

AN ORDINANCE AMENDING ARTICLE 12 OF THE ZONING ORDINANCE TO UPDATE THE B6-P ZONE-PARKING STANDARDS; LOT COVERAGE AND FLOOR AREA REQUIREMENTS; TRANSIT FACILITIES; AND DESIGN STANDARDS. (PLANNING COMMISSION).

WHEREAS, the Lexington-Fayette Urban County Planning Commission has considered a text amendment to Article 12 of the Zoning Ordinance to update the B6-P zone-Parking Standards, Lot Coverage and Floor Area Requirements; Transit Facilities; and Design Standards. Planning Commission did recommend APPROVAL of the alternative text by a vote of 7-0; 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 12 of the Zoning Ordinance of the Lexington-Fayette Urban County Government is hereby amended as follows:

COMMERCIAL CENTER (B-6P) ZONE

12-1 INTENT - The intent of the Commercial Center (B-6P) zone is to create centers of activity that promote commerce and retail along major corridors within the community, while supporting existing residential neighborhoods and incorporating new residential opportunities in accordance with the Comprehensive Plan. The standards contained in this provision are intended to:

- Improve the economic base and tax structure of the Lexington metropolitan area by:
- Creating a variety of employment, retail, and commerce opportunities, and improving access to these opportunities;
 - Increasing the supply and mixture of housing types available throughout Lexington, thereby improving overall housing affordability;
 - Protecting and enhancing the investments of existing B-6P developments by providing redevelopment opportunities that unlock additional potential to better utilize existing zoned land.

Create a sense of place, with experiences and community minded development rather than the over-parked, underutilized suburban model shopping centers of times past by:

- Creating strongly defined street edges through orienting buildings to roadways, both internal and external;
- Ensuring that intensive operations, such as loading areas, do not adversely impact or effectively wall off existing neighborhoods;
- Reducing the impact of parking on land use consumption and walkability by:
 - Encouraging shared parking across complementary professional office and retail uses
 - Reducing overall parking

Ensure safe multi-modal transportation options through:

- Providing walkable developments that function well internally;
- Creating a well-connected external pedestrian network to adjacent neighborhoods and developments;
- Providing accessible mass transit facilities that easily connect people to internal destinations;

- Increasing residential density along major corridors, improving mass transit efficiency;
- Connecting roadways to provide efficient and direct access for motorists and emergency services.

12-2 TYPES OF COMMERCIAL CENTERS - The types of commercial centers provided for in this section may be generally described as follows:

A community commercial center provides not only convenience goods, but a range of facilities for the sale of "shopping goods" such as apparel and home furnishings, as well as banking, professional services, residential units, and recreation. A community commercial center shall have a minimum area of ten (10) acres.

A regional commercial center generally provides more and larger facilities than the community commercial center. A regional shopping center shall have a minimum area of thirty (30) acres.

Sites consisting of 10 acres or less shall utilize the Neighborhood Business (B-1) or another Mixed Use Zone. Existing sites of less than 10 acres shall be regulated as a community commercial center.

12-3 PRINCIPAL PERMITTED USES - The principal permitted uses in a B-6P zone shall be as follows:

- a. The principal permitted uses in the B-1 and P-1 zones.
- b. Indoor theaters.
- c. Parking lots and structures.
- d. Offices of veterinarians, animal hospital or clinic, provided all exterior walls are completely soundproofed and all animal pens are completely within the principal building and used only for the medical treatment of small animals.
- e. Self-service car wash, provided that such uses shall be located at least 100 feet from any residential zone; and that surface water from such establishment shall not drain onto adjacent property, and that adequate on-site storage lanes and parking facilities shall be provided so that no public way shall be used for such purposes.
- f. Multi-family dwellings.
- g. Restaurants, cocktail lounges, brew-pubs, nightclubs, and discotheques offering live entertainment and/or dancing, unless otherwise prohibited. Such uses shall be located at least 100 feet from any residential zone and shall be soundproofed to the maximum extent feasible by using existing technology, with noise emissions not creating a nuisance to the surrounding neighborhood.

12-4 ACCESSORY USES - The accessory uses permitted in a B-6P zone shall be as follows:

- a. The accessory uses in the B-1 and P-1 zones.
- b. Drive-through facilities for the sale of goods or products or the provision of services otherwise permitted herein, when approved by the Planning Commission on a development plan.

12-5 CONDITIONAL USES - Shall be as follows:

- a. Restaurants, cocktail lounges, brew-pubs, nightclubs, and discotheques offering live entertainment and/or dancing, less than 100 feet from any residential zone. Such uses shall be soundproofed to the maximum extent feasible by using existing technology, with noise emissions not creating a nuisance to the surrounding neighborhood.
- b. Recycling drop-off centers for aluminum, steel, glass, newspapers, cardboard and other paper products, oil and other household recyclable waste; provided that such establishment shall be located at least 200 feet from any residential zone. Any appeal for a conditional use permit to operate a recycling drop-off center shall include as part of the application:
 1. Reasons for the location of the use at a specific site; description of equipment to be used; physical arrangement; and operation of the proposed center. The Board of Adjustment shall consider the necessity of screening, if needed.
- c. Mining of non-metallic minerals, but only when the proposal complies with the requirements of the Mining/Quarrying Ordinance (Code of Ordinances #252-91) and the conditions and requirements as set forth therein. The Board of Adjustment shall specifically consider and be able to find:
 1. That the proposed use will not constitute a public nuisance by creating excessive noise, odor, traffic, dust, or damage to the environment or surrounding properties;
 2. That a reasonable degree of reclamation and proper drainage control is feasible; and
 3. That the owner and/or applicant has not had a permit revoked or bond or other security forfeited for failure to comply with any Federal, State or local laws, regulations or conditions, including land reclamation, pertaining to the proposed use.
- d. Rehabilitation homes, when located closer than 500 feet from a residential zone; school for academic instruction or a child care center.
- f. Automobile and vehicle refueling stations, provided such uses conform to all

requirements of Article 16.

- g. Drive-through facilities for the sale of goods or products or provision of services otherwise permitted herein, except as accessory uses herein.

12-6 PROHIBITED USES - In a B-6P zone, all uses other than as permitted herein are prohibited.

12-7 LOCATIONAL STANDARDS - A community commercial center shall abut, front on and have its principal access to and from a street designated by the Commission as an arterial or collector street, as deemed to be appropriate by the Commission. A regional commercial center shall abut, front on, and have its principal access to and from a street designated by the Commission as an arterial.

