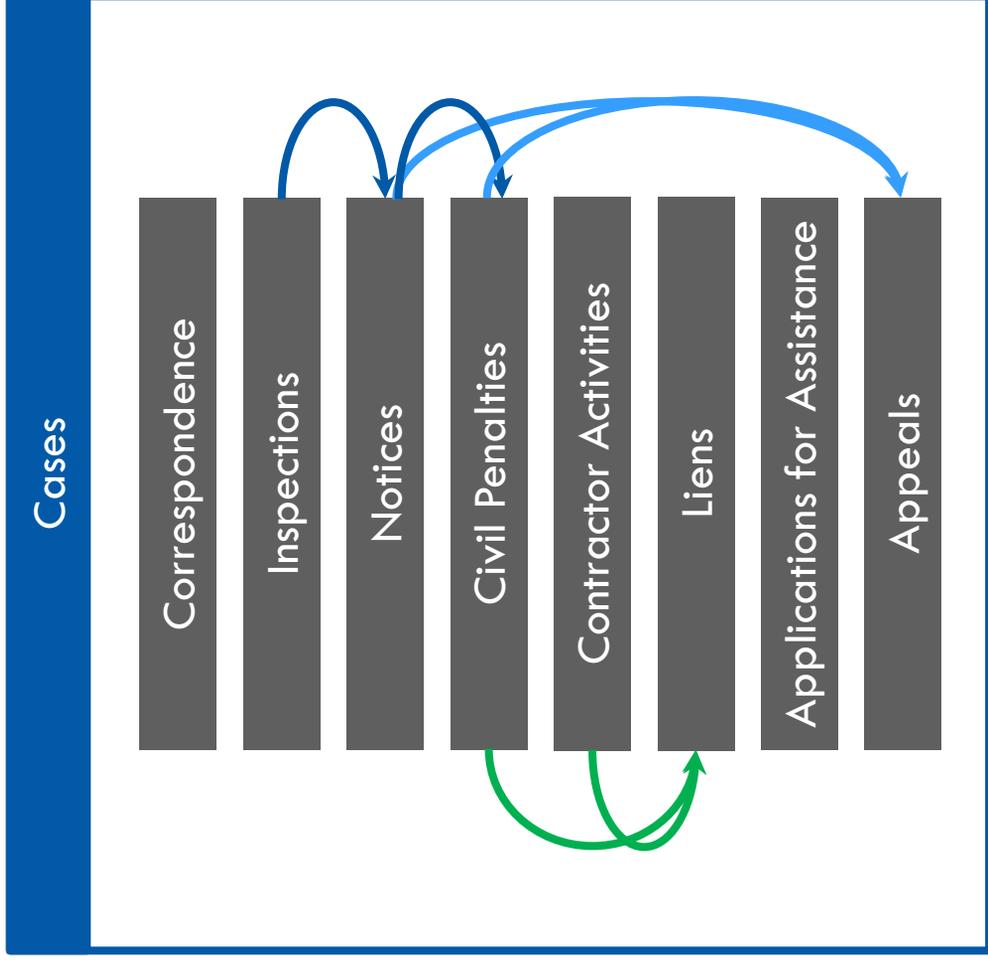
Code Enforcement Database

System Information

- 100% Cloud Solution
 - Accessible from any computer or mobile device.
 - No servers to maintain or upgrade.
- Annual cost of ~\$27,000
- Expected to be fully implemented in Spring 2016.

Code Enforcement Database

Data Model and Workflow



Code Enforcement Database

Approval Processes

- Case Closure (Supervisor)
- Extension Notices (Supervisor)
- Civil Penalties (Supervisor)
- Demolition Notices (Director)
- Liens (Director)



Code Enforcement Database

Automation

- **Integration with LexCall**
 - Complaints automatically create and update cases.
 - Case status changes are sent back to LexCall
- **Automatic Case Assignment**
 - Cases are automatically assigned by geographic area.
- **Automatic Task Assignment**
 - Events trigger tasks assignments to inspector.
- **Comprehensive Inspection System**
 - Inspectors are guided through a standardized inspection process.

Code Enforcement Database

Transparency

- Data will be publicly available.
 - Public site to view case information.
 - Released as open data.
 - New data will be used to create a better experience for users of tools like CityGram.

