

AN ORDINANCE AMENDING ARTICLE 23A OF THE ZONING ORDINANCE TO ALLOW A SECOND BUILDING EXCEEDING 50,000 SQUARE FEET IN SIZE IN THE COMMUNITY CENTER (CC) ZONE. (URBAN COUNTY PLANNING COMMISSION).

WHEREAS, the Lexington-Fayette Urban County Planning Commission has considered a text amendment to Article 23A of the Zoning Ordinance to allow a second building exceeding 50,000 square feet in size in the Community Center (cc) zone; and

WHEREAS, the Planning Commission did hold a public hearing on this proposed text amendment on August 28, 2014; and

WHEREAS, the Planning Commission did recommend APPROVAL of the text amendment by a vote of 8-0; 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 23A of the Zoning Ordinance of the Lexington-Fayette Urban County Government is hereby amended to read as follows:

ZONING ORDINANCE

ARTICLE 23A EXPANSION ARES ZONING CATEGORIES AND RESTRICTIONS

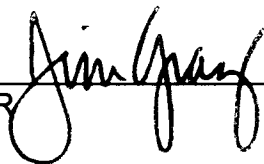
23A-9(k) SPECIAL PROVISIONS

1. At least 25% of the net developable acreage of any development within a CC zone shall be open space.
2. At least 40% of the aggregated floor area of buildings within a development in a CC zone shall be devoted to residential uses as permitted in EAR-3; schools, churches and their accessory structures; and public buildings.
3. No building shall exceed 20,000 square feet in floor area except:
 - a. a building which contains a mix of residential and non-residential uses;
 - b. a building designed and intended to be used for a school, church or public building
 - c. a building is designed and intended to be used principally as a store selling food, produce and other grocery items (not primarily general merchandise) and not exceeding 80,000 square feet; and
 - d. up to two additional buildings, which are designed and intended to be used primarily as stores selling general merchandise, which may include food, produce and other grocery items; but only under the following conditions:
 1. the proposed building shall be located within a CC zone

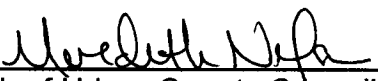
- containing at least 30 net contiguous acres, and that has frontage on an interstate interchange;
2. the building shall be part of an integrated development governed for all contiguously zoned CC land (excluding right-of-way) by a single development plan; and
 3. only one of the additional buildings may exceed 80,000 square feet in size; and
 4. any building exceeding 80,000 square feet in size shall also adhere to the "Design Guidelines for 'Big-Box' Establishments," excluding guideline numbers 6 and 14, which are contrary to other provisions of the CC zone. Such design guidelines shall be met unless waived by the Planning Commission through its approval of a final development plan.
- e. the maximum number of buildings permitted over 20,000 square feet by subsections c & d (above) shall be two.
4. Parking areas shall be designed so as to minimize the placement of parking between the buildings and the adjoining streets.
 5. Each development within a CC zone shall have access to a pedestrian access way.
 6. Each development shall provide suitable facilities for the parking of bicycles.
 7. The development shall be screened from adjoining zones as for a business zone under Article 18-3(a)(1).
 8. Structures shall be sited to avoid the rear of the building facing a street (other than an alley) to the greatest extent practicable.

Section 2-That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: October 9, 2014

MAYOR 

ATTEST:


 Clerk of Urban County Council
 Published: October 16, 2014-1t

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