The proposed commercial center shall be at a location where congestion will be minimized by provision in the plan for proper entrances, exits, transit, bicycle, and pedestrian facilities, and by internal provisions for traffic circulation and parking.

12-8 MINIMUM DESIGN STANDARDS - The following minimum standards shall be met in the design of a planned commercial center:

12-8(a) HEIGHT REQUIREMENT - There shall be no height limitation.

12-8(b) REQUIRED SETBACK -

Streetfront building setbacks (4 story buildings and below);

The building setback line shall be:

1. Arterial street: 15 feet minimum
2. Collector street: 14 feet minimum

Streetfront building setbacks (buildings above 4 stories):

The building setback line shall be:

1. Arterial street: 18 feet minimum
2. Collector street: 16 feet minimum

12-8(c) SCREENING -

No residential dwelling shall be developed so that the rear of the structure abuts an arterial or collector street unless the dwelling is located not less than 200 feet from the arterial or collector street.

Any commercial center which directly adjoins any single family residential zone shall be required to provide a buffer yard of six (6) feet in width, with one tree for every 30' of linear boundary from Group A, B, or C of the Plant List, as referenced by Article 18 of the Zoning Ordinance; plus a 6 foot high fence, wall or earth mound. The responsibility for such a buffer shall be the B-6P property, although the buffer may be shared as provided in Article 18.

Pedestrian and/or bicycle connections and programmed amenities (such as seating, canopies, pergolas, and/or patios) which integrate the commercial center with adjacent residential zones shall be incorporated into the development plan at appropriate locations along the required buffer.

12-8(d) LOT COVERAGE AND FLOOR AREA REQUIREMENTS - The ground area occupied by all the buildings shall not exceed the maximums noted below, based upon the minimum floor area requirements. Parking structures shall not be considered as a building for the purposes of this section.

1. COMMUNITY COMMERCIAL CENTER

For a proposed development that meets the following locational criteria:

- 10 acres or larger
- smaller than 30 acres
- contains frontage along a collector street

The following Lot Coverage and Floor Area Ratio (F.A.R.) shall apply:

- The minimum F.A.R. shall be 0.30.
- The maximum Lot Coverage shall be 0.35.

For a proposed development that meets the following locational criteria:

- 10 acres or larger
- smaller than 30 acres
- contains frontage along an arterial street

The following Lot Coverage and Floor Area Ratio (F.A.R.) shall apply:

- The minimum F.A.R. shall be 0.4.
- The maximum Lot Coverage shall be 0.30.

2. REGIONAL COMMERCIAL CENTER

For a proposed development that meets the following locational criteria:

- 30 acres or larger
- contains frontage along an arterial street

The following Lot Coverage and Floor Area Ratio (F.A.R.) shall apply:

- The minimum F.A.R. shall be 0.5.
- The maximum Lot Coverage shall be 0.3.

3. SPECIAL PROVISIONS FOR ALL CENTERS:

- a. Increases in floor area over and above the minimum shall grant an increase in the maximum lot coverage at a rate of 2 to 1.
- b. Increases in floor area for residential uses shall grant an increase in the maximum lot coverage at a rate of 1 to 1.
- c. Minimum Usable Open Space – 15%

12-8(e) MAXIMUM REQUIRED PARKING - Notwithstanding any other requirements of this Zoning Ordinance:

1. For any commercial center that is located on a transit route, there shall be a maximum of 4 surface parking spaces per 1,000 commercial square feet.
2. For any commercial center that is not located on a transit route, there shall be a maximum of 5 surface parking spaces per 1,000 commercial square feet.
3. For any commercial center containing residential use(s), the residential use(s) there shall be a maximum of 1 surface parking space per dwelling unit.
4. Structure parking shall not count toward any maximum parking requirement.

12-8(f) LOADING AREAS - Notwithstanding any other requirements of this Zoning Ordinance, there shall be provided one off-street loading space for each 20,000 square feet, or fraction thereof, of aggregate floor space of all buildings in the center. At least one-third of the space required shall be sufficient in area and vertical clearance to accommodate trucks of the tractor-trailer type. Such loading facilities shall be permanently and fully screened. The exact type and nature of such screening shall be determined by Article 18.

12-8(g) LIGHTING -

Exterior lighting shall be restricted as follows:

1. Wall mounted lamps that use the equivalent of 1,200 lumens per bulb or greater shall be shielded or equipped with cutoffs so that the light sources are not visible from a public street. Spotlights without shielding devices are prohibited.
2. Wall mounted light fixtures shall not extend above the height of the wall to which they are mounted.
3. Lighting that is positioned to highlight a building shall be aimed at the object to be illuminated and not directly aimed into the sky.
4. Any light fixture intended to illuminate walkways or other outdoor areas shall not exceed fifteen (15) feet in height unless specifically used to light an outdoor recreation facility such as a tennis court, ball field, or similar use.
5. Any light fixture intended to illuminate a parking area shall not exceed twenty-five (25) feet in height, and shall be shielded or equipped with cutoffs so as to prevent undue light spill onto adjoining properties.

12-8(h) MULTI-MODAL ACCOMMODATION -

The applicant shall, on the submitted development plan or on a separate exhibit, provide a proposed multi-modal improvement plan designed to accommodate all users for the entirety of the property, as well as connecting to any planned and/or existing public facilities. For redeveloping or infill sites, the multi-modal improvement plan shall also be a guide for future improvements as redevelopment occurs.

12-8(i) TRANSIT FACILITIES -

For all commercial centers located along a transit route, a transit shelter and seating shall be required and indicated clearly on the development plan to the approval of the local transit authority. Adequate pedestrian facilities to serve the required transit infrastructure, both along the right-of-way and internal to the site, shall be to the approval of the Metropolitan Planning Organization (MPO). It will be strongly encouraged that the development plan afford appropriate facilities and accommodations for additional ridesharing services.

No zoning compliance permits shall be issued for the commercial center until all approved transit infrastructure is constructed in accordance with the approved Final Development Plan.

