

THE FAYETTE COUNTY PLANNING COMMISSION held a **Public Meeting/Workshop** on June 30, 2009, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Board of Commissioners Conference Room, Suite 100, Fayetteville, Georgia.

MEMBERS PRESENT: Douglas Powell, Chairman
Tim Thoms, Vice-Chairman
Bill Beckwith
Jim Graw
Al Gilbert

MEMBERS ABSENT: None

STAFF PRESENT: Pete Frisina, Director of Planning & Zoning
Dennis Dutton, Zoning Administrator
Robyn S. Wilson, P.C. Secretary/Zoning Coordinator

Welcome and Call to Order:

Chairman Powell called the Public Meeting/Workshop to order and introduced the Board Members and Staff.

* * * * *

Dennis Dutton presented the following proposed amendments:

01/23/09 – BOC Retreat

06/30/09 – PC Wkshop (Tract or Parcel changed to Lot) (Residential Zoning Districts Only)

**PROPOSED AMENDMENTS TO THE FAYETTE COUNTY ZONING ORDINANCE
ARTICLE VI. DISTRICT USE REQUIREMENTS**

6-17. O-I, Office-Institutional District. (Adopted 05/26/88)

- A. Description of District. This district is composed of certain lands and structures having office and institutional uses which are compatible with or provide a transition into low-intensity land uses.
- B. Permitted Principal Uses and Structures. The following Permitted Uses shall be allowed in the O-I Zoning District:
 - 1. Office;
 - 2. Art Gallery;

3. Clinic (Human Treatment);
4. ~~College or University;~~

Pete Frisina advised that a definition for College or University School would be added to Article III.

Tim Thoms questioned the deletion of College or University as a Permitted Use.

Mr. Frisina suggested amending as follows: College or University (**classrooms and administration only**). He added that these requirements should be consistent in the O-I, C-C, and C-H zoning districts.

5. ~~Dance Studio or School;~~
Educational Facilities, including but not limited to: Dance Studio or School, Professional School, Business School, Art School, and similar facilities;
6. Financial Institution;
7. Health Club or Fitness Center;
8. Insurance Carrier, Agent or Broker;
9. Laboratory, Medical, or Dental;
10. Legal Services;
11. Massage Therapy (**Also see the Fayette County Code**);
12. Museum;
13. Performing Arts Theater;
14. Professional Services, **including but not limited to: Accounting; Bookkeeping, Tax Preparation; Brokerage Firms; Payroll Services; Architectural Firms; Engineering Firms; Specialized Design Services; Internet and Web Hosting Firms; Computer System Software Design; Consulting Services; Research Services; Advertising and Marketing**

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Research Services; Photographic Services; Telemarketing; and Translation and Interpretation Services;

15. Real Estate Agent or Broker; ~~and~~
16. School, Private ~~and Special~~

Pete Frisina advised that a definition for Private School would be added to Article III. which would be an accredited school, kindergarten thru the 12th grade.

Al Gilbert asked about a boarding school since they provide housing.

Mr. Frisina suggested adding “**(classrooms, administration, and playground only)**” after Private School as a Permitted Use. He added that these requirements be consistent in the O-I, C-C, and C-H zoning districts.

Permitted Principal Uses and Structures for Office Parks with at least 100,000 square feet of floor area. In an office park having at least 100,000 square feet of floor area, the following retail and service uses shall be permitted as long as collectively such uses comprise no more than ten (10) percent of the total floor area, are located in a building in which office uses comprise at least fifty (50) percent of the floor area and have no exterior advertising display:

1. Beauty or Barber Shop;
2. Blueprinting;
3. Cafeteria;
4. Commercial Art or Drafting Service;
5. Day Care Facility;
6. Delivery or Messenger Service;
7. Drug Store;
8. Florist;
9. Gift Shop;

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10. Photocopying and Reproduction;
11. Restaurant (limited to five [5] percent of total floor area of office park and included in overall ten [10] percent limitation);
12. Restaurant, Fast Food;
13. Stenographic or Typing Service;
14. Teleconferencing Center; and
15. Travel Agency or Ticket Office.