 **Code Enforcement Cases**

Code Enforcement Cases

My Cases

CE-2015-00051

Address:
 Record Type:
 Status:
 Status Detail:
 Created Date:
 Last Modified Date:
 Owner Alias:

232 TAYLOR DR
 Housing Case
 Open
 Complaint Received
 12/4/2015 8:50 AM
 12/4/2015 7:20 PM
 JHoll

More

23% 

11:45 AM

lexingtonky.lightning.force.com



232 TAYLOR DR

Normal • Open • Complaint Received



DETAILS RELATED

CASE INFORMATION

Case Number
CE-2015-00051

Owner
Jonathan Hollinger

Address
232 TAYLOR DR

Created By
Jonathan Hollinger, 12/4/2015 8:50 AM

Case Priority
Normal

Last Modified By
Jonathan Hollinger, 12/4/2015 7:20 PM

Status
Open

Status Detail
Complaint Received

Interactions



Verizon 11:52 AM 22%
 lexingtonky.lightning.force.com

232 TAYLOR DR
 Normal • Open • Complaint Received

DETAILS RELATED

- Inspector Tasks
- Complaints
- Inspections
- Notices
- Civil Penalties
- Contractor Activities

Edit Delete

Basic Information

Inspection Date

Jan 28, 2016

Inspector

Jonathan Hollinger

Front Left Photo

Take a photo from the from left corner of the property.

Choose File 1 photo

Front Right Photo

Take a photo from the front right of the property.

Choose File 1 photo

Public Sidewalks

Trip Hazards

Front Yard

Grass Over 12"

Trash and Debris

Indoor Furniture Outside

Junk Vehicles

Side Yard

Grass Over 12"

Trash and Debris

Questions?



Lexington-Fayette Urban County Council

TO: Steve Kay, Vice Mayor

FROM: Paul Schoninger
Research Analyst

DATE: December 31, 2015

SUBJECT: Code Enforcement Practices: Other Communities

This is in response to your referral of Code Enforcement issues into the Planning/Public Safety Committee. I will attempt to highlight initiatives used in other communities to improve code enforcement and housing maintenance strategies. This includes the use of partnerships, cooperative compliance, proactive investigations, rental inspection programs, training and outreach, and program evaluation.

Code enforcement is a process local governments use to gain compliance with land use and property regulations, such as zoning, uniform building and fire codes, health and housing codes. Effective enforcement of housing and building codes is a key ingredient in community/y neighborhood revitalization efforts. Long term success of private revitalization often hinges on cleaning up or repairing, or redeveloping problem properties. These properties deter investors, frustrate existing residents and generally contribute to an environment of disorder, fear and crime.

The most effective partnership for community revitalization involves code enforcement agencies- housing, health zoning and building inspection as well as public safety and laws enforcement. By working together in a comprehensive holistic approach these organizations can do more to rehabilitate and permanently transform neighborhoods.

Effective code enforcement programs engage with community members and partner with community organizations. By raising awareness of the purpose, policies and procedures of code enforcement, community organizations can support enforcement efforts and help residents and owners understand the process.

When code officers encounter language barriers or other challenges residents may be facing that trusted community partner can step in. They can work between groups, facilitate solutions, help residents move from hazardous conditions and help property owners fix housing problems. These partners may be more flexible and better positioned to propose creative solutions. The partners can also help both property owners and code enforcement

officers by providing services and resources to help owners comply with code enforcement orders.

Code enforcement programs have a variety of potential community partners, including housing advocates, public health professionals, immigrant and refugee service providers, social workers, tenant/landlord/neighborhood organization, and home repair programs. Internal partners could include Affordable Housing, Homelessness, Community Develop, Police, Fire, and Vacant Property Commission.

Cities have followed different approaches in building partnerships. In San Antonio the City trains neighborhood residents to be volunteer Code Rangers. These individuals identify code violations in their neighborhoods and notify city officials. Property owners receive a courtesy letter from the city seeking their voluntary compliance.

Cities can partner with community organizations around specific strategies. For a number of years Detroit has partnered with neighborhood groups with respect to its program for boarding up vacant properties. The organizations submitted complaints about potential properties to the city.

Cleveland has partnered with numerous community development corporations (CDCs) in an effort to revitalize neighborhoods. Under a formal partnership agreement, CDC staff surveyed their respective neighborhoods to identify abandoned properties or properties in need of inspection. Routine exterior complaints that came to the city are forwarded to the CDC which attempts to achieve voluntary compliance with the owner. If the CDC is unsuccessful it refers the matter to the city.