12-9 DESIGN GUIDELINES FOR "BIG-BOX" RETAIL ESTABLISHMENTS - It is in the best interest of Lexington-Fayette County to minimize the possible "blighting" effect that abandoned shopping centers and large retail establishments can have on the larger area or neighborhood in which they are located. By imposing additional standards in the form of design guidelines for such centers, these effects can be minimized, and future redevelopment and reuse of vacant retail buildings encouraged through proper facility

design, without expenditure of public funds. For this reason, the Planning Commission has adopted design guidelines for commercial centers containing a single “big-box” establishment larger than 80,000 square feet in size. These additional standards are listed in “Design Guidelines for ‘Big-Box’ Establishments” incorporated by reference, and are consistent with guidelines which have been established in other cities and counties across the United States for such facilities. These design guidelines are intended to provide professional designers and the Planning Commission with direction for improved development plans which address the following issues:

- (a) Variation in building heights and identifiable customer service entrances and pedestrian entryways;
- (b) Uninterrupted facades, windows, allowance for smaller stores or departments having exterior entrances, and back or side facades;
- (c) Landscaping and/or screening of outdoor display of building materials or other similar bulky products, and of trash collection and loading areas;
- (d) Pedestrian circulation in relation to vehicular movement and common open spaces for pedestrians;
- (e) Parking lot orientation adjacent to public streets.

The guidelines are to be met in the design of a planned commercial center containing a single “big-box” establishment larger than 80,000 square feet in size, unless waived by the Planning Commission through its approval of a final development plan for a property in a B-6P zone.

12-10PROCEDURE - The procedure for obtaining a zoning map amendment to the B-6P zone shall be the same as provided in Article 6 herein above, in addition, as follows:

12-10(a) PRELIMINARY DEVELOPMENT PLAN REQUIRED - A preliminary development plan shall be submitted with the application for a Zoning Map Amendment, with the information as specified in Article 21; and, in addition, approximate total gross floor area of anticipated retail facilities; the approximate total gross floor area of anticipated office and service facilities; the approximate number of anticipated off-street parking spaces; and the stages which will be followed in the construction of the proposed commercial center.

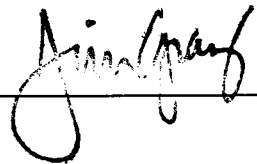
12-10(b) FINAL DEVELOPMENT PLAN REQUIRED - Within two (2) years of final approval by the Urban County Council of any B-6P Zoning Map Amendment, unless an extension is granted by the Commission, the applicant shall submit a final development plan to the Commission for its review and action; otherwise, an application to change the B-6P zone to its previous zone or other appropriate zone may be filed by the Commission as provided under Article 6 herein above.

The final development plan shall show the information as specified by Article 21: Development Plans. The Commission shall approve, conditionally approve, or disapprove a final development plan within ninety (90) days after the applicant submits his development plan.

12-10(c) BUILDING PERMIT REQUIRED - No building permit shall be issued until a final development plan has been approved by the Commission and certified to the Division of Planning, after which a permit for construction may be issued by the Division of Building Inspection. The approved final development plan shall limit and control the issuance of all building and occupancy permits, and shall restrict the construction, location, and use of all land and structures to all conditions set forth in the plan. Amendments to the plan can be made only as permitted in Article 21: Development Plans.

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

PASSED URBAN COUNTY COUNCIL: February 8, 2018

MAYOR 

ATTEST:

Clerk of Urban County Council
Published: February 15, 2018-1t

Recd by _____

Date: _____


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

IN RE: ZOTA 2017-8: AMENDMENT TO ARTICLE 12 - PARKING STANDARDS; LOT COVERAGE AND FLOOR AREA REQUIREMENTS; TRANSIT FACILITIES; AND DESIGN STANDARDS – petition for a Zoning Ordinance text amendment to update the B-6P zone.

Having considered the above matter on **December 14, 2017**, at a Public Hearing and having voted **7-0** that this Recommendation be submitted to the Lexington-Fayette Urban County Council, the Urban County Planning Commission does hereby recommend **APPROVAL** of the text amendment for this matter for the following reasons:

1. The proposed text amendment will reduce the impact of parking on land consumption, and encourage shared parking across complementary professional office, retail and residential uses.
2. The proposed text amendment will enhance the viability of existing B-6P developments by providing redevelopment opportunities that unlock additional potential to better utilize existing zoned land.
3. The proposed text amendment will encourage walkable developments and accessible transit facilities that have been long neglected in our major corridors.
4. The proposed text amendment will assist in creating a variety of employment, retail and residential opportunities throughout Lexington, improving overall housing affordability.

ATTEST: This 19th day of January, 2018.



Secretary, Jim Duncan

WILLIAM WILSON
CHAIR

At the Public Hearing before the Urban County Planning Commission, this petition was represented by **Chris Taylor, Administrative Officer, Division of Planning, Long Range Planning.**

OBJECTIONS

- Amy Clark, 628 Kastle Road

OBJECTORS

- Requested more neighborhood involvement.

VOTES WERE AS FOLLOWS:

- AYES: (7) Berkley, Cravens, Forester, Mundy, Penn, Plumlee, and Wilson
- NAYS: (0)
- ABSENT: (4) Owens, Bell, Brewer and Richardson
- ABSTAINED: (0)
- DISQUALIFIED: (0)

Motion for Approval of ZOTA 2017-8 carried.

- Enclosures: Recommended Text
Application
Staff Report
Applicable excerpts of minutes of above meeting.

ARTICLE 12

PLANNED SHOPPING COMMERCIAL CENTER (B-6P) ZONE

12-1 INTENT - The intent of the Commercial Planned Shopping Center (B-6P) zone is to create centers of activity that promote commerce and retail along major corridors within the community, while supporting existing residential neighborhoods and incorporating new residential opportunities in accordance with the Comprehensive Plan. The standards contained in this provision are intended to encourage the logical and timely development of land for commercial purposes and the expansion of existing shopping centers in accordance with the Comprehensive Plan. The protective standards contained in this provision are intended to:

Assure convenience by providing commercial areas of sufficient size and in the proper location to serve conveniently the people of the area in relation to their purchasing power and their needs and demands for goods and services;

Assure traffic safety and provide for the improvement of major thoroughfare traffic capacities by properly locating and grouping commercial areas and by designing such commercial areas so as to provide safe and convenient access thereto and adequate off-street parking for automotive vehicles and by effectively separating vehicular from pedestrian traffic both within the commercial area and on adjacent public rights-of-way;

Provide for service vehicles by including convenient access and loading facilities in the design of commercial areas;

Protect adjacent residential neighborhoods from depreciation of property values resulting from commercial over-zoning, from the over-development or intrusion of undesirable commercial uses, and from the possible blighting effect of failed "big box" retail establishments;

Promote community attractiveness by encouraging the design of commercial areas and "big box" retail establishments which will integrate with residential areas by utilizing effectively topographic features, transitional areas, and the liberal application of landscaping and screening devices, thus minimizing any adverse effect of any such commercial area upon adjacent land uses and providing a pleasant environment for the shopping and working experience;

Improve the economic base and tax structure of the Lexington metropolitan area by encouraging the development of stable, economically sound commercial concentrations;

Protect the investments of existing and future commercial concentrations by providing the basis for convenient and stable commercial development through the application of sound planning principles

Improve the economic base and tax structure of the Lexington metropolitan area by:

- Creating a variety of employment, retail, and commerce opportunities, and improving access to these opportunities;
- Increasing the supply and mixture of housing types available throughout Lexington, thereby improving overall housing affordability;
- Protecting and enhancing the investments of existing B-6P developments by providing redevelopment opportunities that unlock additional potential to better utilize existing zoned land.

