



Recreation Zoning Ordinance Text Amendment (ZOTA) Work Group

Summary: Meeting #20

December 17th, 2012
1:30pm
5th Floor Conference Room
Government Center

Work Group Members in Attendance: Chair Don Robinson, Vice Mayor Linda Gorton, Chris King, Kevin Atkins, Jan Meyer, Frank Penn, Mike Owens, Mary Quinn Ramer, Philip DeSimone, Todd Johnson, CM Ed Lane, Billy Van Pelt, Ryan Sharp, Margaret Ridley

Others in Attendance: Tyler Scott, Traci Wade, Burgess Carey, Jim Lurton, Chas Martin, Knox Van Nagell, Barb Rackers, Mike Sanner, Jim Griggs, John Park, Nick Nicholson

Chair Robinson called the meeting to order at 1:40pm.

Robinson said the first order of business would be to vote on the summaries from October 29th, November 5th, and November 19th.

Atkins made a motion to approve all three summaries and Gorton seconded the motion. The summaries were approved without dissent.

Robinson then asked the group to vote on the Ecotourism Matrix decisions from the November 5th and 19th meetings.

Gorton made a motion to approve the decisions on zones B2-2A, B-2B, B-3, B-4, B-5P, I-1, I-2, P-1P-2, EAR-1-2-3, CC, and ED. Van Pelt seconded the motion. The decisions were approved without dissent.

Robinson asked Gorton to give a report on the recommendations of the A-N Subcommittee. Gorton read excerpts from the Zoning Ordinance and Rural Land Management Plan which were used by the subcommittee as a guide and gave a summary of the group's three meetings.

Gorton then referred to the handout titled "A-N Subcommittee Recommendations to the Recreational ZOTA Work Group." She gave a summary of each of the recommendations.

The group began discussion of recommendation #1. Johnson and Atkins spoke out against it as being an additional burden to landowners. Sharp and Owens provided the reasoning behind their decision to include it which was due to the additional use options they recommended in the A-N zone.

Robinson called for a separate vote on recommendation #1. The recommendation was approved with Atkins and Owens opposed.

Robinson asked for discussion on recommendation #2. Gorton explained that the source of this recommendation comes from an earlier recommendation in the Rural Land Management Plan which calls upon LFUCG to investigate the feasibility of A-N uses in Raven Run. The group discussed this further, mainly focusing on the issue of activities being allowed on public property as opposed to private.

Robinson asked for a motion to move on recommendation #2.

Van Pelt made a motion to approve recommendation #2 and Sharp seconded the motion. The recommendation was approved without dissent.

Robinson asked for discussion on recommendation #3. Gorton said it was based on recommendation #4 from the Rural Land Management Plan. Atkins asked if there were any KRS conflicts with 8 and 9 as stated in #10. Sallee and King did not think there would be.

DeSimone made a motion to accept all of recommendation #3 and Meyer seconded the motion. Robinson asked for discussion on the motion.

Johnson moved to amend the motion so that it would not remove 8, 9, and 10 and Atkins seconded that motion.

Gorton moved to delete #8 from the Johnson amendment so it would be deleted and Sharp seconded that motion.

Robinson called for a vote to leave #8 in the recommendation. The vote passed with Atkins and Johnson opposed.

Robinson then called for a vote on the amended motion to delete #9 and 10 from the recommendation. The amended motion passed with Owens, Robinson, DeSimone, and Meyer opposed.

Robinson then called for a vote on recommendation #3 which now included removal of 2, 3, 5, and 8 from the Zoning Ordinance. The recommendation was approved without dissent.

Gorton began describing the A-N zone column of the matrix. She stated that the column was initially filled out as the Zoning Ordinance currently allows. The subcommittee then decided that Tree Canopy Tours should be changed from Conditional to Prohibited. Sharp gave an

explanation of Canopy Tours which can include Zip Lines and has an educational component to it where zip lines do not necessarily include that. Zip lines typically require poles to be installed where Canopy Tours rely on existing trees mostly.

Atkins asked why we would not allow Zip Lines then. Robinson said the educational aspect is the difference.