D. Conditional Uses. The following Conditional Uses shall be allowed in the O-I Zoning District provided that all conditions specified in Section 7-1 herein are met:

1. Adult Day Care Facility; (Adopted 06/28/07)
2. Animal Hospital and/or Veterinary Clinic (with no animal boarding or outdoor runs) (Added 06/25/98)
3. Care Home, Convalescent Center or Nursing Home;
4. Church, Temple or Other Place of Worship;
5. Church or Religious Tent Meeting; (Added 04/09/98)

College or University

Mr. Frisina suggested adding the following after College or University “*including but not limited to, classrooms, administration, housing, athletic fields, gymnasium, and stadium*”. He explained that by being a Conditional Use, this would require buffers between residential and nonresidential development. He added that these requirements should be consistent in the O-I, C-C, and C-H zoning districts.

6. Day Care Facility (Nursery School or Kindergarten);
7. Home Occupation; (Adopted 10/23/08)

8. Hospital;
9. Hotel;
10. Non-Emergency Medical Transport Service; and (Adopted 07/26/07)

Mr. Frisina suggested adding “School, Private, including but not limited to, classrooms, administration, playground, housing, athletic fields, gymnasium, and stadium”. He explained that by being a Conditional Use, this would require buffers between residential and nonresidential development. He added that these requirements should be consistent in the O-I, C-C, and C-H zoning districts.

11. Single-Family Residence.

(Section E. adopted in its entirety 06/24/04)

E. Auxiliary Conditional Uses for an Office Building with a minimum of 10,000 square feet of floor area. The following auxiliary permitted uses shall be allowed within the specific area with a land use designation of Office ~~Institutional~~ District as indicated area on the Fayette County Future Land Use Plan ~~Map~~ map defined as that area north of S.R. 54 West, east of Tyrone Road, and west of Sandy Creek Road. This area shall also be known as the Fayette County Community Hospital District (Hospital District). Such uses will support and must be compatible with the Fayette County Community Hospital, the medical industry, and the development of the office and institutional uses planned for this area.

The following Auxiliary Conditional Uses shall be allowed in the O-I Zoning District:

1. Durable Medical and Rehabilitation Equipment Sales/ Rental (i.e. wheelchairs, crutches, etc.)
2. Pharmaceutical Sales (for the purpose of filling prescriptions only)
3. Counter Service Restaurants, including but not limited to: a bakery, café, coffee shop, or deli. No drive-thru, no drive-in, or free standing facilities ~~will~~ shall be allowed.
4. Optical Care Center to include prescription eyeglass/contact lense sales

5. Gift Shop for the sale of items usually associated with a medical condition and/or hospital stay (i.e. get well cards, etc.)
6. Floral Sales

Development Standards:

Dimensional Requirements

1. These Auxiliary Conditional Uses shall be allowed in an office building with a minimum of 10,000 square feet and such uses shall comprise no more than a total of ~~twenty~~ **20** percent (~~20%~~) of the total floor area of the building and must occupy space on the first floor of the building.
2. Multiple uses may be permitted concurrently but may not exceed the ~~twenty~~ **20** percent (~~20%~~) limitation.

Architectural Requirements

1. Architecture shall conform to the existing hospital/medical office development. **The architectural standards of the Transportation Corridor Overlay Zone shall not apply.**

Mr. Frisina suggested adding “**residential**” before “architectural”.

Mr. Thoms said that this would clarify the requirement.

Bill Beckwith concurred.

