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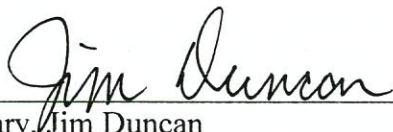
**RECOMMENDATION OF THE**  
**URBAN COUNTY PLANNING COMMISSION**  
**OF LEXINGTON AND FAYETTE COUNTY, KENTUCKY**

**IN RE: ZOTA 2016-2: AMENDMENT TO ARTICLE 23A-5 TO ALLOW SCHOOLS FOR ACADEMIC INSTRUCTION IN THE EAR-1 ZONE** – petition for a Zoning Ordinance text amendment to allow schools for academic instruction as a principal use in the Expansion Area Residential-1 (EAR-1) zone.

Having considered the above matter on **May 26, 2016**, at a Public Hearing and having voted **8-0** that this Recommendation be submitted to the Lexington-Fayette Urban County Council, the Urban County Planning Commission does hereby recommend **APPROVAL of the STAFF ALTERNATIVE TEXT** of this matter for the following reasons:

1. The proposed text amendment to the Expansion Area Residential 1 (EAR-1) zone is a timely revision to update the ordinance to be consistent with the 2013 Comprehensive Plan, which no longer recommends “semi-public” land uses.
2. The amendment will also permit more flexibility and encourage dual and efficient use of church properties, when they are in close proximity to larger collector/boulevard or arterial streets, as designated by the Expansion Area Master Plan.
3. By allowing schools for academic instruction as an accessory use to a church on the same property, the proposed text amendment would allow for a church or other religious assembly use to efficiently utilize their facilities throughout the week without increasing any burden on the public infrastructure directly adjacent to a collector street, which will promote a safe and a more desirable development.
4. The addition of a new conditional use allowing schools located along major collector or arterial streets will alleviate some of the concerns expressed by the applicant, after reviewing the initial comments offered by the staff and those attending the Commission’s Zoning Committee meeting on this subject.

**ATTEST:** This 10<sup>th</sup> day of June, 2016.



Secretary, Jim Duncan

**MIKE OWENS**  
**CHAIR**

At the Public Hearing before the Urban County Planning Commission, this petition was represented by **Richard Murphy, attorney for applicant.**

OBJECTIONS \_\_\_\_\_

OBJECTORS \_\_\_\_\_

**VOTES WERE AS FOLLOWS:**

AYES: (8) Berkley, Cravens, Drake, Mundy, Owens, Richardson, Smith,  
Wilson

NAYS: (0)

ABSENT: (3) Brewer, Penn, Plumlee

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for **Approval of the Staff Alternative Text** of **ZOTA 2016-2** carried.

Enclosures: Application  
Recommended Text  
Staff Report  
Applicable excerpts of minutes of above meeting