

Topic:	Natural Resource Protection & Conservation; Open Space Preservation Regulations
Resource Type:	
State:	Kentucky
Jurisdiction Type:	Municipal
Municipality:	County of Lexington-Fayette
Year (adopted, written, etc.):	1990
Community Type - applicable to:	Urban; Suburban; Rural
Title:	County of Lexington-Fayette Greenspace Commission
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Abstract

The urban county government of Lexington-Fayette has established a Greenspace Commission, which has been mandated to “(1) to develop a comprehensive open space plan and (2) to preserve, protect and enhance open space in the county”, and which is enabled to identify, for example, natural areas environmentally sensitive areas, and water resources and seeks to protect and preserve them and, where appropriate, to enhance them. In addition, the unique nature of this body has been the charge to “utilize and manage open space in a comprehensive and systematic manner.”

Resource

CHARTER AND CODE OF ORDINANCES
URBAN COUNTY GOVERNMENT of LEXINGTON-FAYETTE, KENTUCKY
Article XXX. Greenspace Commission

Sec. 2-326. Purpose.

For the reasons stated above [in the preliminary paragraphs of Ordinance No. 238-90], and herein incorporated by reference, it is hereby declared as a matter of policy that it is essential that the county's unique and special character be preserved, maintained and enhanced for the economic, educational and general health, safety and welfare of the citizens of the county and of the general public. The purpose of this article is to establish a greenspace commission, hereinafter referred to as the "commission," whose charge shall be (1) to develop a comprehensive open space plan and (2) to preserve, protect and enhance open space in the county, and which is enabled to:

(1) Identify the following resources and seek to protect and preserve them and, where appropriate, to enhance them:

(a) Those open spaces within the county which possess the characteristics which give the Bluegrass Region its unique identity.

(b) Those visual elements (scenic areas, scenic vistas, and scenic corridors) which contribute to the unique scenic beauty of the Bluegrass Region.

(c) Those elements of our historic and cultural heritage as they exist in relation to open space.

(d) Natural areas.

(e) Environmentally sensitive areas.

(f) Geologically hazardous areas.

(g) Open space for passive and active recreational use, including, parks, parkways, and greenways.

(h) Water resources.

(i) Farmlands.

(2) Utilize and manage open space in a comprehensive and systematic manner which shall:

(a) Shape and reinforce the urban service area concept.

(b) Encourage more efficient and sensitive use of the land, improving the quality of life and landscape, by providing patterns for development, hence, making development and conservation of open space mutually beneficial.

(c) Help achieve an ecologically sustainable relationship between humans and their uses and the environment.

(d) Stimulate economic growth by channeling and encouraging development in a manner conducive to the preservation of the character of this region.

(e) Strengthen tourism and related business and attract new businesses through the preservation of our unique character.

(f) Provide an accessible system of open spaces which offer significant educational value and opportunities.

(3) Encourage cooperation and communication with surrounding counties as regards the promotion of greenspace, protection of the environment, and land conservation.

(Ord. No. 264-90, § 1, 12-6-90)

- Sec. 2-327. Membership.
- Sec. 2-328. Terms of members.
- Sec. 2-329. Officers.
- Sec. 2-330. Quorum.
- Sec. 2-331. Meetings.
- Sec. 2-332. Rules of procedure.
- Sec. 2-333. Staff.
- Sec. 2-334. Power and duties.
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The powers and duties of the commission include the following:

(1) Develop a greenspace conservancy plan for the urban county within twenty-four (24) months after the first official meeting of the commission. This plan should be developed for review and adoption by the planning commission as an amendment to the comprehensive plan.

(2) Make specific recommendations to the mayor and council on actions, including but not limited to the following:

- * Purchase of land in fee simple.
- * The sale of land or any interest therein held by the urban county government.
- * The acquisition of conservation easements, scenic easements and nature preserve land.
- * The acceptance of property interests acquired by gift.
- * The facilitation of agricultural districting.
- * The creation of a public, nonprofit organization to accept property interests under the greenspace program.
- * Transfer of development rights.
- * Purchase of development rights.
- * Historic districts/landmarks.
- * Deed restriction.

(3) Educate citizens about greenspace preservation and maintenance.

(4) Negotiate the conveyance of property interests.

(5) Conduct a comprehensive survey of the urban county which will include an inventory of nonconforming uses in the rural services area, as appropriate.

(6) Monitor land contained in the greenspace program and conduct annual on-site inspections. Recommend enforcement of greenspace agreements.

(7) Encourage economic development and tourism consistent with the goals of this article.

(8) Promote and cooperate development and tourism consistent with the goals of this article.

(9) Prepare and present to the mayor and council an annual, written report which summarizes the previous year's activities.

(10) Apply for and receive funds from any state, federal or public entity appropriate to the goals of the commission.

(11) Solicit and receive contributions and donations from individuals and groups for the purpose of carrying out its duties as set forth herein.

(12) Adopt bylaws, rules and regulations as are necessary to carry out its duties and purposes as set forth in this article.

(13) Establish committees, which may include interested members of the public, as may be necessary for carrying out the duties as set forth herein.

(14) Perform any other act necessary and appropriate to carry out the purposes of this article.

(Ord. No. 264-90, § 1, 12-6-90)

Secs. 2-335--2-344. Reserved.