2. Elevation drawings shall be submitted as part of site plan approval.
- F. Dimensional Requirements. The minimum dimensional requirements in the O-I Zoning District shall be as follows:
1. Lot area:
 - a. Where a central water distribution system is provided: 43,560 square feet (one [1] acre)

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- b. Where a central sanitary sewage and central water distribution systems are provided: 21,780 square feet (one-half [.50] acre)
- 2. Lot width: 125 feet
- 3. **Outside** Storage **shall not be permitted.**
 - a. ~~Inside: not to exceed fifteen (15)~~ **15** percent of the total gross floor area
 - b. ~~Outside: not permitted~~
- 4. Setbacks, yards adjoining rights-of-way:
 - a. Major thoroughfare:
 - (1) Arterial: ~~seventy-five (75)~~ **75** feet
 - (2) Collector: ~~seventy (70)~~ **70** feet
 - b. Minor thoroughfare: ~~fifty-five (55)~~ **55** feet
- 5. Setbacks, yards not adjoining rights-of-way:
 - a. Side yard: ~~fifteen (15)~~ **15** feet
 - b. Rear yard: ~~fifteen (15)~~ **15** feet
- 6. Buffer: If the rear or side yard abuts a residential or A-R zoning district, a minimum buffer of ~~thirty (30)~~ **30** feet adjacent to such lot line shall be provided in addition to the required setback, and the setback shall be measured from the buffer. Additional buffer and setback requirements may be established as a condition of zoning approval.
- 7. Height limit:
 - a. ~~Forty (40)~~ **40** feet as defined in Article III, ~~Sec. 3-14.~~ (Adopted 11/18/04) (Amended 02/23/06)

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- b. When a structure reaches a minimum height of four (4) floors

(including basements), it shall be sprinkled. (Adopted 11/18/04)

8. Use of Existing Structure: When property containing a lawfully existing building and accessory structures is rezoned to O-I for use of the existing buildings, the following shall apply:
 - a. The dimensional requirements shall be reduced to the extent of, but only at the location of, any encroachment by existing structures. Any new construction or improvements, including expansion of any existing structure, shall comply with the dimensional requirements herein.
 - b. In the event that a structure which existed at the time of rezoning is removed, demolished or destroyed, any new structure must comply with the provisions of this district.
9. Lot coverage limit, including structure and parking area: ~~sixty~~ 60 percent (~~60%~~) of total lot area (Adopted 06/28/01)

6-18. C-C Community Commercial District.

- A. Description of District. This district is composed of certain lands and structures providing for convenient community shopping facilities having a broad variety of sales and services.
- B. Permitted Uses. The following uses shall be permitted in the C-C Zoning District as long as the area devoted to inside storage does not exceed twenty-five (25) percent of the gross floor area of the principal structures except as excluded herein.
 1. Amusement or Recreational facility, *indoor or outdoor (Also see Coin-Operated Machines in the Fayette County Code)*;
 2. Appliance sales and repair, etc.;
 3. Art studio;
 4. Auto parts and Tire store, retail;

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5. Bakery;

6. Bank;
- ~~7. Barber shop;~~
- ~~8. Beauty shop;~~
9. Business school;
10. Catering service;
11. Church and customary related uses;
12. Clothing store and variety store;
13. ~~College, University, including Dormitory and Fraternity or Sorority house when located on main campus;~~

Mr. Frisina suggested allowing a **College or University (classrooms and administration only)** as a Permitted Use.

14. Cultural facility;
- ~~15. Dance school or Studio;~~
16. Dental office;
17. Department store;
18. Drug store;
19. Dry goods store;

Educational Facilities, including but not limited to: Dance Studio or School, Professional School, Business or Trade School, Art School, and similar facilities

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20. Financial institution;
21. Florist;

22. Gift shop;
23. Grocery store;
24. ~~Growing crops, garden, shrubbery, flowers, etc. and related sales;~~
25. Gunsmith/**Gun Sales**;
26. Jewelry shop;
27. Laboratory serving professional requirements, (e.g. medical, dental, etc.);
28. ~~Laundry pickup station;~~
29. Library;
30. ~~Locksmith;~~
31. Medical office;
32. Messenger service;
33. Museum;
34. Music teaching studio;
35. ~~Novelty shop;~~
36. Office equipment sales and service;
37. Parking garage;

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38. ***Personal Services, including but not limited to: Beauty Salon; Barber Shop; Nail Salon; Tanning Salon; Spa (no massages); Laundry Drop-off/Pick-up; Alterations; Instructional and Tutorial Uses (example: dance, weight control, martial arts, art, driving, computer classes, and music);***

Shoe Repair; Locksmith; Electrolysis and/or Hair Removal; Photography Studio; Clothing/Costume Rentals; Fitness Center; and Counseling Services;

Chairman Powell suggested adding “watch repair” under Personal Services.