The City of Clemson, SC along with numerous other jurisdictions has adopted a rental housing ordinance that requires rental property owners to obtain an annual business license. As part of the licensing process, properties are required to have an annual physical inspection.

Effective code enforcement programs should enable and encourage cooperation between officers and property owners. Under a cooperative compliance model, code enforcement officers do much more than inspect housing and issue violation notices- they also help property owners fix problems and comply with housing codes. As a result code enforcement officers can be considered trusted community partners rather than feared adversaries. This can promote the preservation of housing stock, and help the jurisdiction time and money on re-inspections, abatement hearings and prosecutions. Cooperative compliance is a model that seeks not only to correct violations but also to help code enforcement officers and property owners understand their respective rights and responsibilities. It can help them work together to improve housing beyond what is minimally required.

Code enforcement programs may work to ensure housing is safe and healthy for residents, but they can't do the job alone. One way to enhance the effectiveness of a code enforcement program is to create a variety of programs and policies that complement code enforcement. These programs in addition to those offered by community organizations, supplement enforcement efforts by helping owners and residents understand code enforcement procedures, and by protecting residents from unsafe housing.

Many jurisdictions provide written materials and checklists for residents and owners that cover applicable housing code provisions. Boston, for example provides courses for owners that explain the inspection process and their responsibilities under the housing code. Other cities, such as Los Angeles, provide outreach to residents on their rights under the housing code. Los Angeles works with tenant housing organizations to ensure renters understand their rights.

Los Angeles also offers financial assistance to renters in some cases. They have established the Rent Escrow Account Program (REAP). Under this initiative when a property is cited for violating housing code and owners fail to remedy the problem within a specified timeframe, the building can be placed into the REAP program. Renters then have the opportunity to pay a reduced rent, as determined by the City, into an escrow account. Generally the rent is reduced by between 25-35%. The reduced rent is in effect until the violations remain uncorrected. In addition Los Angeles offers renters relocation assistance if they are subject to no-fault eviction or if the building is deemed so structurally deficient that residents cannot live there.

Jurisdictions can establish programs that increase code enforcement effectiveness by educating community members, incentivizing and/or financing repairs, and helping residents move when necessary.

Many jurisdictions also regularly evaluate their code enforcement programs. Data collection and analysis can provide valuable information to both the City and its residents. Without data collection and analysis, a code enforcement program can only guess at its effectiveness. Specific quantitative and qualitative data can help programs better understand their strengths and weaknesses. To effectively protect the health and safety of residents, code enforcement programs should regularly evaluate enforcement procedures and policies.

Greensboro, NC, San Jose, CA, Boston, MA and Kansas City are some of the jurisdictions that have recently evaluated their respective housing code programs.

The City of Rock Hill SC developed an innovative approach to urban blight with its Proactive Codes Enforcement Program (PACE). The main goal of the program was to address blight and code violations in a non-adversarial manner. In addition to the city departments involved (Housing, Neighborhood Empowerment, Planning/Zoning, Police and Fire) the City included key partners such as a local beautification board, neighborhood associations, and non-profits that assist in repairing and painting low-income housing. The City has received close to 100% compliance in the 10 years PACE has existing without taking legal action. It has also fostered better relationships among residents, property owners, the City and the partner agencies. Other outcomes include increased litter abatement and yard waste removal.

Charlotte recently adopted a current version of the International Property Maintenance Code. They also adopted the National Healthy Housing Standard developed jointly by the American Public Health Association and the National Center for Healthy Housing. The NHHS is a science based initiative to address the health effects of substandard housing

Cleveland mandates training for its housing maintenance inspectors. This includes training in conventional housing code standards but it also includes health effects of substandard

housing offered by the Center for Disease Control and Prevention called “Code Inspection for Healthier Homes.” Training is also required in soft skills, including customer service, communication techniques and ethics. There are also training sessions on technical assistance and resources offered by partner agencies, community organizations so the inspectors can understand what resources and assistance is available to property owners and residents.

In addition to the information contained within I have included a list of sources used in the development of this memo. If after reviewing this memo and attached materials you have any questions, comments or need clarification, please don’t hesitate to contact me.