Meyer asked if a requirement could be added that prohibits Zip Lines in Canopy Tours and the response was yes.

Johnson said that many of the Conditional uses should be changed to Accessory with the earlier change to "shall" in the Zoning Ordinance. Gorton said there would be no Principal use for them if they were Accessory though.

Sharp made a motion to change Canopy Tours to Conditional use and Owens seconded the motion. The change passed with Gorton, DeSimone, and Meyer opposed.

Johnson made a motion to make Zip lines a Principal use and it was seconded by Atkins. Sharp asked for clarification on whether there would be any outside oversight on Zip Lines if it was a Principal use. It was determined that there would not be. **Atkins withdrew his second. The motion died.**

Meyer made a motion to Prohibit Zip Lines in the AN and DeSimone seconded the motion. Robinson asked for discussion on the motion. A definition was asked for and Sharp said it was essentially for thrills.

The vote was approved to Prohibit Zip Lines in the AN with Johnson and Atkins opposed.

The group began a discussion on Recreational Outfitters- Sales because the subcommittee had recommended separating it from Rentals. Sales would be Prohibited and King said the intent is clear, it would take some work by the Planning Staff to get it right though.

Meyer asked why RV Camping was Conditional and not Prohibited since it requires infrastructure to occur. Van Pelt said that the existing ordinance already allows it as Conditional and it can be done in an environmentally sensitive way.

Owens made a motion to change Campgrounds (RVs/Trailers) to Prohibited and Meyer seconded the motion.

Van Pelt asked if there was a definition of campgrounds in the current ordinance. Sallee said it is not defined but it is allowed in the AR zone.

The vote to change Campgrounds (RVs/Trailers) to Prohibited passed without dissent.

Gorton made a motion to approve Hiking Trails, Equine Trails, Canoeing/Kayaking, Fishing Clubs, Hunting Clubs, Bird Watching, Recreational Outfitters-Rentals, Nature Preserve, and Camping-Primitive as Conditional Uses. The motion was seconded by Sharp.

The vote to approve the above mentioned as Conditional Uses passed without dissent.

Gorton brought up discussion of Bike Trails. Van Pelt said that Bike Trails are allowed in the AR in the right-of-ways but this would involve private property.

Sharp made a motion to approve Bicycle Trails as Conditional Use and Gorton seconded the motion. The group voted in favor of changing Bicycle Trails to Conditional Use with DeSimone and Meyer opposing.

Atkins made a motion to approve Recreational Outfitters-Sales to Prohibited Use and Van Pelt seconded the motion. The vote passed without dissent.

Penn gave a summary of the B-1 and B-6P Subcommittee meetings. Gorton asked if the Conditional Use for Campgrounds (Trailers/RVs) was based on the septic approved by the Health Department and Penn said it was. Robinson asked if there were more questions on this.

Gorton made a motion to approve the B-1 and B-6P recommendations and Van Pelt seconded the motion. The recommendations were approved unanimously.

King led a discussion of the Argitourism Matrix recommendations. Atkins asked if there were any state issues with country Inns or if they were treated the same as a Bed and Breakfast. Sallee said the LFUCG limits Bed and Breakfast to five rooms but the state allows more.

Lane asked about Horse Shows and added that he had received complaints in his district about parking and noise. Sallee said that certain Horse Shows were permitted under state law.

Owens said he was opposed to allowing Concerts and Special Events in the AR zone. He was fine with allowing Gift Shops as a Conditional Use.

Owens made a motion to make Special Events, Parties or Festivals and Concerts on a commercial basis, Prohibited in all Agricultural Zones and Van Pelt seconded the motion.

King said he could make them Conditional for charity events and add notes to ensure those that are operating legally right now are grandfathered in.

The vote to approve Special Events, Parties, or Festivals and Concerts as Prohibited Uses in all Agricultural zones passed with Atkins opposed.

Van Pelt made a motion to change Farm Tours and Hayrides to Accessory uses in the AN, AR, and AB zones and Owens seconded the motion. The change passed without dissent.

Van Pelt made a motion for Special Events, and Concerts to be Prohibited in the AN and AB and Conditional in the AU for commercial purposes. Gorton seconded that motion. The motion passed without dissent.

