



**STAFF REPORT ON PETITION FOR ZONING ORDINANCE TEXT AMENDMENT**

**PLN-ZOTA-22-00009: AMENDMENT TO ARTICLE 8-20 TO PERMIT BANQUET FACILITIES IN THE HIGHWAY SERVICE BUSINESS (B-3) ZONE**

APPLICANT: CERVANTES AND ASSOCIATES, LLC

PROPOSED TEXT: (Note: Text underlined indicates an addition to the existing Zoning Ordinance; text ~~stricken through~~ indicates a deletion.)

**ARTICLE 8-20 HIGHWAY SERVICE BUSINESS ZONE**

(b) Principal Uses.

**31. Banquet Facilities**

**STAFF REVIEW:**

The petitioner, Cervantes & Associates, LLC is requesting a text amendment to the Zoning Ordinance in order to facilitate the operation of a banquet facility for property they own within the Highway Service Business (B-3) Zone.

Within Article One of the Zoning Ordinance, Banquet Facilities are defined as:

*“A building made available to the public for holding meetings and social events. This use may include the sale of alcoholic beverages; indoor live entertainment; and may also include, as an accessory use, events conducted outside the main building in tents or other temporary facilities, subject to the issuance of a permit by the division of building inspection”*

Prior to 2007, Banquet Facilities were only permitted as an accessory use to other principally permitted uses. In 2007, the use was formally defined by the Urban County Council, parking requirements were established, and a requirement that restricted the use to adaptively reused residential structures. In 2012, the Urban County Council lifted the residential adaptive reuse requirement, allowing the use to operate within any commercial structure. Currently, Banquet Facilities are a principal permitted use in the Neighborhood Business (B-1) zone, which carries forward to the B-2, B-2A, B-6P and Mixed Use (MU) zones. Additionally, banquet facilities are listed as allowed in an Adaptive Reuse Project (B-4, I-1 and I-2 zones), when approved on the associated Development Plan.

The Highway Service Business (B-3) zone is intended to provide for retail and other uses, which are necessary to the economic vitality of the community but may be inappropriate in other zones. The B-3 zone does not currently allow for the operation of Banquet Facilities as a principal permitted use; however, they are permitted to operate as an accessory use to hotels, private clubs, country clubs, restaurants, museums, and even places of worship.



The petitioner, within their letter of justification, opines that it is difficult to find locations within the B-1 zone with sufficiently large structures to establish Banquet Facilities and also have enough space to accommodate all required parking. While smaller banquet facility uses can operate within a neighborhood scale and context, larger venues and gatherings of people would necessitate facilities that would be out of character for the B-1 Zone. The increased structure size, larger parking areas, and need to access to larger capacity roadways characteristic of larger event spaces or Banquet Facilities is in line with the character of Highway Service Business (B-3) zone development.

The 2018 Comprehensive Plan's Goals and Objectives call for the provision of entertainment and other quality of life opportunities that attract young and culturally diverse professionals and a work force of all ages and talents to Lexington (Theme C, Goal 2, Objective D). Included under the Banquet Facilities use classification are numerous entertainment uses that would serve as attractive amenities for young professionals. Allowing these uses as principal permitted uses within the B-3 zone would allow for greater opportunities to establish these kinds of social activities throughout the community.

Due to the use's longstanding operation as an accessory use within the same zone, the allowance and the operation of the use within a lower intensity zone, and the Comprehensive Plan support for increased entertainment and quality of life opportunities, the staff supports the proposed text amendment as submitted.

The Staff Recommends: **Approval** of the proposed text amendment to the Zoning Ordinance, for the following reasons:

1. The proposed text amendment to allow Banquet Facilities within the Highway Services Business (B-3) zone meets the 2018 Comprehensive Plan objective of providing entertainment and other quality of life opportunities to attract young and culturally diverse professionals and a work force of all ages and talents to Lexington.
2. The proposed use is already permitted to operate as an accessory use to numerous principally permitted Highway Services Business (B-3) uses.
3. At a larger scale, Banquet Facility are in line with the character of the Highway Services Business zone and are of a similar intensity of use.

DAC/HB/TLW  
PLN-ZOTA-22-00009 CERVANTES AND ASSOCIATES, LLC

