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Elizabeth Knox van Nagell

LFUCG Planning Commission

200 East Main Street

Lexington, KY 40507

December 10th, 2009

Dear Chairman Penn and Commissioners,

I am writing you on behalf of The Fayette Alliance. The Fayette Alliance is Lexington's only land-use advocacy organization dedicated solely to preserving our signature Bluegrass landscape, while creating a dynamic and equitable cityscape through infill redevelopment, and improving our natural waterways by fixing our sanitary sewer and stormwater systems here in Lexington-Fayette County.

The Fayette Alliance believes these policies are key in achieving a sustainable growth model and quality of life that benefits all of us.

In furtherance of this mission, The Fayette Alliance joins Planning Staff in recommending approval of the SRA 2009-4: Amendment to Article 1-14 To Allow Alternate Designs for Environmental Water Quality Considerations.

The LFUCG Planning Staff is initiating this amendment that **will allow alternate designs for environmental water quality considerations in land development.** If adopted, the following underlined text will be added to the existing Land Subdivision Regulations:

1-5 (d) ALTERNATE DESIGNS FOR ENVIRONMENTAL WATER QUALITY CONSIDERATIONS – The Commission may approve alternative development designs and/or development infrastructure intended to minimize or offset the environmental water quality impacts of land development through green infrastructure and low impact development techniques where such designs are consistent with the basic intent of these Regulations. For any such approval request, the applicant shall provide a written report to the Commission outlining the environmental benefits to be obtained through the alternate design being proposed and the consistency of the alternate designs with low impact development guidance endorsed by the United States Environmental Protection Agency including an analysis and justification of the merits of the proposal. The report shall be prepared by an engineer licensed to practice in the Commonwealth of Kentucky. For any such request, the Planning Commission shall seek input from the Department of Environmental Quality in its review of the proposal prior to taking action.

(ADD THE FOLOWING DEFINITIONS TO ARTICLE 1-14):

GREEN INFRASTRUCTURE- Infrastructure and stormwater control design approaches and technologies that mimic the natural hydraulic cycle processes of rainfall infiltration, evatranspiration, and reuse.

LOW IMPACT DEVELOPMENT- A stormwater management design approach for commercial and residential developments that has a goal of achieving a hydrologically functioning development that approaches pre-development natural site conditions using green infrastructure and other design features in lieu of large scale stormwater collection and conveyance structures.

In plain terms, this amendment will allow the use of alternative low-impact or green infrastructure water quality controls to minimize and offset the environmental impacts of land development.

To use these alternative water quality controls, the applicant must submit a written report to the Planning Commission outlining the environmental benefits of the proposed design. Further, the proposal's design must be consistent EPA guidelines, and must be prepared by a certified engineer with the state of KY. Lastly, Planning Commission must seek input from the LFUCG Department of Environmental Quality before taking action.

Accordingly, SRA-2009-4 is a progressive and accountable measure that, if used by the community, can drastically improve our natural waterways and our development practices—a much needed opportunity, considering Lexington-Fayette County is a place where people and livestock have tragically lost their lives in flooded streams; raw sewage and stormwater run-off pollute over 70% of our creeks; and feces finds itself in household basements, neighborhood parks, and the scenic fields of world famous farms.

In furtherance of the EPA consent decree and the remediation of our compromised water quality systems, The Fayette Alliance strongly endorses SRA-2009-4. We commend Planning Staff for this proposal, and respectfully request that you recommend its approval.

Thank you for your consideration and dedication to responsible land-use planning.

Sincerely,

Knox van Nagell