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**Lexington-Fayette
Urban County
Government**

www.lexingtonky.gov

What kinds of things can the ND-1 Overlay Zone regulate?

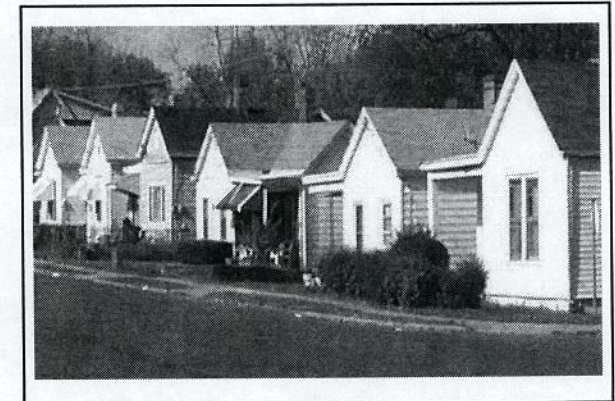
1. Exterior building materials
2. Roof lines and shape
3. Repeating elements
4. Landscaping requirements
5. Minimum window & door openings
6. Front building features
7. Garage doors
8. Lot widths
9. Building orientation
10. Building heights
11. Building setbacks
12. Rear yard building setbacks
13. Accessory structures
14. Bulk plane (main face of building)
15. Off-street parking design
16. Floor Area Ratio
17. Signage

It is important to note that the above is a list of eligible items only. An actual ND-1 District may include as little as 2 or 3 items that are critical and effective in conserving neighborhood character.

NEIGHBORHOOD DESIGN (ND-1) OVERLAY ZONING

Neighborhood Conservation Zoning

Lexington, Kentucky



Introduction

Preserving and protecting the character of neighborhoods has been an ongoing process within the Lexington-Fayette County Government for many years. Over 14 historic neighborhoods, containing more than 1,900 homes, are currently being protected by utilizing a Local Historic District (H-1) Overlay Zone. These areas are often 50 years or older and, being in a local historic district, are subject to design guidelines and special design review requirements. However, the City now has a second option called ND-1 overlay zoning, which can be made part of the normal building permit process by adopting specific, measurable design standards customized to a particular neighborhood's needs.



What is "Overlay Zoning"?

Overlay zoning is somewhat different from normal zoning. It is a set of additional regulations that "overlay" the underlying zoning already in place. As an example, an existing R-1 (Single Family Residential) lot would have all of the current regulations remain in place, except as modified by the overlay zone, such as modified building setbacks or heights, etc. ND-1 zoning can only regulate design characteristics of a neighborhood -- allowable uses are not affected.

The complete list of potential characteristics that ND-1 can protect are listed on the other side of this brochure.

Purpose of ND-1 Overlay Zone

The purpose of the ND-1 is to give neighborhoods the ability to adopt design standards to conserve and protect the character of your neighborhood, impose regulations on how new home construction and/or additions will look.

Goals of ND-1 Overlay Zone

The goals for the ND-1 Overlay Zone are:

- Designate areas to be regulated.
- Create design standards that will protect the unique character of a neighborhood.
- Encourage the adaptive reuse of existing buildings and ensure that new construction is in harmony with the surrounding area.
- Discourage environmental conflicts related to new construction.
- Foster civic pride in the neighborhood's past.

The Neighborhood's Role in Creating an ND-1

The neighborhood acts as the primary lead in creating an ND-1 overlay. Working with the LFUCG Divisions of Planning and Historic Preservation, the neighborhood is responsible for creating a design analysis of the proposed overlay area. The analysis will lead to proposed design standards to conserve the area's

character, based on the past, present, and estimated future conditions.

How Does a Neighborhood Create an ND-1?

Any neighborhood can initiate an ND-1 study, as described in Article 29 of Lexington's Zoning Ordinance. The process begins with a visit to the LFUCG Historic Preservation Division to discuss possible H-1 overlay designation in order to ensure that the neighborhood has complete information about available programs. The neighborhood would subsequently decide whether or not to proceed with the ND-1 study. Then, having decided to proceed with ND-1, the neighborhood would complete the required design studies and analysis. Once that is completed, a petition to the LFUCG Planning Commission or Urban County Council would be submitted to initiate an overlay zoning application.

The initiation process requires significant neighborhood support (usually in the form of a petition, indicating substantial neighborhood support). With the initiation petition approved, the City's Planning staff, with some neighborhood assistance, would then prepare and process the actual application through the required public hearings. Final passage of the overlay zoning would likely take 6 to 9 months from the date of initiation. Please see the handout: "Steps in Requesting ND-1 Overlay Zoning," available either in the Division of Planning Office or on the LFUCG website, for a more complete explanation of the public hearing process.