Create a sense of place, with experiences and community minded development rather than the over-parked, underutilized suburban model shopping centers of times past by:

- Creating strongly defined street edges through orienting buildings to roadways, both internal and external;
- Ensuring that intensive operations, such as loading areas, do not adversely impact or effectively wall off existing neighborhoods;
- Reducing the impact of parking on land use consumption and walkability by:
 - Encouraging shared parking across complementary professional office and retail uses
 - Reducing overall parking

Ensure safe multi-modal transportation options through:

- Providing walkable developments that function well internally;
- Creating a well-connected external pedestrian network to adjacent neighborhoods and developments;
- Providing accessible mass transit facilities that easily connect people to internal destinations;
- Increasing residential density along major corridors, improving mass transit efficiency;
- Connecting roadways to provide efficient and direct access for motorists and emergency services.

12-2 TYPES OF SHOPPING COMMERCIAL CENTERS - The types of shopping commercial centers provided for in this section may be generally described as follows:

A neighborhood shopping center is one which provides for the sale of convenience goods such as food, drugs, hardware and personal services, and has a minimum area of three (3) acres.

A community commercial shopping center provides not only convenience goods, but a range of facilities for the sale of "shopping goods" such as apparel and home furnishings, as

well as banking, professional services, residential units, and recreation. A community commercialshopping center shall have a minimum area of ten (10) acres.

A regional commercialshopping center generally provides more and larger facilities than the community commercialshopping center. A regional shopping center shall have a minimum area of thirty (30) acres.

Sites consisting of 10 acres or less shall utilize the Neighborhood Business (B-1) or another Mixed Use Zone. Existing sites of less than 10 acres shall be regulated as a community commercial center.

12-3 PRINCIPAL PERMITTED USES - The principal permitted uses in a B-6P zone shall be as follows:

- a. The principal permitted uses in the B-1 and P-1 zones.
- b. Indoor theaters.
- c. Parking lots and structures.
- d. Offices of veterinarians, animal hospital or clinic, provided all exterior walls are completely soundproofed and all animal pens are completely within the principal building and used only for the medical treatment of small animals.
- e. Self-service car wash, provided that such uses shall be located at least 100 feet from any residential zone; and that surface water from such establishment shall not drain onto adjacent property, and that adequate on-site storage lanes and parking facilities shall be provided so that no public way shall be used for such purposes.
- f. Multi-family dwellings.
- g. Restaurants, cocktail lounges, brew-pubs, nightclubs, and discotheques offering live entertainment and/or dancing, unless otherwise prohibited. Such uses shall be located at least 100 feet from any residential zone and shall be soundproofed to the maximum extent feasible by using existing technology, with noise emissions not creating a nuisance to the surrounding neighborhood.

12-4 ACCESSORY USES - The accessory uses permitted in a B-6P zone shall be as follows:

- a. The accessory uses in the B-1 and P-1 zones.
- b. Drive-through facilities for the sale of goods or products or the provision of services otherwise permitted herein, when approved by the Planning Commission on a development plan.

12-5 CONDITIONAL USES - Shall be as follows:

- a. Restaurants, cocktail lounges, brew-pubs, nightclubs, and discotheques offering live entertainment and/or dancing, unless otherwise prohibited. Such uses shall be located at least less than 100 feet from any residential zone. Such uses and shall be soundproofed to the maximum extent feasible by using existing technology, with noise emissions not creating a nuisance to the surrounding neighborhood.

be. Recycling drop-off centers for aluminum, steel, glass, newspapers, cardboard and other paper products, oil and other household recyclable waste; provided that such establishment shall be located at least 200 feet from any residential zone. Any appeal for a conditional use permit to operate a recycling drop-off center shall include as part of the application:

1. Reasons for the location of the use at a specific site; description of equipment to be used; physical arrangement; and operation of the proposed center. The Board of Adjustment shall consider the necessity of screening, if needed.
- ce. Mining of non-metallic minerals, but only when the proposal complies with the requirements of the Mining/Quarrying Ordinance (Code of Ordinances #252-91) and the conditions and requirements as set forth therein. The Board of Adjustment shall specifically consider and be able to find:
1. That the proposed use will not constitute a public nuisance by creating excessive noise, odor, traffic, dust, or damage to the environment or surrounding properties;
 2. That a reasonable degree of reclamation and proper drainage control is feasible; and
 3. That the owner and/or applicant has not had a permit revoked or bond or other security forfeited for failure to comply with any Federal, State or local laws, regulations or conditions, including land reclamation, pertaining to the proposed use.
- cf. Rehabilitation homes, when located closer than 500 feet from a residential zone; school for academic instruction or a child care center.
- fg. Automobile and vehicle refueling stations, provided such uses conform to all requirements of Article 16.
- gh. Drive-through facilities for the sale of goods or products or provision of services otherwise permitted herein, except as accessory uses herein.

12-6 PROHIBITED USES - In a B-6P zone, all uses other than as permitted herein are prohibited.

12-7 LOCATIONAL STANDARDS - ~~A neighborhood or community shoppingcommercial~~ center shall abut, front on and have its principal access to and from a street designated by the Commission as an arterial or collector street, as deemed to be appropriate by the Commission. A regional commercialshopping center shall abut, front on, and have its principal access to and from a street designated by the Commission as an arterial.

The proposed commercialshopping center shall be at a location ~~where traffic congestion does not exist at present on the streets to be utilized for access to the proposed shopping center, and~~ where such congestion will be minimized by provision in the plan for proper entrances, and exits, transit, bicycle, and pedestrian facilities, and by internal provisions for traffic circulation and parking.