Van Pelt made a motion to Prohibit Gift Shops in the AN zone and was seconded by Sharp. The motion passed without dissent.

Owens made a motion to Prohibit Children's Rides in the AR and AN and was seconded by Meyer. The motion passed with Atkins opposed.

Van Pelt made a motion to approve the matrix as amended and was seconded by Owens. The motion was approved without dissent.

Robinson asked the group about Short Term Vacation Rentals which had been listed under Future Topics in the Agenda. Gorton said it could go forward as a text amendment and that it could go to the Planning Committee in Council first.

Gorton made a motion to put Short Term Vacation Rentals in Planning Committee of Council and was seconded by Owens. The motion passed without dissent.

Robinson asked if the group was still interested in hearing presentations from the public. Penn said that there will be a public hearing for the text amendment. Atkins said it was a concern for him but there will be many more opportunities for the public in the rest of the process.

King asked if this report will go to the full Council and Van Pelt said he was not in favor of it going to a committee. King said he felt he had been given good guidance and could figure out an appropriate route.

Public Comment

Martin spoke.

Griggs spoke.

Gorton made a motion to include definitions for Horse Shows, Zip Lines, Canopy Tours, and Recreational Outfitters and was seconded by Owens. The motion passed without dissent.

Carey spoke.

The meeting adjourned at 4:08 pm.

Respectfully submitted by Tyler Scott, Legislative Aide to Vice Mayor Linda Gorton

Recommendations by the B-1 Subcommittee

Recreational Land Use	Agricultural Zones										Residential Zones										Office, Business, & Industrial Zones										Expansion Area Zones					Adapt Reuse	Comments
	AR	AN	AB	AU	R-1-2	R-3	R-4	R-5	B-1	B-2-2A	B-2B	B-3	B-4	B-5P	B-6P	I-1	I-2	P-1P-2	EAR-1-2-3	C	CC	ED															
Camping (Tents/Over)	X	C	C	C	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X														
Campgrounds(RVs/Trailers)	X	X	C	C	X	X	X	X	C*	X	X	X	X	X	X	X	X	X	X	X	X	X															
Hiking Trails	X	C	C	C	A	A	A	A	P	C	C	C	C	X	P	C	C	A	A	A	A	A															
Bicycle Trails	X	C	C	C	A	A	A	A	P	C	C	C	C	X	P	C	C	A	A	A	A	A															
Equine Trails	C	C	C	C	C	C	X	X	P	C	C	C	C	X	P	C	C	C	C	C	C	C															
Zip Line Trails	X	C	C	C	X	X	X	X	C	C	C	C	C	X	C	C	C	C	C	C	C	C															
Tree Canopy Tours	X	C	C	C	X	X	X	X	C	C	C	C	C	X	C	C	C	C	C	C	C	C															
Canoeing/Kayaking	X	C	C	C	X	X	X	X	P	C	C	C	C	X	P	C	C	C	C	C	C	C															
Recreational Outfitters (Sales/Rental)	X	C	C	C	X	X	X	X	P	C	C	P	C	X	P	C	C	X	X	X	X	X															
Fishing Clubs (No Lodging)	C	C	C	C	X	X	X	X	C	C	C	C	C	X	C	C	C	C	C	C	C	C															
Hunting Clubs (No Lodging)	C	C	C	C	X	X	X	X	C*	X	X	C	C	X	C*	C	C	X	X	X	X	X															
Bird-Watching	C	C	C	C	X	X	X	X	C	C	C	C	C	X	C	C	C	A	A	X	X	X															
Nature Preserve	C	C	C	C	X	X	X	X	C	C	C	C	C	X	C	C	C	A	A	X	X	X															

In A-N Subcommittee

Planning To Make Recommendations

To Be Addressed by B-4 and I-1 Recommendations

* consider distance requirement from interstate interchange

* consider distance requirement from residential zone and/or use

Key

P - Principal

C - Conditional Use (CoU)

A - Accessory

x - Prohibited

Bold and Blue Marks - Approved

Bold and Gray Marks - Recommended for Approval

Bold & Orange = Recommendation of the B-1 Sub-Committee

