

ORDINANCE NO. \_\_\_\_\_ - 2020

AN ORDINANCE AMENDING ARTICLE 8-15(o), 8-16(o), AND 16-10 OF THE ZONING ORDINANCE TO REVISE PARKING REQUIREMENTS FOR MIXED-INCOME HOUSING DEVELOPMENTS. (URBAN COUNTY PLANNING COMMISSION).

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WHEREAS, the Lexington-Fayette Urban County Planning Commission, on July 23, 2020, considered a text amendment to Articles 8-15(o), 8-16(o), and 16-10 of the zoning ordinance to revise parking requirements for mixed-income housing developments; Planning Commission did recommend APPROVAL of the Staff Alternative Text by a vote of 7-1; 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 8-15(o) of the Lexington-Fayette Urban County Government Zoning Ordinance is hereby amended as follows:

8-15(o) Special Provisions

1. A Professional Office Project may be permitted by the Planning Commission for a tract of land with a minimum of ten (10) acres, upon the approval of a preliminary development plan and a final development plan as provided in Article 21, and subject to the P-1 zone regulations.

Subdivision of land in a Professional Office Project is permitted, subject to the following regulations:

- a. There shall be no minimum lot size, lot frontage, yard or open space, nor maximum lot coverage or height requirements for each subdivided lot; however, all said requirements for the approved final development plan shall be applicable to the subdivision.
- b. Each subdivided lot shall have access to adjacent streets or joint parking areas, as provided by appropriate easements shown on the final development plan and the final record plan.

In addition to the uses otherwise permitted in the Professional Office zone, the following uses shall be permitted in the Professional Office Project:

As a principal permitted use:

1. Hotels, but only when located more than two hundred (200) feet from a residential zone; and the total number of hotels shall not exceed one (1) hotel for every twenty (20) acres of the Professional Office Project.
2. Extended-Stay Hotels.
3. Mail Service Facilities.

As accessory uses:

1. Receiving, shipping, and storage of new fixtures, equipment and other non-perishable materials for distribution to corporate or affiliated units subsidiary to the tenant(s) of a principal structure. Such activity, including loading and unloading, shall be conducted entirely within the walls of the principal structure and shall be limited to a maximum of twenty percent (20%) of the total floor area of

- said principal structure.
2. Shoe repair, clothing alteration or tailoring services.

As conditional uses:

1. Helistops and heliports, provided such facilities conform to the requirements of all appropriate Federal, State and local regulations.
2. Beauty shops and barber shops, with no restrictions.

In addition to the uses otherwise permitted in the Professional Office zone, the following accessory use shall be permitted in a P-1 area of at least twenty (20) contiguous acres:

Restaurant(s), with or without a cocktail lounge, entertainment, dancing, and sale of alcoholic beverages, provided it meets the following conditions:

- a. It shall be located in an office building containing a minimum of 40,000 square feet of floor area.
  - b. It shall occupy not more than twenty-five percent (25%) of the building in which it is located.
  - c. It shall have no more than one public entrance and one service entrance directly to the outside of the building, and that this use shall be at least one hundred fifty (150) feet from any residential zone.
  - d. It shall have no drive-in or drive-through food service.
  - e. There shall be no more than two restaurants within an office building, provided that the 25% limitation is not exceeded.
  - f. Signs permitted per office building may be used to identify the restaurant and/or the office use.
2. Where dwelling units are provided and the Planning Commission has approved a final development plan, the required parking spaces may be reduced, when specific permission is given by the Commission to reduce said required parking by not more than one percent (1%) for each one percent (1%) of additional useable open space that is provided over the minimum. In any case, the maximum parking reduction shall not exceed the minimum parking otherwise required in the zone by more than ten percent (10%) by only providing additional open space.