~~The need for the proposed center at the proposed location, to provide adequate shopping facilities or service to the surrounding neighborhood or community, as the case may be, shall be demonstrated by the applicant by means of market studies or such other evidence as the Commission may require.~~

~~The proposed shopping center shall be of sufficient, but not excessive, size to provide adequate shopping facilities for the population which reasonably may be expected to be served by such shopping facilities.~~

12-8 MINIMUM DESIGN STANDARDS - The following minimum standards shall be met in the design of a planned commercial shopping center:

12-8(a) HEIGHT REQUIREMENT - There shall be no height limitation.

12-8(b) REQUIRED SETBACK - All buildings shall be at least fifty (50) feet from the perimeter boundary of the B-6P zone. However, no more than 100 feet of exterior walls may be established at the same setback. A variation of at least three (3) feet shall be required where a break in setback occurs. Buildings may penetrate up to three (3) feet over the building line into the required setback, but the average setback shall be at least as great as the required setback.

Streetfront building setbacks (4 story buildings and below):

The building setback line shall be:

1. Arterial street: 15 feet minimum
2. Collector street: 14 feet minimum

Streetfront building setbacks (buildings above 4 stories):

The building setback line shall be:

1. Arterial street: 18 feet minimum
2. Collector street: 16 feet minimum

12-8(c) SCREENING -

No residential dwelling shall be developed so that the rear of the structure abuts an arterial or collector street unless the dwelling is located not less than 200 feet from the arterial or collector street.

Any commercial center which directly adjoins any single family residential zone shall be required to provide a buffer yard of six (6) feet in width, with one tree for every 30' of linear boundary from Group A, B, or C of the Plant List, as referenced by Article 18 of the Zoning Ordinance; plus a 6 foot high fence, wall or earth mound. The responsibility for such a buffer shall be the B-6P property, although the buffer may be shared as provided in Article 18.

Pedestrian and/or bicycle connections and programmed amenities (such as seating, canopies, pergolas, and/or patios) which integrate the commercial center with adjacent residential zones shall be incorporated into the development

plan at appropriate locations along the required buffer. Landscaping and screening shall be provided as required by Article 18 herein.

12-8(d) LOT COVERAGE AND FLOOR AREA REQUIREMENTS - The ground area occupied by all the buildings shall not exceed the maximums noted below, based upon the minimum floor area requirements, in the aggregate, thirty-five percent (35%) of the total area of the B-6P zone. Parking structures shall not be considered as a building for the purposes of this section.

1. COMMUNITY COMMERCIAL CENTER

For a proposed development that meets the following locational criteria:

- 10 acres or larger
- smaller than 30 acres
- contains frontage along a collector street

The following Lot Coverage and Floor Area Ratio (F.A.R.) shall apply:

- The minimum F.A.R. shall be 0.30.
- The maximum Lot Coverage shall be 0.35.

For a proposed development that meets the following locational criteria:

- 10 acres or larger
- smaller than 30 acres
- contains frontage along an arterial street

The following Lot Coverage and Floor Area Ratio (F.A.R.) shall apply:

- The minimum F.A.R. shall be 0.4.
- The maximum Lot Coverage shall be 0.30.

2. REGIONAL COMMERCIAL CENTER

For a proposed development that meets the following locational criteria:

- 30 acres or larger
- contains frontage along an arterial street

The following Lot Coverage and Floor Area Ratio (F.A.R.) shall apply:

- The minimum F.A.R. shall be 0.5.
- The maximum Lot Coverage shall be 0.3.

3. SPECIAL PROVISIONS FOR ALL CENTERS:

- a. Increases in floor area over and above the minimum shall grant an increase in the maximum lot coverage at a rate of 2 to 1.
- b. Increases in floor area for residential uses shall grant an increase in the maximum lot coverage at a rate of 1 to 1.
- c. Minimum Usable Open Space - 15%

12-8(e) MAXIMUM REQUIRED PARKING - Notwithstanding any other requirements of this Zoning

Ordinance:

1. ~~For a neighborhood shopping center, two square feet of off-street parking area, including driveways, shall be provided for every square foot of parking floor area.~~
- 2.1. ~~For any commercial center that is located on a transit route, there shall be a maximum of 4 surface parking spaces per 1,000 commercial square feet—community or regional shopping center after May 29, 2003, one parking space shall be provided for every 250 square feet of gross floor area.~~
- 3.2. ~~For any commercial center that is not located on a transit route, there shall be a maximum of 5 surface parking spaces per 1,000 commercial square feet—community or regional shopping centers before May 29, 2003, three square feet of off-street parking, including driveways, shall be provided for every square foot of parking floor area.~~
3. For any commercial shopping center containing residential use(s), the residential use(s) there shall be a maximum of 1 surface require 0.5 parking space per dwelling unit.
4. Structure parking shall not count toward any maximum parking requirement.

12-8(f) LOADING AREAS - Notwithstanding any other requirements of this Zoning Ordinance, there shall be provided one off-street loading space for each 20,000 square feet, or fraction thereof, of aggregate floor space of all buildings in the center. At least one-third of the space required shall be sufficient in area and vertical clearance to accommodate trucks of the tractor-trailer type. Such loading facilities shall be permanently and fully screened. The exact type and nature of such screening shall be determined by Article 18.

12-8(g) LIGHTING -

Exterior lighting shall be restricted as follows:

1. Wall mounted lamps that use the equivalent of 1,200 lumens per bulb or greater shall be shielded or equipped with cutoffs so that the light sources are not visible from a public street. Spotlights without shielding devices are prohibited.
2. Wall mounted light fixtures shall not extend above the height of the wall to which they are mounted.
3. Lighting that is positioned to highlight a building shall be aimed at the object to be illuminated and not directly aimed into the sky.
4. Any light fixture intended to illuminate walkways or other outdoor areas shall not exceed fifteen (15) feet in height unless specifically used to light an outdoor recreation facility such as a tennis court, ball field, or similar use.
5. Any light fixture intended to illuminate a parking area shall not exceed twenty-five (25) feet in height, and shall be shielded or equipped with cutoffs so as to prevent undue light spill onto adjoining properties.

12-8(h) MULTI-MODAL ACCOMMODATION -

The applicant shall, on the submitted development plan or on a separate exhibit, provide a proposed multi-modal improvement plan designed to accommodate all users for the entirety of the property, as well as connecting to any planned and/or existing public facilities. For redeveloping or infill sites, the multi-modal improvement plan shall also be a guide for future improvements as redevelopment occurs.

12-8(i) TRANSIT FACILITIES -

For all commercial centers located along a transit route, a transit shelter and seating shall be required and indicated clearly on the development plan to the approval of the local transit authority. Adequate pedestrian facilities to serve the required transit infrastructure, both along the right-of-way and internal to the site, shall be to the approval of the Metropolitan Planning Organization (MPO). It will be strongly encouraged that the development plan afford appropriate facilities and accommodations for additional ridesharing services.