38. —Photography studio;

Plant nursery and growing crops/garden and related sales;

Mr. Thoms asked if a plant nursery is a retail nursery.

Mr. Dutton replied that a plant nursery could sell trees, shrubs, flowers, and also supplies such as fertilizer, mulch, racks, shovels, bird baths, etc. such as Pike Nursery and Gold Kist.

Mr. Graw remarked that the provision for shrubbery and flowers seems to have been deleted.

Mr. Frisina replied that shrubbery and flowers would be covered as part of the plant nursery.

Mr. Graw asked what was covered under growing crops.

Mr. Frisina replied that growing crops is a harvestable product, planted, grown, and cultivated in the soil including a tree or sod farm.

39. Private Clubs or Lodges;

40. Radio studio;

Recording Studio (Audio and Video);

41. Restaurant, **including drive-in/drive thru**);

42. Retail establishment;

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43. School, **Private**

Mr. Frisina suggested adding **(classrooms, administration, and playground only)** after “Private School” as a Permitted Use.

44. ~~Shoe repair;~~
45. Taxidermist;
46. Taxi service;
47. ~~Telegraph service;~~
48. Television studio. ~~and~~
49. ~~Watch repair.~~

C. Conditional Uses. The following Conditional Uses shall be allowed in the C-C Zoning District provided that all conditions specified in Section 7-1 herein are met:

1. Adult Day Care Facility; (Adopted 06/28/07)
2. Animal Hospital, Kennel (Commercial or Non-Commercial), or Veterinary Clinic;
3. Automobile Service Station, including gasoline sales in conjunction with a Convenience Store;
4. Campground Facilities;
5. Care Home, Convalescent Center or Nursing Home;
6. Church or Religious Tent Meeting;

College or University

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Mr. Frisina suggested to add the following after College or University “**including but not limited to, classrooms, administration, housing, athletic fields, gymnasium, and stadium**”. He explained that by being a Conditional Use, this would require buffers between residential and nonresidential development.

7. Commercial Driving Range;

8. Day Care Facility (Nursery School or Kindergarten);
9. Dry Cleaning Plant;
10. Fraternities and/or Sororities;
11. Golf Course;
12. Home Occupation; (Adopted 10/23/08)
13. Hospital;
14. Kennel (See Animal Hospital, etc.);
15. Laundromat, Self-Service or Otherwise;
16. Single-Family Residence; and

Mr. Frisina suggested adding *School, Private, including but not limited to, classrooms, administration, playground, housing, athletic fields, gymnasium, and stadium* as a Conditional Use since increased buffers adjacent to residential property would be required.

17. Telephone, Electric or Gas Sub-Station or other Public Utility Facilities.

D. Dimensional Requirements. The minimum dimensional requirements in the C-C Zoning District shall be as follows:

1. Lot area:
 - a. Where a central water distribution system is provided: 43,560 square feet (one [1] acre)

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- b. Where a central sanitary sewage and central water distribution systems are provided: 21,780 square feet (one-half [.50] acre)
2. Lot width: 125 feet
3. Front yard setback:

- a. Major thoroughfare:
 - (1) Arterial: ~~seventy-five (75)~~ 75 feet
 - (2) Collector: ~~seventy (70)~~ 70 feet
- b. Minor thoroughfare: ~~sixty-five (65)~~ 65 feet
- 4. Rear yard setback: ~~fifteen (15)~~ 15 feet
- 5. Side yard setback: ~~fifteen (15)~~ 15 feet
- 6. Buffer: If the rear or side yard abuts a residential or A-R Zoning District, a minimum buffer of ~~fifty (50)~~ 50 feet adjacent to the lot line shall be provided in addition to the required setback and the setback shall be measured from the buffer.
- 7. Height limit: ~~thirty-five (35)~~ 35 feet
- 8. Screening dimensions for parking and service areas as provided in ~~Section 5-19, 5-20~~ Article V. General Provisions of the Zoning Ordinance and the Development Regulations.
- 9. Lot coverage limit, including structure and parking area: ~~sixty (60%)~~ 60 percent of total lot area (Adopted 06/28/01)

6-19. C-H Highway Commercial District.

