

**A-N Subcommittee Recommendations to the Recreational ZOTA Work Group**

1. Recommend change in the Zoning Ordinance on page 8-15, 8-3 Agricultural Natural Areas (A-N) Zone, 8-3(d) Conditional Uses: In the last sentence, the word “may” should be replaced with the word “shall” and should read “In making its determination, the Board of Adjustment shall require the submission of an environmental assessment prepared by a qualified professional.”
2. Recommend exploration of the A-N zone uses and feasibility at Raven Run as per RLMP sec. 3, para. B, recommendation #6.
3. Recommend deleting the following Conditional Uses from the Zoning Ordinance on page 8-15, 8-3 Agricultural Natural Areas (A-N) Zone, 8-3(d) Conditional Uses:

2, 3, 5, 8, 9, and 10

\* 1 and 2 were voted on and approved by the Work Group on December 17<sup>th</sup>, 2012. The group voted to remove 9 and 10 from recommendation number 3 and then approved recommendation 3.



# ZONING ORDINANCE

## 8-3 AGRICULTURAL NATURAL AREAS (A-N) ZONE

8-3(a) Intent - This zone is established to preserve areas within the Rural Service Area that are physically unique, primarily due to their association with the Kentucky River and its tributaries. This area is characterized by steeper slopes, forested areas, and thinner/poorer soils, and is known as a habitat for rare and unusual flora and fauna. Because these lands are environmentally sensitive, special care is needed to ensure that the uses that are permitted are compatible with the goal of conservation and preservation of these lands. The Land Use Element of the Comprehensive Plan shall be used to determine the appropriate locations for the Agricultural Natural Areas (A-N) Zone.

8-3(b) Principal Uses (Other uses substantially similar to those listed herein shall also be deemed permitted.)

1. Land used solely for agricultural purposes, including small farm wineries, as outlined in KRS 100.
2. Single family detached dwellings.

8-3(c) Accessory Uses (Uses and structures which are customarily accessory, clearly incidental and subordinate to permitted uses.)

1. Accessory uses in connection with agriculture, farming, dairying, stock raising or similar uses, such as agricultural structures; stables; and parking areas, provided all yard requirements for a principal residence are met.
2. Those specific agricultural uses outlined in KRS 100 that are incidental only to a small farm winery licensed as such by the Commonwealth of Kentucky, such as the manufacture and bottling of wines; tasting rooms for the purpose of serving complimentary samples; sale by the drink or bottle, either on or off premises; and sale and shipment of wine, either wholesale or retail.
3. Home offices and home occupations.
4. Temporary roadside stands offering for sale only agricultural products grown on the premises.
5. Keeping of not more than two (2) roomers or boarders by a resident family.
6. Non-commercial recreational facilities, such as baseball fields; soccer fields; polo fields; swimming pools; tennis courts and the like.
7. Private garages, storage sheds, parking lots, and private farm vehicle fueling facilities.
8. Living quarters, without kitchen facilities and not used for rental purposes, for guests and employees of the premises.
9. Satellite dish antennas, as regulated in Article

15-8.

10. Family child care for up to six (6) children, provided that the total number of children living or being cared for on the premises shall not exceed six (6).
11. Mobile homes, as provided in Article 10.
12. Tenant homes, provided all yard requirements for a principal residence are met.

8-3(d) Conditional Uses (Permitted only with Board of Adjustment approval.) For any of the following conditional uses established after January 26, 1995, a total of 10,000 square feet shall be the maximum allowable for all structures proposed for such uses. Prior to the approval of any conditional use containing environmentally sensitive land, such as flood hazard areas; areas of significant tree stands; sinkhole and karst areas; slopes exceeding 15%; "special natural protection" areas, as designated in the Comprehensive Plan; and stone fences, the applicant must prove, and the Board of Adjustment must find, that adequate safeguards will be in place to ensure the least negative impact on the land. This proof and finding shall extend to uses accessory to permitted conditional uses. In making its determination, the Board of Adjustment may require the submission of an environmental assessment prepared by a qualified professional.

1. Cemeteries, crematories, columbariums, mausoleums, including animal burial grounds.
2. Kindergartens and nursery schools for four (4) and not more than twelve (12) children, only when accessory to a residential use. A fenced and screened play area shall be provided, which shall contain not less than twenty-five (25) square feet per child.
3. Family child care for seven (7) and not more than twelve (12) children, provided that the total number of children living or being cared for on the premises shall not exceed twelve (12). A fenced outdoor play area shall be provided, which shall contain not less than twenty-five (25) square feet per child.
4. Churches, Sunday schools, and parish houses.
5. Kindergartens, nursery schools and child care centers for four (4) or more children when accessory to a church or school as permitted herein. A fenced and screened play area shall be provided, which shall contain not less than twenty-five (25) square feet per child.
6. Non-service facilities of public utilities and common carriers by rail, including office, garage, and warehouse space when not incidental to a service facility as provided in KRS 100.324.
7. Commercial and non-commercial outdoor recreational facilities (without outdoor lighting, loud speakers, retail sales of merchandise, restaurants or food service, and the like), including zoological gardens; sportsmen's farms (including outdoor rifle and other firearm ranges); native animal game preserves; outdoor rodeos; hunting and trapping; riding stables; campgrounds; and fishing lakes, including private clubs for only these uses.