No zoning compliance permits shall be issued for the commercial center until all approved transit infrastructure is constructed in accordance with the approved Final Development Plan. Access ways and parking areas shall be lighted adequately by lighting fixtures, which shall be so installed as to reflect light away from adjoining properties. Cut-off shields, or equivalent lighting design, shall be utilized to prevent spillover of light from the shopping center to adjoining properties under different zoning. Security lighting and lighting located on the side and rear of buildings must also reflect light away from adjoining properties.

12-9 DESIGN GUIDELINES FOR “BIG-BOX” RETAIL ESTABLISHMENTS

- It is in the best interest of Lexington-Fayette County to minimize the possible “blighting” effect that abandoned shopping centers and large retail establishments can have on the larger area or neighborhood in which they are located. By imposing additional standards in the form of design guidelines for such centers, these effects can be minimized, and future redevelopment and reuse of vacant retail buildings encouraged through proper facility design, without expenditure of public funds. For this reason, the Planning Commission has adopted design guidelines for commercial shopping centers containing a single “big-box” establishment larger than 80,000 square feet in size. These additional standards are listed in “Design Guidelines for ‘Big-Box’ Establishments” incorporated by reference, and are consistent with guidelines which have been established in other cities and counties across the United States for such facilities. These design guidelines are intended to provide professional designers and the Planning Commission with direction for improved development plans which address the following issues:

- (a) Variation in building heights and identifiable customer service entrances and pedestrian entryways;
- (b) Uninterrupted facades, windows, allowance for smaller stores or departments having exterior entrances, and

- back or side facades;
- (c) Landscaping and/or screening of outdoor display of building materials or other similar bulky products, and of trash collection and loading areas;
- (d) Pedestrian circulation in relation to vehicular movement and common open spaces for pedestrians;
- (e) Parking lot orientation adjacent to public streets.

The guidelines are to be met in the design of a planned ~~commercialshopping~~ center containing a single "big-box" establishment larger than 80,000 square feet in size, unless waived by the Planning Commission through its approval of a final development plan for a property in a B-6P zone.

12-10 PROCEDURE - The procedure for obtaining a zoning map amendment to the B-6P zone shall be the same as provided in Article 6 herein above, in addition, as follows:

12-10(a) PRELIMINARY DEVELOPMENT PLAN REQUIRED - A preliminary development plan shall be submitted with the application for a Zoning Map Amendment, with the information as specified in Article 21; and, in addition, approximate total gross floor area of anticipated retail facilities; the approximate total gross floor area of anticipated office and service facilities; the approximate number of anticipated off-street parking spaces; and the stages which will be followed in the construction of the proposed ~~commercialshopping~~ center.

12-10(b) FINAL DEVELOPMENT PLAN REQUIRED - Within two (2) years of final approval by the Urban County Council of any B-6P Zoning Map Amendment, unless an extension is granted by the Commission, the applicant shall submit a final development plan to the Commission for its review and action; otherwise, an application to change the B-6P zone to its previous zone or other appropriate zone may be filed by the Commission as provided under Article 6 herein above.

The final development plan shall show the information as specified by Article 21: Development Plans. The Commission shall approve, conditionally approve, or disapprove a final development plan within ninety (90) days after the applicant submits his development plan.

12-10(c) BUILDING PERMIT REQUIRED - No building permit shall be issued until a final development plan has been approved by the Commission and certified to the Division of Planning, after which a permit for construction may be issued by the Division of Building Inspection. The approved final development plan shall limit and control the issuance of all building and occupancy permits, and shall restrict the construction, location, and use of all land and structures to all conditions set forth in the plan. Amendments to the plan can be made only as permitted in Article 21: Development Plans.

Mr. Taylor said that the staff also has a concern with the improvement plan progress report of the Land Subdivision Regulations. He said that the staff would like to move the progress report from 30% of design to a 50% of design, so that there will be more information on the improvement plan progress report, and to also request this to be submitted at the time the developer seeks their land disturbance permit and their notice to proceed. He said that there will be no change to what the Planning Commission will see in terms of the reports, just a different timing as to when it will be available to the Planning Commission. He said the Subdivision Committee recommended referral and the staff recommends approval of the text amendment.

Mr. Taylor asked the Planning Commission to recommend an effective date of January 1, 2018.

Action – A motion was made by Mr. Cravens, seconded by Ms. Mundy, and carried 9-0 (Forester and Richardson absent) to approve SRA 2017-3: AMENDMENTS TO UPDATE THE MAJOR SUBDIVISION PLAN PROCESS, for the reasons provided by the staff with an effective date of January 1, 2018.

- b. **INITIATION OF SUBDIVISION REGULATION AMENDMENT FOR FINAL RECORD PLAT SIZE** – The staff will request that the Planning Commission initiate an amendment to Article 5-4(b) of the Land Subdivision Regulations to increase the maximum allowable size for a Final Record Plat to 24" x 36". If initiated, the requisite public hearing would be held in December, after mailed notices are sent.

Staff Presentation – Ms. Wade said that this text amendment is requested by the Fayette County Clerk to adjust the size of the plats. She said the request is to create larger plats than what the Subdivision Regulations provide for, which is limited to 17" x 22". She said that the state allows a larger size and the County Clerk would like be allowed to provide that size as well, which is 24" x 36".

Action – A motion was made by Mr. Penn, seconded by Ms. Plumlee, and carried 9-0 (Forester and Richardson absent) to initiate the INITIATION OF SUBDIVISION REGULATION AMENDMENT FOR FINAL RECORD PLAT SIZE, for the reasons provided by the staff.

- c. **INITIATION OF ZONING ORDINANCE TEXT AMENDMENT TO UPDATE THE PLANNED SHOPPING CENTER (B-6P) ZONE** – The staff will request that the Planning Commission initiate amendments to the B-6P zone to update parking standards, increase lot coverage and floor area requirements, address transit facilities and residential dwelling units, and explore additional design standards. If initiated, the requisite public hearing would be held in December, after mailed notices are sent.

Staff Presentation – Mr. Taylor said that at the last Commission Work Session that staff would like to update the B-6P part of the Zoning Ordinance. He said that staff will provide a draft of the Zoning Ordinance to the Planning Commission by their next Work Session or the next Committee meeting.