Paul Schoninger
Research Analyst

c: Nathan Dickerson

Sources:

“Up to Code”, ChangeLabSolution, 2014
 “Code Enforcement Strategies” Miami Valley Regional Code Council, 2013
 “Code Enforcement and Housing” Institute for Public Service” University of South Carolina, 2006
 “Community Code Enforcement Partnerships”, Center for Community Progress, 2008
 “Leveraging Code Enforcement for Neighborhood Safety”, Local Initiatives Support Corporation, 2009
 “Conservatorship Handbook”, Housing Alliance of Pennsylvania, 2013
 “5 Things Cities & CDC’s Don’t Get About Code Enforcement” Rooflines, 2013
 “An Introduction to Codes-Police community Partnerships” Local Initiatives Support Corporation, 2012
 “Neighborhood Stabilization Strategies for Vacant and Abandoned Properties”, Emory University School of Law, 2013
 “Code Enforcement and Community Stabilization: The Forgotten First Responders, Albany Government Law Review, 2010
 “Clearing Blight with Code Enforcement”, Municipal Association of South Carolina, 2014
 “A Lighter, Quicker, Cheaper Way to Use Vacant Spaces”, Local Initiatives Support Corporation, 2012
 “A Blueprint for a Profitable Urban Farm”, CityLab, 2012
 “Reinventing Dayton and the Miami Valley”, National Vacant Properties Campaign, 2005
 “Best Practices for Community Revitalization and Stabilization”, Greater Ohio Policy Center, 2014



Lexington-Fayette Urban County Council

TO: Steve Kay
Vice Mayor

FROM: Paul Schoninger
Research Analyst

DATE: January 20, 2016

SUBJECT: Code Enforcement Housing & Nuisance Penalties:
Other Jurisdictions

This is in response to your recent request for information pertaining to the issue of code enforcement/housing maintenance penalties and nuisance violations assessed by other jurisdictions.

The 27 jurisdictions were selected because they share similar population and/or share similar demographic characteristics. The cities include Montgomery, AL; Little Rock, AR; Riverside, CA; Aurora, CO; Augusta, GA; Ft. Wayne, IN; Des Moines, IA; Wichita, KS; Grand Rapids, MI; St Paul, MN; Jackson, MS; Lincoln, NE; Rochester, NY; Durham, NC; Greensboro, NC; Raleigh-Wake Co., NC; Dayton, OH; Providence, RI; Chattanooga, TN; Arlington, TX; Plano, TX; Chesapeake, VA; Norfolk, VA; Spokane, WA; Tacoma, WA; and Madison, WI.

The information in the table includes housing violation fines (minimum and/or maximum) and its corresponding ordinance; nuisance violations fines (minimum and/or maximum) and its corresponding ordinance(s). The fines as specified in the respective ordinances are per violation and can be assessed per day per violation.

As you can see Lexington is in the lower quadrille in terms of minimum fines in terms of housing maintenance violations. In terms of the nuisance violations Lexington is one par with the rest of the peer group.

A few of the peer group utilize the maximum fine range to address persistent violators. Plano, TX; Wichita, KS; Raleigh-Wake Co, NC; and St Paul, MNB are examples of jurisdictions that utilize a high fine if the property owner has multiple properties in violation or the particular property has been in violation multiple times over a threshold period of time.

The table on the 2nd page is the rate structure utilized by Lexington-Fayette County. Lexington handled the fine slightly differently that most of its peer group. The housing fines are assessed based on the number of re inspections and violations (they are grouped by number of violations (1-5 violations; 6-10; 11-15; 16-20; and more than 20 violations). The fine amounts escalate based on the number of violation and the number of re inspections. As

an example if a property was on its 2nd re-inspection and it had 6 housing code violations the fine would be \$ 300.

While the ordinance reflects a maximum fine of \$ 1000, that level would only be assessed if the property had at least 16 housing violations and was undergoing its 4th re-inspection of those violations.

The goal of housing maintenance inspections is not to collect fines. It is to identify violations and to get those properties into compliance. However assessing penalties and fines are one method to get properties into compliance.

If, after reviewing this memo and attached materials, you have any questions, comments or need clarification, please don't hesitate to contact me.