\* must \*  
or  
\* shall \*

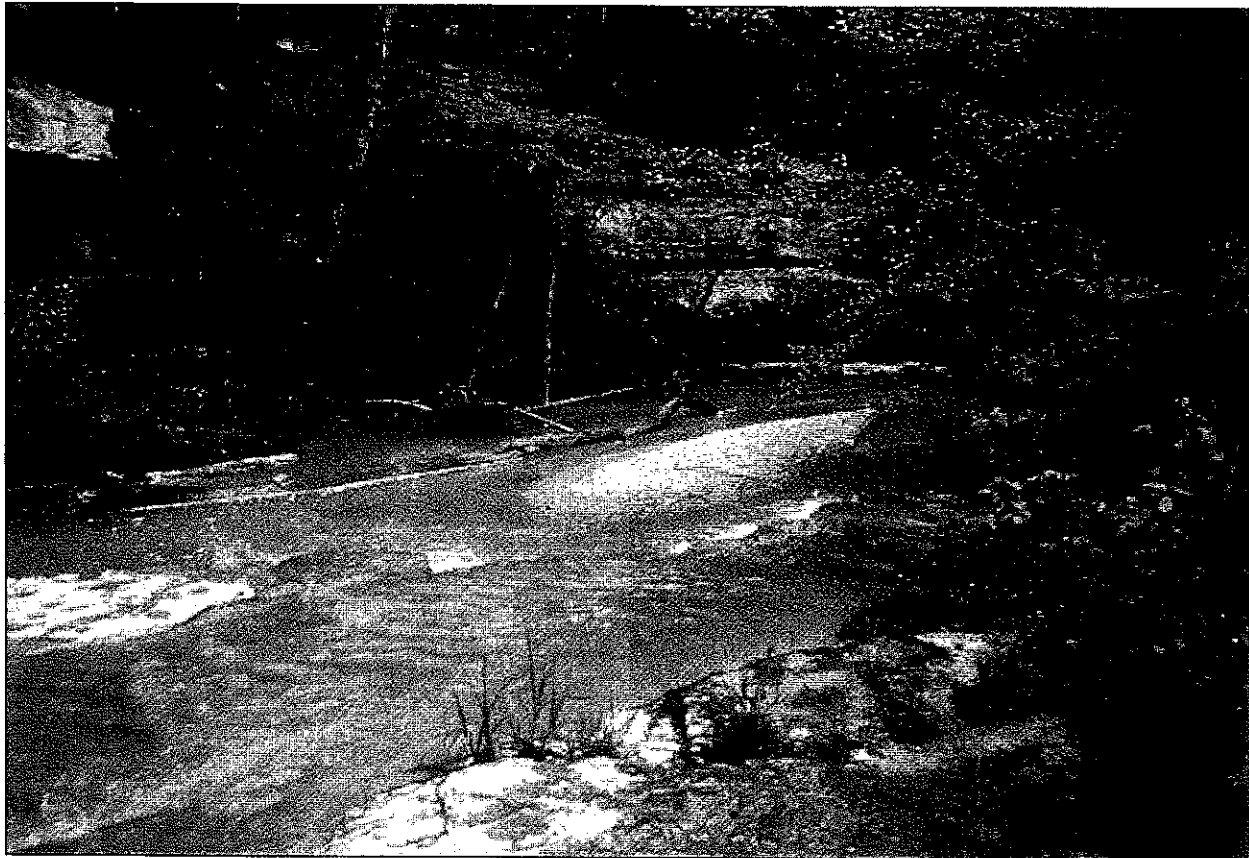


## **B. NATURAL AREAS CATEGORY (NAT)**

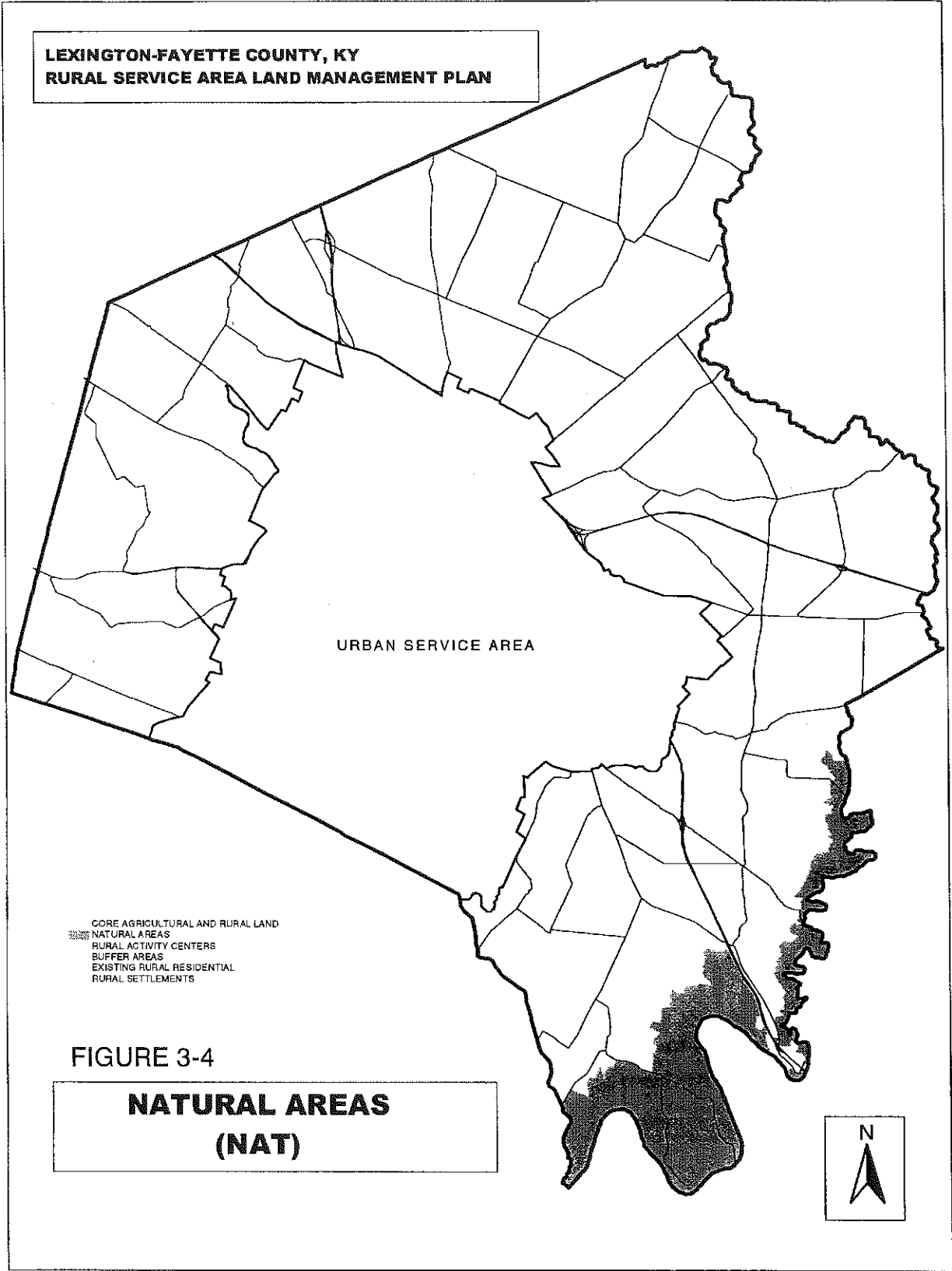
This land category is designed to encompass certain areas that are physically unique from other portions of Fayette County in that they are important for preservation, but not primarily for their association with agriculture. Located generally in the extreme southeastern portion of the Rural Service Area, these lands are associated with a number of factors that distinguish them from the CARL and other rural land categories. The total land area proposed for this category is 8,550 acres.

Lands in this area exhibit a combination of characteristics including an association with the Kentucky River and its tributaries. Compared to other areas of the Rural Service Area, the land generally contains steeper slopes, forested areas, poorer/thinner soils and similar characteristics. Portions of the area are recognized as historic/scenic areas, and are known as habitat for rare and unusual flora and fauna. Approximately 90% of the land has a high degree of environmental sensitivity, including floodplain/riparian areas, steep slopes, and woodlands. Although agriculture can and does occur in portions of this area, it is not the predominant character of the area as a whole.

The policy emphasis for land in this category should be for preservation and enhancement of the land in a natural state with a minimum of intrusions.











*The following programs are recommended for this area:*

1. *The minimum parcel size for the creation of new tracts should be established at 40 acres to ensure the preservation of parcels of a size conducive to minimal disturbance of the natural features of this land. Consideration should be given to even larger minimum lot sizes in this area.*
2. *Existing tracts under 40 acres in size shall be permitted to remain. However, programs should be created which are designed to offer incentives for the eventual consolidation of undeveloped small tracts into larger parcels.*
3. *The NAT category shall be a priority area for a Purchase of Development Rights (PDR) Program. The PDR program should be designed to preserve lands which are environmentally sensitive and which can serve multiple purposes of conservation of natural resources, public access for passive recreations such as hiking and nature trails, protection of wildlife habitat, environmental education, and similar uses.*
4. *Principal uses permitted in this area should be those associated with agriculture and rural housing in a natural setting with minimal disturbance to the land and vegetation. Conditional uses for this area should be kept to a minimum.*
5. *The NAT area will serve as a "sender" area for development rights eligible for transfer to another area of the community under any permitted Transfer of Development Rights (TDR) Program implemented under this plan.*
6. *The LFUCG should seek to implement programs throughout this area designed to improve and manage public accessibility to the resources in this area. These programs should utilize the Raven Run sanctuary as a focus and staging area for such programs.*
7. *Public acquisition of NAT land should be priority. A major preserve of 1000 acres to 2000 acres would be desirable. The land to be acquired should be in a location that would provide links to areas that have already been acquired or where conservation/scenic easements are proposed.*



