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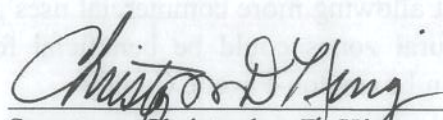
RECOMMENDATION OF THE
URBAN COUNTY PLANNING COMMISSION
OF LEXINGTON AND FAYETTE COUNTY, KENTUCKY

IN RE: ZOTA 2014-4: RECREATION AND TOURISM LAND USES – petition for a Zoning Ordinance text amendment to address recreation and tourism land uses in all zones, in order to implement the recommendations of the Recreation ZOTA Work Group.

Having considered the above matter on **October 23, 2014; March 26, 2015; & June 25, 2015**, at three Public Hearings, and having voted **6-5** that this Recommendation be submitted to the Lexington-Fayette Urban County Council, the Urban County Planning Commission does hereby recommend **APPROVAL** of this matter for the following reasons:

1. The 2013 Comprehensive Plan recommends “strengthening regulations and policies that propel the agricultural economy; including, but not limited to, local food production and distribution, agritourism, and the equine industry that showcase Lexington-Fayette County as the Horse Capital of the World” (Theme C, Goal #1, Obj. B); “encouraging the development of appropriate attractions and supporting uses that promote and enhance tourism” (Theme C, Goal #1, Obj. E); and “providing entertainment and other quality of life opportunities that attract young professionals and a workforce of all ages and talents to Lexington” (Theme C, Goal #2, Obj. D). The proposed text amendment improves the opportunities for recreation and tourism-related land uses throughout Fayette County, to the benefit of all residents.
2. The *Rural Land Management Plan* (1999) acknowledged that “the best preservation tools for the rural service area are those that keep the agricultural economy viable and strong” (page I-4), and called for greenways, staging areas and trails, as well as public access to the community’s unique resources. This all suggests some level of access for recreational enjoyment and possibly tourism.
3. The proposed changes and additions to the definitions in Article 1 of the Zoning Ordinance will provide guidance and clarification to the Board of Adjustment and the Planning Commission in reviewing development applications. This text amendment adds or modifies 38 definitions related to recreation and tourism-related uses.
4. The proposed changes and additions to land use regulations in Articles 8, 11, and 23 will implement the recommendations of the 2013 Comprehensive Plan related to tourism and improving the community’s overall quality of life.

ATTEST: This 29th day of July, 2015.


Secretary, Christopher D. King

MIKE OWENS
CHAIR

At the Public Hearing before the Urban County Planning Commission, this petition was represented by **Traci Wade, Senior Planner.**

OBJECTIONS

- Greg Bibb, Chair of the Rural Land Management Board
- Missy Byars, Fayette County Neighborhood Council (FCNC)
- Bill Lear, attorney
- Ann Graham, resident of Council District 5
- Knox Van Nagell, Fayette Alliance
- Gregory Butler, Chair of the Greenspace Commission
- Nick Nicholson, attorney, representing Horse Country, Inc.
- Burgess Carey, 8039 Old Richmond Road
- Jim Griggs, McCalls Mill Road
- Todd Johnson, Homebuilders Association of Lexington (HBAL)
- Tom DuPree, Lexington resident

OBJECTORS

- He believes that rural farmland is vital to the local and state economy, and that it should be protected.
- The FCNC is concerned about the effects of some of the possible recreational uses on nearby neighborhoods.
- He is concerned about the possibility of allowing incompatible uses near horse farms in the A-R zone.
- She is concerned about the protection of neighborhood parks.
- She believes that additional recreational uses should be allowed in agricultural areas, but they must be compatible with agricultural operations.
- He is concerned that the proposed recreational uses are too restrictive, and could suppress the potential for development of new uses in the agricultural area.
- His clients contend that gift shops should be allowed in agricultural areas.
- He believes that the proposed agricultural uses are too restrictive, and limit the ability of property owners to sustain their land through commercial activities.
- He is concerned that existing rural neighborhoods could be compromised if new commercial uses are allowed in the agricultural zones.
- HBAL members are opposed to the proposed text amendment because they do not believe it provides property owners with enough opportunities for commercial ventures to support themselves.
- He supports personal property rights, and he believes that allowing more commercial uses in the agricultural zones could be beneficial for job growth in Lexington-Fayette County

- Debra Kelly, owner of Kelly Farms, Old Richmond Road
- Chauncey Morris, Kentucky Thoroughbred Association
- Randy Gilbert, Kentucky Thoroughbred Farm Managers' Club
- Carrie McIntosh, Fayette County Farm Bureau
- Betty Webb, former member of the Greenspace Commission and Preservation Committee
- Susan Enlow, resident of Council District 12
- Dr. Luke Fallon, Hagyard Equine Medical Institute
- Richard Murphy, attorney, representing Hidden Haven, LLC
- Jane Snyder-Harrod, 8385 Durbin Lane
- Amy Clark, 628 Kastle Road
- Jan Hellebusch, 134 Hamilton Park
- Gloria Martin, Grimes Mill Road
- Charles Martin, Grimes Mill Road
- She is concerned about her family's ability to continue operating a profitable corn maze and other activities to support their agricultural operations.
- He believes that it is important to protect the landscape that is the foundation of the equine industry.
- He is concerned about protecting the livelihoods of his organization's 700 members, who depend upon agricultural land to support the equine industry.
- She believes that non-commercial recreational opportunities should be strengthened in the rural area, in such a way as to protect agricultural uses.
- She is concerned that the proposed text amendment conflicts with guidelines outlined in the Greenspace Master Plan.
- She is concerned that additional sound, light, traffic, and visitors could negatively impact the equine industry.
- He believes that the A-R zone should remain intact in order to protect the thoroughbred industry.
- He suggests adding principal uses to the A-N zone, contending that many of the areas recommended for that zone are unsuitable for typical agricultural operations.
- She supports expanding the allowable uses in the A-N zone, as it could provide more financial opportunities for her farm.
- She is concerned about allowing historical horse race wagering in the community.
- She is concerned that historical horse race wagering could have a negative impact on neighborhoods.
- She is concerned that allowing additional recreational uses in the agricultural zones could have a negative effect on surrounding neighborhoods, parks, and agricultural operations.
- He is concerned that the proposed uses will not be compatible with the recommendations of the Rural Land Management Plan, Greenspace Plan, and Greenway Plan

VOTES WERE AS FOLLOWS:

AYES: (6) Berkley, Cravens, Drake, Mundy, Richardson, and Smith

NAYS: (5) Brewer, Owens, Penn, Plumlee, Wilson

ABSENT: (0)

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for **Approval** of **ZOTA 2014-4** carried.

- Enclosures:
- Minutes of Planning Commission Initiation
 - Recommended Text
 - Staff Report
 - Applicable excerpts of minutes of above meetings