

AN ORDINANCE AMENDING ARTICLES 2-3(B) AND 3-5(B) OF THE LAND SUBDIVISION REGULATIONS TO MODIFY THE LIMITATIONS FOR THESE MINOR SUBDIVISION PLATS BY REDUCING THE ACREAGE REQUIREMENT FOR THAT PLAT (IN MOST INSTANCES); AND TO ALLOW A FINAL DEVELOPMENT PLAN TO SUBSTITUTE FOR A FINAL RECORD PLAT, IN TERMS OF ALLOWING DEVELOPMENT TO PROCEED ON SUCH A PROPERTY. (PLANNING COMMISSION).

WHEREAS, the Lexington-Fayette Urban County Planning Commission has considered a text amendment to Articles 2-3(B) and 3-5(B) of the Land Subdivision Regulations to modify the limitations for these minor subdivision plats by reducing the acreage requirement for that plat (in most instances); and to allow a final development plan to substitute for a final record plat, in terms of allowing development to proceed on such a property. Planning Commission did recommend APPROVAL of the text by a vote of 10-0; 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 Articles 2-3(B) and 3-5(B) of the Land Subdivision Regulations of the Lexington-Fayette Urban County Government are hereby amended as follows:

2-3 MINOR SUBDIVISION CLASS - The class of minor subdivisions shall be those subdivisions of land which are generally of minor planning significance to the community's development. Minor subdivisions include only those subdivisions defined as follows:

2-3(b) NON-BUILDING MINOR SUBDIVISION - Shall be primarily for the purpose of assisting developers in acquiring land for future urban subdividing without having, at this time, to meet the requirements for a major subdivision. Except for alteration to existing buildings, or except for construction allowed by a recorded Display House Minor Subdivision Plan or an approved Final Development Plan, no new building development shall be permitted for residential, commercial, or industrial activity. Whenever such new development is desired, the developer must submit a major subdivision or development plan or a Display House Minor Subdivision Plan. Each division resulting from a non-building minor subdivision plan shall be at least the minimum lot size of zoning classification for the property, or one (1) acres in size, whichever is greater.

3-5 ADDITIONAL INFORMATION AND REQUIREMENTS FOR MINOR PLANS - The following additional information and requirements shall be applicable to the type of minor subdivision so indicated:

3-5(b) NON-BUILDING PLANS - The following note shall be required to be placed upon the plan:

"The divisions created by this subdivision shall be used for non-building purposes. Except for alteration to existing buildings, no new construction shall be permitted for any residential or non-residential activity (except for that allowed for a portion of this property by the recording of a Display House Minor Subdivision Plan) unless and until a major subdivision or development

plan is approved by the Planning Commission and certified by the Commission's Secretary."

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

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

Clerk of Urban County Council

Published:

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