Action – A motion was made by Ms. Plumlee, seconded by Ms. Mundy, and carried 8-0 (Penn abstained; Forester and Richardson absent) to initiate INITIATION OF ZONING ORDINANCE TEXT AMENDMENT TO UPDATE THE PLANNED SHOPPING CENTER (B-6P) ZONE, for the reasons provided by the staff.

VII. **STAFF ITEMS** – The staff will report at the meeting.

- A. **ADOPTION OF 2018 MEETING & FILING SCHEDULE** - The Chair will announce that the Commission will consider adoption of the "Official Meeting and Filing Schedule for 2018" at this time. Once adopted, the staff will distribute copies of the 2018 schedule for use by the Commission and the general public.

Staff Presentation – Ms. Wade asked the Planning Commission to adopt the meeting and filing schedule for 2018.

Action – A motion was made by Mr. Brewer, seconded by Ms. Plumlee, and carried 9-0 (Cravens and Penn abstained; Forester and Richardson absent) to adopt the ADOPTION OF 2018 MEETING & FILING SCHEDULE, for the reasons provided by the staff.

- B. **COUNCIL MEETING UPDATE** - Mr. Duncan that the Council held an ad hoc meeting, with staff, on Tuesday, October 24, 2017, where there was a lengthy discussion of Theme E, which is related to the Urban Service Area boundary. He stated that there were no changes made at that time. He also said that there was a public hearing on Tuesday, October 24, 2017, where there were many comments made regarding economic development and the Urban Service Area boundary.

Mr. Duncan said the next meeting by the Council will be on Tuesday, November 7, 2017, which is an ad hoc committee meeting to discuss any questions from the public hearing. The Council then plans to have their first reading of the Goals & Objectives of the 2018 Comprehensive Plan on Thursday, November 9, 2017.

VIII. **AUDIENCE ITEMS** – No such items were presented.

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.

STAFF REPORT ON PETITION FOR ZONING ORDINANCE TEXT AMENDMENT

**ZOTA 2017-8: AMENDMENT TO ARTICLE 12 TO REVISE USES; PARKING STANDARDS; LOT
COVERAGE AND FLOOR AREA REQUIREMENTS; TRANSIT FACILITIES; AND DESIGN
STANDARDS IN THE COMMERCIAL CENTER (B-6P) ZONE**

REQUESTED BY: URBAN COUNTY PLANNING COMMISSION

PROPOSED TEXT: See attached

(Note: Text underlined indicates an addition to the existing Zoning Ordinance;
text ~~dashed through~~ indicates a deletion.)

STAFF REVIEW:

At the request of the Division of Planning staff, the Urban County Planning Commission has initiated a text amendment to Article 12 of the Zoning Ordinance, what is currently named the Planned Shopping Center (B-6P) Zone, and which is proposed to be renamed the Commercial Center (B-6P) Zone with this text amendment. With the adoption of the 2018 Comprehensive Plan's Goals and Objectives and the expectation of a very aggressive timeline for major projects from the final Plan, staff has to review the Zoning Ordinance for necessary amendments. While much work has been done through the Infill and Redevelopment Steering Committee to update the Zoning Ordinance to accommodate more dense urban development, little has been done to the more suburban sections, while there has been considerable change to the Lexington real estate market since those articles were originally adopted.

While there are numerous changes proposed with this text amendment, three significant changes are driving this update to the fore. The first is the elimination of minimum parking requirements. The second is the introduction of multi-family residential as a principally permitted use. The third is an emphasis on providing adequate infrastructure for all modes of transportation. The rest of the text changes support those two major policy shifts in the B-6P zone.

The 1983 comprehensive Zoning Ordinance update established new minimum parking standards that have remained largely untouched in our suburban areas. Since that time, there has been a significant shift in retail shopping patterns due to the expansion of online retail sales. Retail store footprints are shrinking and fewer people are visiting physical stores. Lexington is starting to face the reality that many of its shopping centers are becoming substantially underutilized and overparked. Further, these centers have not been able to maximize their buildable areas due to the minimum parking requirements of the B-6P zone. As vacancies increase in these shopping centers, the owner/operators take on ever shrinking tenants, for lower rents until the former anchor space depreciates to a point where tearing it down is finally economically feasible. This process can take a decade or longer. These centers are currently unable to add new viable square footage because it would remove parking that is currently required to serve the vacant square footage.

By eliminating the minimum parking requirements, applicants will be able to make new investments in existing centers that will be able to enhance the former anchor spaces and attract tenants and/or make the center economically viable enough to speed up the process of redeveloping the older portion. By encouraging additional complementary uses to traditional retail, most parking lots will be utilized around the clock rather than just during normal business hours. While Lexington will not be the first to eliminate parking minimums and establish parking maximums, this will certainly put Lexington in a leadership position in what is becoming an emerging trend.

One of the recommendations of the 2018 Comprehensive's Plan Goals and Objectives is to intensify Lexington's major corridors and encourage significant residential growth where our transit system can best

serve those new residents. Increased mass transit efficiency and usage on the corridors will require locating residential development in closer proximity to those primary transit lines. Residential growth on the major corridors is also a critical component to preserving the vast swaths of single-family neighborhoods that are located in between the corridors. Staff believes that the B-6P zone is the most appropriate vehicle to achieve corridor intensification. One of the first steps necessary is to not only allow multi-family residential but to start incentivizing its usage and application. The proposed text encourages residential development, as it would become the most efficient way to be granted additional lot coverage.

In order to further protect existing residential neighborhoods, the proposed text eliminates the option for a new development of between three and ten acres. Staff believes that commercial centers of that size should be regulated under the much more appropriate Neighborhood Business (B-1) or another Mixed Use (MU-1,2) Zones. Breaking out the smaller sized developments should allow the larger sites to be developed more intensely, and also encourages the more neighborhood scaled sites be developed at an appropriate scale.

While the majority of this text amendment could be characterized as a loosening of the existing B-6P zone, there are a couple of areas where the text is stronger. Requirements proposed include the provision of multi-modal infrastructure including transit shelters and seating. For decades the regulations have been automobile oriented at great expense - including using the majority of valuable land for parking as well as the ongoing maintenance of those parking lots. That expense has historically been passed on to all shoppers, whether they drive to the center or not. With a significant reduction in required parking, minimal standards to address the other modes of travel are long overdue. In addition, the proposed text sets a minimum floor area that our community is looking to achieve in order to maximize our land consumption. In exchange for much greater flexibility, the staff believes that there should be an expectation of significant intensification to help Lexington achieve its adopted goals.