Paul Schoninger
Research Analyst

c: Nathan Dickerson

Code Enforcement/Housing Maintenance/Property Nuisance Fines Comparable Cities

<u>Jurisdiction</u>	<u>Housing</u>	<u>Ordinance</u>	<u>Nuisance</u>	<u>Ordinance</u>
Jackson, MS	\$75	26.513	\$ 25-\$ 100	106-187
Des Moines, IA	\$ 75-\$ 500	102.925	\$ 75-\$ 125	60.104; 42.348
Plano, TX	\$ 100-\$ 500	6.45	\$ 100-\$ 500*	14-32
Corpus Christi, TX	\$ 100-\$ 500	14-207	\$ 100-\$ 500	23-55; 55-169
Chesapeake, VA	\$ 100-\$ 500	14.33.87	\$ 100-\$ 250	10.47.2
Arlington, TX	\$ 100-\$ 500	13.024	\$ 50-\$ 500	24.20
Lexington, KY	\$ 100-\$ 2000	12-1(b)	\$ 100-\$ 1000	12-8.21(b)
Wichita, KS	\$ 100-\$ 1000	8.1-180	\$ 100-\$ 1000	20.04.200
Chattanooga, TN	\$ 100-\$ 1000	21.77	\$ 100-\$ 500	18.8; 24.349
Ft. Wayne, IN	\$ 125-\$ 2500	152.12	\$100	99.999
Grand Rapids, MI	\$ 200-\$ 500	8.503	\$ 25-\$ 500	13.455
Raleigh-Wake Co, NC	\$ 200-\$ 1000	11.2025	\$ 100-\$ 500	12.6003
Riverside Co., CA	\$ 200-\$ 1000	15-16.220	\$ 100-\$ 500	13-20.230
Spokane, WA	\$ 200-\$ 1000	17f.070.490	\$ 100- \$ 150	13F.230-16
Greensboro, NC	\$ 200- 1000; \$ 75 a day thereafter	11.42	\$ 100-\$ 500	18.36
Norfolk, VA	\$ 200- \$ 2500	11.1-12	\$ 100-\$ 500	29-58
Dayton, OH	\$ 200-\$ 1500	1553.28	\$ 100-\$ 500	5.14
Tacoma, WA	\$ 200-\$ 2000	201.300	\$ 100-\$ 1000	830.080
Lincoln, NE	\$250	20-06.230	\$100	20-12.230
Providence, RI	\$250	13-16	\$150	16-107; 4-47
Augusta, GA	\$250	T7:18	\$150	T7:46:30
Rochester, NY	\$ 250-\$ 500	39-103	\$ 50-\$ 150	13A-204
St. Paul, MN	\$ 250-\$ 500	40.113	\$ 50-\$ 200	45.702
Montgomery, AL	\$ 250-\$ 500	27-121	\$ 150-\$ 500	12-166
Madison, WI	\$ 250-\$ 750	27.11	\$175	24.20
Durham, NC	\$ 300-\$ 5000	10-241	\$ 75-150	26-181; 62-22.4
Little Rock, AR	\$500	8-27	\$ 100-\$ 200	20.24; 35-347
Aurora, CO	\$ 500; \$ 50 a day thereafter	147-19	\$ 50- \$ 200	14.42

Planning & Public Safety Committee Referrals

<u>Items</u>	<u>Referred By</u>	<u>Date Referred</u>	<u>Status</u>
H-1 Notification Process	Farmer	1.19.13	Fall 2015-Winter 2016
Greenway Manual & Plan	Mossotti	10.8.13	Spring 2016
Downtown Traffic Study	Farmer	4.13.12	Spring-Summer 2016
Distribution of Unsolicited Advertising Supplements	Henson	4.21.15	Spring 2016
Community and Market Gardens	Kay	8.18.15	Fall 2015-Winter 2016
Design Excellence ZOTA	Kay	8.18.15	September 2015
Design Excellence Standards & Guidelines	Kay	8.18.15	September 2015
Snow Removal on Sidewalks Enforcement	Gibbs	8.18.15	Spring 2016
Officer Turnover in Community Corrections	Evans	9.1.15	Fall 2015-Winter 2016
Review Nuisance Ordinances	Gibbs	9.1.15	Spring 2016
Fire & EMS Vehicle Replacement Plan	F.Brown	9.8.15	Spring 2016
Body Cameras	Mossotti	9.22.15	November 2015
Special Event Permitting in Rural Areas	Hensley	10.8.15	Spring 2016
Code Enforcement Policies, Guidelines and Resources	Kay	10.13.15	Winter 2016
Electronic Billboard Signage	Farmer	11.3.15	Spring-Summer 2016
Public Safety Officers	F.Brown	12.2.15	Spring-Summer 2016
Quarterly Update on Trails & Path System	Mossotti	1.19.16	Spring-Summer 2016