Section 2 – That Article 8-16(o) of the Lexington Fayette Urban County Zoning

Ordinance is hereby amended as follows:

8-16(o) Special Provisions:

1. No building to be used principally as a single use or establishment shall exceed 40,000 square feet in floor area unless approved by the Planning Commission prior to December 10, 2013 for at least 40,000 square feet in size. No such structure may exceed 60,000 square feet in size, in any event.
2. Where dwelling units are provided and the Planning Commission has approved a final development plan, the required parking spaces may be reduced when specific permission is given by the Commission to reduce said required parking by not more than one percent (1%) for each one percent (1%) of additional useable open space that is provided over the minimum. In any case, the maximum parking reduction shall not exceed the minimum parking otherwise required in the zone by more than ten percent (10%) by only providing additional open space.
3. The study will document the architectural and urban design character of the area. It shall demonstrate, through the use of renderings, elevations and similar graphic materials, how the proposed project will enhance and complement the area's character. It will also show its integration with the surrounding neighborhood by using positive design features, such as supplemental landscaping; provision of public space and open space buffers; and improved pedestrian accommodations. These drawings shall be made a part of the Commission's approval, and building permits shall comply with the approved drawings. A form-based neighborhood business project shall not be subject to the square footage limitation of 8-16(o)(1) above.

Section 3 – That Article 16-10 of the Lexington-Fayette Urban County Zoning

Ordinance is hereby amended as follows to add a new subsection (c):

16-10 REDUCTIONS OF MINIMUM REQUIRED PARKING - All parking reductions shall apply only under the following circumstances:

- (1) Uses shall be limited to attached single family dwellings and multi-family dwellings in residential and/or mixed use zones.
- (2) Properties in the P-1 and B-1 zones, when located within the Infill & Redevelopment

- Area, are eligible.
- (3) Properties in the B-3 or B-6P zone, when required to meet the provisions of Article 12-8 herein, are eligible for parking reductions.
  - (4) The Planning Commission must approve the specific proposed use of the property on a development plan.
  - (5) The total maximum amount of parking reductions, including the on-street parking provision of the Mixed Use zones, shall not exceed a fifteen percent (15%) reduction of the otherwise required parking, unless the Board of Adjustment grants a parking variance allowable under Article 7.

16-10(a) ALLOWABLE BICYCLE REDUCTIONS - Sites having fifty (50) or more parking spaces may reduce the total minimum automobile parking space requirement by one (1) parking space for every one (1) bicycle space provided on a permanently constructed bicycle rack. The maximum reduction of required parking spaces shall not be reduced less than five percent (5%) of the otherwise required amount. Only the provision of additional bicycle spaces shall count toward this reduction when a minimum bicycle space is required. Provision of bicycle spaces shall not count against the otherwise required minimum for the calculation of the maximum parking allowed.

16-10(b) ALLOWABLE TRANSIT STOP REDUCTIONS - Sites located within 300 feet of a transit stop with a shelter may be allowed a ten percent (10%) reduction of the minimum required parking. Sites located within 300 feet of a transit stop without a shelter may be allowed a five percent (5%) reduction of the minimum required parking. If the site is located within 300 feet of more than one transit stop, the maximum reduction allowed will be ten percent (10%) for this specific parking reduction. Provision of a transit stop shall not count against the otherwise required minimum for the calculation of the maximum parking allowed.

In addition, "big-box" developments in any B-3 or B-6P zone may be allowed a ten percent (10%) reduction of the minimum required parking if a designated Park & Ride lot is provided on the site near a transit stop with a shelter (designed to meet the specifications of the Lexington Transit Authority), provided the shelter is directly connected to the entrance of a "big-box" establishment by a sidewalk or designated pedestrian pathway.

16-10(c) MIXED INCOME HOUSING REDUCTIONS – Where dwelling units are provided and the Planning Commission has approved a final development plan, the required parking spaces may be reduced to a rate of 1 space per dwelling unit.

Section 4 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

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MAYOR

ATTEST:

\_\_\_\_\_  
Clerk of Urban County Council  
PUBLISHED: