

AN ORDINANCE AMENDING ARTICLE 8-15(o) OF THE ZONING ORDINANCE TO ALLOW MOBILE FOOD UNIT VENDORS (AKA FOOD TRUCKS) AS AN ACCESSORY USE IN A PROFESSIONAL OFFICE PROJECT, AS PERMITTED WITHIN THE PROFESSIONAL OFFICE (P-1) ZONE AND REQUIRING SUCH VENDORS TO LOCATE AT LEAST 500 FEET FROM ANY RESIDENTIALLY ZONED PROPERTY. (URBAN COUNTY COUNCIL).

WHEREAS, the Lexington-Fayette Urban County Planning Commission has considered text amendments to Article 8-15(o) of the Zoning Ordinance to allow mobile food unit vendors (aka food trucks) as an accessory use in a professional office project, as permitted within the Professional Office (P-1) zone and requiring such vendors to locate at least 500 feet from any residentially zoned property; and

WHEREAS, the Planning Commission did hold a public hearing on this proposed text amendment on January 29, 2015; and

WHEREAS, the Planning Commission did recommend APPROVAL of the text amendment 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 Article 8-15(o) of the Zoning Ordinance of the Lexington-Fayette Urban County Government is hereby amended to read as follows:

ARTICLE 8: SCHEDULE OF ZONES

8-15 PROFESSIONAL OFFICE (P-1) ZONE

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. Extended-Stay Hotels.
2. 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.
3. Mobile food unit vendors to serve employees and visitors of a permitted principal or conditional use, provided that the requirements of Section 15-11 of the Code of Ordinances are met and that the mobile food unit is located no closer than five hundred (500) feet from any property zoned residential.

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.

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

passage.

PASSED URBAN COUNTY COUNCIL: March 17, 2015

MAYOR 

ATTEST:


Clerk of Urban County Council

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