- A. Description of District. This district is composed of certain lands and structures to provide and encourage proper grouping and development of roadside uses, which include a wide variety of sales and services that will best accommodate the needs of the County and the traveling public, reducing traffic congestion, hazards and blight

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along the public streets.

- B. Permitted Uses. The following uses shall be permitted in the C-H Zoning District as ~~long as the area devoted to inside storage does not exceed fifty (50) percent of the gross floor area of the principal structures except as excluded herein for Business Parks.~~

- 1. Ambulance and Rescue squad;

2. Amusement or Recreational facility, *indoor or outdoor (Also see Coin-Operated Machines in the Fayette County Codes)*;
3. Appliance sales and repair;
4. Armories, for meetings and training military organizations;
5. Art studio;
6. Athletic events;
7. Auto parts, Tire store/installation, Brake installation, Muffler repair, Oil change, Tune-up, and Emission Testing Facilities, retail; (Amended 06/24/04)
8. Bakery;
9. ~~Barber shop;~~
10. ~~Beauty shop;~~
11. Blueprinting;
12. Bookbinding;
13. Building, contracting and related activities, (e.g. sales and storage of building supplies and materials);
14. Bus passenger station;

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15. ~~Business park;~~
16. Business school;
17. Cabinet manufacturing, repair and installation;
18. Carnival (temporary in nature);
19. Car wash and/or detailing facility; (Amended 07/22/04)

20. Catering service;
21. Church and customary related uses;
22. Clothing store and variety store;
23. ~~College, University, including Dormitory and Fraternity or Sorority house when located on main campus;~~

Mr. Frisina suggested allowing a College or University and adding “**classrooms and administration only**” as a Permitted Use.

24. Community fair;
25. Cultural facility;
26. Dance school or Studio;
27. Dental office;
28. Department store;
29. ~~Drive-in Restaurant;~~
30. Drive-in theater;
31. Drug store;

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32. Dry goods store;
33. Electric repair;
34. Engraving;
35. Financial institution;

Flea Market, indoor

36. Florist shop;
37. Freezer locker service, ice storage;
38. Freight express office;
39. Funeral home;
40. Gift shop;
41. Glass sales;
42. Grocery store;
- ~~43. Growing crops, garden, shrubbery, flowers, etc., and related sales;~~
44. Gunsmith/*Gun Sales*;
45. Horse show (temporary in nature); (Amended 07/22/04)
46. Hotel;
47. Jewelry shop;
48. Laboratory serving professional requirements, (e.g. medical, dental, etc.);
49. Laundry pickup station;
50. Library;

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- ~~51. Locksmith;~~
52. Magazine publication and distribution;
53. Manufactured home sales room and sales lot;
54. Medical office;
55. Messenger service;
56. Museum;

- 57. Music teaching studio;
- 58. Newspaper publication and distribution;
- 59. Novelty shop;
- 60. Office equipment sales and service;
- 61. Parking Garage;
- 62. Pawn Shops (*Also see Pawnbrokers, Dealers in Precious Metals and Gems and Flea Market Operators of the Fayette County Code*);
- 63. *Personal Services (i.e.: Beauty Salon; Barber Shop; Nail Salon; Tanning Salon; Spa (no massages); Laundry Drop-off/Pick-up; Alterations; Instructional and Tutorial Uses (example: dance, weight control, martial arts, art, driving, computer classes, and music); Shoe Repair; Locksmith; Electrolysis and/or Hair Removal; Photography Studio; Clothing/Costume Rentals; Fitness Center; and Counseling Services*;

Chairman Powell suggested adding “watch repair” under Personal Services.