The Staff Recommends: Approval, for the following reasons:

1. The proposed text amendment will reduce the impact of parking on land consumption, and encourage shared parking across complementary professional office, retail and residential uses.
2. The proposed text amendment will enhance the viability of existing B-6P developments by providing redevelopment opportunities that unlock additional potential to better utilize existing zoned land.
3. The proposed text amendment will encourage walkable developments and accessible transit facilities that have been long neglected in our major corridors.
4. The proposed text amendment will assist in creating a variety of employment, retail and residential opportunities throughout Lexington, improving overall housing affordability.

CT/CW/TLW/dw

12/6/17

Planning Services/Staff Reports/ZOTA/2017/ZOTA 2017-8 Article 12 B-6P.doc

2. **ZOTA 2017-8: AMENDMENT TO ARTICLE 12 - PARKING STANDARDS; LOT COVERAGE AND FLOOR AREA REQUIREMENTS; TRANSIT FACILITIES; AND DESIGN STANDARDS** – petition for a Zoning Ordinance text amendment to update the B-6P zone.

REQUESTED BY: URBAN COUNTY PLANNING COMMISSION

PROPOSED TEXT: Copies are available from the staff.

The Zoning Committee Recommended: Approval.

The Staff Recommends: Approval, for the following reasons:

1. The proposed text amendment will reduce the impact of parking on land consumption, and encourage shared parking across complementary professional office, retail and residential uses.
2. The proposed text amendment will enhance the viability of existing B-6P developments by providing redevelopment opportunities that unlock additional potential to better utilize existing zoned land.
3. The proposed text amendment will encourage walkable developments and accessible transit facilities that have been long neglected in our major corridors.
4. The proposed text amendment will assist in creating a variety of employment, retail and residential opportunities throughout Lexington, improving overall housing affordability.

Staff Presentation – Mr. Taylor presented a PowerPoint presentation, and gave a brief description of each slide. He indicated that the staff was recommending approval of the text amendment to Article 12 of the Zoning Ordinance, subject to the reasons provided on today's agenda.

Commission Questions – Mr. Berkley asked if the B-1 and B-3 zones will be impacted by the proposed text amendment. Mr. Taylor said that there are other sections within the Zoning Ordinance that could be updated in the future as deemed necessary.

Mr. Berkley said that, during the Comprehensive Plan update, there were certain assumptions made that there would be 100 percent utilization for the land along the corridors and asked if this text amendment would compromise those calculations. Mr. Taylor said that the staff assumed over 20 years there would be a 50 percent redevelopment along the corridors. Mr. Berkley said that, during the Comprehensive Plan update, the Commission members and staff discussed this topic and the members were told that there would be 100 percent utilization a number of times. He then said that, when the calculations were determined, it was assumed that there would be 35 units to the acre. The staff is now saying this text amendment would only be applied to 10-acre tracts. He said that it seems that the text amendment is cutting back the parking versus what was originally planned with the Comprehensive Plan. Mr. Taylor disagreed, and said that the update to the B-6P zone is not in any way a cutback. Mr. Berkley replied maybe not to the B-6P zone, but it was with the staff's overall assumptions. Mr. Taylor said that the staff believes the B-6P zone will be the go to zone along the corridors and the staff does not believe the B-1 zone will be a corridor zone, nor is it intended to be a corridor zone.

Mr. Berkley asked how many tracts are under 10-acres along Nicholasville Road. Mr. Taylor replied there are many 10-acre tracts along Nicholasville Road. Mr. Berkley replied exactly. Mr. Taylor said that this text amendment is far more flexible than what is currently established and the B-6P zone is a more expansive zone to use. Mr. Berkley said that he is not arguing that point, and he is not saying this is not a good idea for B-6P zone, but it is only being applied to 10-acre tracts and larger. Mr. Taylor said that the size of the lot is independent of the overall development plan. He said that there could be a development plan or a 1-acre lot on Nicholasville Road and if there are enough parcels totaling 10-acres or more that development plan could be eligible for the B-6P zone. Mr. Berkley asked what if there are 10 different owners. Mr. Taylor replied different property owners within a shopping center is not uncommon, such as Fayette Mall.

Mr. Duncan said that this is something that can be addressed right now prior to any studies or anything else that is being done. He said that the staff plans to still follow-up on the corridor study, which is part of the Goals and Objectives and will be implemented over time in 2018. This text amendment is setting the stage now and is something that can be done immediately. The staff is expecting the studies to show what else can be done; and, at the appropriate time, the staff would report those findings to the Commission. This text amendment is the beginning of addressing the residential needs and intensification desires along our corridors.

Mr. Berkley said that he does not have a problem with the text amendment and it should go forward. However, it is limited in its scope compared to what was discussed during the Comprehensive Plan updates. Mr. Taylor said that the B-1 zone offers considerable flexibility under the form-based project, as seen with the two approved developments for The Hub projects. However, the form-based option can handle small sites; whereas this text amendment would be better suited to handle the larger sites.

Mr. Cravens asked if the text amendment applied to any existing B-6P zones. Mr. Taylor replied affirmatively. Mr. Cravens then asked if there is a size restriction. Mr. Taylor replied negatively and said that this text amendment would also apply to future requests for B-6P zoning. Mr. Cravens said that there would be no more less than 10-acre sites approved for B-6P zoning. Mr. Taylor replied that was correct.

* - Denotes date by which Commission must either approve or disapprove request.

Citizen Comments – Amy Clark, 628 Kastle Road, expressed her concerns with the current proposed text amendment, and requested postponement of this request to allow the neighborhood associations to have a say in the matter, as well as to allow the staff more time to gather more information.

Staff Comment - Mr. Taylor indicated that the staff had met with the Fayette County Neighborhood Council on two occasions, and they indicated that they were not in opposition to this request. He said that a member of the Fayette County Neighborhood Council was present to show their support, but they had to leave. He then said that the staff had received a letter of support from them, which was placed at the Commission member's seats for their review.

Commission Comments – Mr. Berkley said that he is in support of this text amendment, and hopes no one misunderstood his concerns.

Action – A motion was made by Mr. Berkley, seconded by Mr. Penn, and carried 7-0 (Owens, Brewer, Bell and Richardson absent) to approve **ZOTA 2017-8: AMENDMENT TO ARTICLE 12 - PARKING STANDARDS; LOT COVERAGE AND FLOOR AREA REQUIREMENTS; TRANSIT FACILITIES; AND DESIGN STANDARDS**, for the reasons provided by the staff.

* - Denotes date by which Commission must either approve or disapprove request.