

AN ORDINANCE AMENDING ARTICLE 17: CONSTRUCTION SCREENING SIGNAGE & IDENTIFICATION SIGNS IN BUSINESS & INDUSTRIAL ZONES TO PERMIT IDENTIFICATION SIGNS TO BE PLACED ON LARGE COMMERCIAL OR INDUSTRIAL DEVELOPMENTS, AS WELL AS TO PERMIT TEMPORARY CONSTRUCTION FENCE MATERIAL TO CONTAIN TEXT AND PICTURES WHEN UTILIZED DURING CONSTRUCTION OF LARGE COMMERCIAL AND INDUSTRIAL PROJECTS. (MIA BROOKHAVEN, LLC).

WHEREAS, the Lexington-Fayette Urban County Planning Commission has considered a text amendment to Article 17 of the Zoning Ordinance to permit identification signs to be placed on large commercial or industrial developments, as well as to permit temporary construction fence material to contain text and pictures when utilized during construction of large commercial and industrial projects; and

WHEREAS, the Planning Commission did hold public hearings on this proposed text amendment on June 25, 2015 and July 23, 2015; and

WHEREAS, the Planning Commission did recommend APPROVAL of the staff alternative text by a vote of 11-0 and 9-0 respectively; and

WHEREAS, this Council agrees with the recommendation of the Planning Commission; and

WHEREAS, the recommendation form of the Planning Commission is attached hereto and incorporated by reference herein.

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

Section 1 – That Article 17-3(c) of the Zoning Ordinance of the Lexington-Fayette Urban County Government is hereby amended by adding the following definition subsection:

(14) CONSTRUCTION SCREENING SIGN – a temporary sign of fabric or mesh material attached to fencing surrounding a construction site to serve as a wind break or privacy screen. Such signs may incorporate the information permitted for construction signs as defined in Sec. 17-3(a)(5). Construction screening signs may also include designs, artwork, logos, pictures, words and other graphic representations related to the project under construction. Such signs shall be located on the active construction site only during construction and shall be removed prior to a permit for any permanent signage being issued by the Division of Building Inspection pursuant to the provisions of Sec. 17-4(a).

Section 2 – That Article 17-7(e) of the Zoning Ordinance of the Lexington-Fayette Urban County Government is hereby amended by adding subsection 11 as follows:

**17-7(e) PROFESSIONAL OFFICE ZONE (P-1) AND MIXED USE 1:
NEIGHBORHOOD NODE ZONE (MU-1)**

- (11) Construction screening signs, limited to twenty percent (20%) of the total square footage of the face of the construction screen. Signage shall not be displayed along an agriculturally or residentially zoned property boundary.

Section 3 – That Article 17-7(f) of the Zoning Ordinance of the Lexington-Fayette Urban County Government is hereby amended by adding subsection 9 as follows:

17-7(f) NEIGHBORHOOD BUSINESS ZONE (B-1)

- (9) Construction screening signs, limited to twenty percent (20%) of the total square footage of the face of the construction screen. Signage shall not be displayed along an agriculturally or residentially zoned property boundary.

Section 4 – That Article 17-7(g)(1)(b) of the Zoning Ordinance of the Lexington-Fayette Urban County Government is hereby amended as follows and by adding subsections 9 and 10:

17-7(g) HIGHWAY SERVICE BUSINESS, WAREHOUSE/WHOLESALE, AND INDUSTRIAL ZONES (B-3, B-4, I-1, I-2).

- (1) Business signs shall be permitted as follows:
- (b) One free-standing business sign per lot shall be permitted per street frontage, with a maximum of two (2) free-standing signs; not exceeding seventy-five (75) square feet per sign; minimum setback shall be one-half (½) the setback required for a principal building, but not less than ten (10) feet in any case. Free-standing business signs shall be located at least fifty (50) feet away from any identification signs allowed under Section 17-7(g)(10) herein.
- (9) Construction screening signs shall be permitted as regulated in the B-1 zone.
- (10) Identification signs, only for projects governed by a unified development plan and exceeding four (4) acres in size; one (1) identification sign shall be permitted per public street frontage, with a maximum of three (3) signs; not exceeding seventy-five (75) square feet per sign; with a maximum height of ten (10) feet. The total square footage of each identification sign shall be counted towards the maximum amount of business signage available for the lot allowed under Section 17-7(g)(1)(a) above. Identification signs shall be located at least fifty (50) feet away from any freestanding business signs.

Section 5 – That Article 17-7(h) of the Zoning Ordinance of the Lexington-Fayette Urban County Government is hereby amended by adding subsection 8 as follows:

17-7(h) DOWNTOWN BUSINESS ZONES (B-2, B-2A)

- (8) Construction screening signs shall be permitted as regulated in the B-1 zone.

Section 6 – That Article 17-7(i) of the Zoning Ordinance of the Lexington-Fayette Urban County Government is hereby amended by adding subsection 5 as follows:

17-7(i) LEXINGTON CENTER BUSINESS ZONE (B-2B) .

- (5) Construction screening signs shall be permitted as regulated in the B-1 zone.

Section 7 – That Article 17-7(j) of the Zoning Ordinance of the Lexington-Fayette Urban County Government is hereby amended by adding subsection 4 as follows:

17-7(j) INTERCHANGE SERVICE BUSINESS ZONE (B-5P)

- (4) Construction screening signs shall be permitted as regulated in the B-1 zone.

Section 8 – That Article 17-7(o) of the Zoning Ordinance of the Lexington-Fayette Urban County Government is hereby amended by adding subsection 10 as follows:

17-7(o) MIXED USE 2: “NEIGHBORHOOD CORRIDOR ZONE” (MU-2)

- (10) Construction screening signs shall be permitted as regulated in the B-1 zone.

Section 9 – That Article 17-7(q) of the Zoning Ordinance of the Lexington-Fayette Urban County Government is hereby amended as follows:

17-7(q) EXPANSION AREA ZONES


- (1) **CONSERVATION DISTRICT (CD), EXPANSION AREA RESIDENTIAL (EAR-1, EAR-2 and EAR-3) and COMMUNITY CENTER (CC) ZONES** - Signage shall be permitted and restricted under Article 17-7(m), as for a PUD zone. Construction screening signs shall be permitted within a CC zone as regulated in the B-1 zone.

Section 10 – That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: September 10, 2015


MAYOR

ATTEST:


Clerk of Urban County Council

Published: September 17, 2015-1t

TWJ:\X:\Cases\PLANNING\14-LE0001\LEG\00496434.DOC