- 63. Pest control;
- 64. Photography studio;

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- 65. Photostating;
Plant nursery and growing crops/garden and related sales;
- 66. Printing;
- 67. Private clubs or Lodges;
Recording Studio (Audio and Video);
- 68. Radio studio;

- 69. Railroad station;
- 70. Rent-alls;
- 71. Restaurant, including drive-in/drive thru;
- 72. Retail establishment;
- 73. Rodeo (temporary in nature); (Amended 07/22/04)
- 74. School, Private;

Mr. Frisina suggested adding a School, Private (classrooms, administration, and playground only) be classified as a Permitted Use.

- 75. Shoe repair;
- 76. Tattoo Parlor (Also see the Fayette County Code);
- 77. Taxidermist;
- 78. Taxi service;
- 79. ~~Telegraph service~~;
- 80. Television studio;

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- 81. Trade schools;
- 82. Upholstery shop;
- 83. Utility trailers and rent-alls; and
- 84. ~~Watch repair.~~

C. Conditional Uses. The following Conditional Uses shall be allowed in the C-H Zoning District provided that all conditions specified in Section 7-1 herein are met:

- 1. Adult Day Care Facility; (Adopted 06/28/07)

2. Animal Hospital, Kennel (Commercial or Non-Commercial), or Veterinary Clinic;
3. Automobile, Truck, Farm Equipment, or Motorcycle Sales and Accessory Repairs; (Amended 06/24/04)
4. Automobile Service Station, including gasoline sales in conjunction with a Convenience Store;
5. Care Home, convalescent Center or Nursing Home;
6. Cemetery;
7. Church or Religious Tent Meeting;

Mr. Frisina suggested to add *College or University, including but not limited to, classrooms, administration, housing, athletic fields, gymnasium, and stadium* as a Conditional Use. He explained that by being a Conditional Use, this would require buffers between residential and nonresidential development.

8. Commercial Driving Range;
9. Day Care Facility (Nursery School or Kindergarten);
10. Dry Cleaning Plant;

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11. Experimental Laboratory;
12. Fraternities and/or Sororities;
13. Golf Course;
14. Home Occupation; (Adopted 10/23/08)
15. Hospital;
16. Laundromat, Self-Service or Otherwise;
17. Outdoor Amusement Facilities, Rides, Structures over thirty-five (35) feet in height, including, but not limited to Bungee and Parachute Jumping;

18. Self-Storage Facility; (Adopted 06/28/07)

Mr. Frisina suggested adding a School, Private, including but not limited to, classrooms, administration, playground, housing, athletic fields, gymnasium, and stadium as a Conditional Use since increased buffers adjacent to residential property would be required.

19. Single-Family Residence; and

20. Telephone, Electric or Gas Sub-Station or Other Public Utility Facilities.

D. Dimensional Requirements. The minimum dimensional requirements in the C-H Zoning District shall be as follows:

1. Lot area:

- a. Where a central water distribution system is provided: 43,560 square feet (one [1] acre)
- b. Where a central sanitary sewage and central water distribution systems are provided: 21,780 square feet (one-half [.50] acre)

2. Lot width: 125 feet

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3. Front yard setback:

- a. Major thoroughfare:

(1) Arterial: ~~seventy-five (75)~~ 75 feet

(2) Collector: ~~seventy (70)~~ 70 feet

- b. Minor thoroughfare: ~~sixty-five (65)~~ 65 feet

4. Rear yard setback: ~~fifteen (15)~~ 15 feet

5. Side yard setback: ~~fifteen (15)~~ 15 feet

6. Buffer: If the rear or side yard abuts a residential or A-R Zoning District, a

minimum buffer of ~~fifty (50)~~ **50** feet adjacent to the lot line shall be provided in addition to the required setback and the setback shall be measured from the buffer.

7. Height limit: ~~thirty-five (35)~~ **35** feet
8. Screening dimensions for parking and service areas as provided in ~~Section 5-18, 5-19,~~ **Article V. herein** and the Development Regulations.
9. Lot coverage limit, including structure and parking area: ~~sixty (60%)~~ **60** percent (60%) of total lot area (Adopted 06/28/01)

(The remaining Workshop Minutes were prepared from memory as the log notes ceased to function and the audio did not record.)

6-20. L-C Limited-Commercial District.

- A. **Intent.** The intent of the L-C Zoning District is to establish small scale business areas which do not generate large amounts of traffic, noise or light. The L-C Zoning District includes small retail ~~and convenience commercial~~ establishments, personal services and business and professional offices. The L-C Zoning District will control architectural character and scale. The adaptive use of existing structures is encouraged when possible. The L-C Zoning District would avoid the development of strip commercial businesses.

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- B. **Permitted Principal Uses.** The following Permitted Principal Uses shall be allowed in the L-C Zoning District:

1. Antique shop;
2. Art/Crafts studio;
3. Bakery;
4. Barber shop;
5. Beauty shop;

Book, stationery, and card shop;

Clothing and accessories;

Chairman Powell expressed concern about allowing clothing and accessories because it is more intense and larger in size than some of the other uses.

Mr. Frisina remarked that he envisioned small unique shops and boutiques selling specialty clothing items, purses, shoes, hats, jewelry, cosmetic bags, etc. and not a large national chain clothing store.

6. Dance school or studio;
7. Dental office;
8. Financial institution;
9. Florist ***and gift shop***;

Home furnishings and accessories;

Chairman Powell expressed concern about allowing furnishings and accessories because it is a more intense use and larger in size than some of the other uses.

Mr. Frisina commented that he envisioned small shops selling such items as candles, pictures, lamps, rugs, kitchen items and furniture items and not a national chain furniture store.

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Jewelry shop;

10. Laundry/***dry clean*** pickup station;
11. Medical office (human treatment);
12. Music teaching studio;
13. Office (business and professional);
14. Photography studio;

Restaurant/Restaurant Takeout (No drive-thru or drive-in shall be allowed.);

15. Shoe repair;~~and~~.

16. ~~Watch repair.~~

~~C. Conditional Uses. The following Conditional Use shall be allowed in the L-C Zoning District provided that all the conditions specified in Section 7-1 herein are met: Convenience Commercial Establishment.~~

Mr. Frisina commented that he is recommending that a Convenience Commercial Establishment not be allowed in the L-C Zoning District as the use may be too intense for the intent of the zoning district. He explained that the convenience stores being built now are much larger than they used to be. It is common now to have 20 to 24 fueling positions as opposed to 10 or 12 fueling positions as was common for convenience stores in the past.

Mr. Gilbert commented that he did not want to see the ability to have gasoline sales deleted but possibly limit the number of gasoline pumps. The other PC members concurred.

D. Regulations. The following regulations shall apply to the L-C Zoning District in addition to any other applicable regulations.

1. *These structures shall maintain a residential character. Elevation drawings denoting compliance with the following requirements must be submitted as part of the Site Plan:*

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~~1. The principal structure will maintain an architectural character which shall consist of a pitched roof with a minimum pitch of four and one-half (4.5) inches in one (1) foot and a facade/siding of wood, brick, stone, stucco or sidings which simulate same. Large display windows and glass doors must be visually broken up by smaller individual panes and framing consistent with the standard residential grid pattern for doors and windows. An elevation drawing denoting compliance with these requirements must be submitted as part of the site plan.~~

a. *A pitched peaked (gable or hip) roof with a minimum pitch of four and one-half (4.5) inches in one (1) foot and shall be of a type and construction complimentary to the facade. A pitched mansard roof facade with a minimum pitch of four and one-half (4.5) inches in one (1) foot and a minimum height of eight (8) feet around the entire perimeter of the structure can be used if the structure is two (2) stories or more or the use of a pitched peaked roof would cause the structure to not meet the applicable height limit requirements.*

The mansard roof facade must be of a residential character with the appearance of shingles, slate or terra cotta;

b. All buildings shall be constructed in a residential character of fiber-cement siding (ie: Hardiplank), wood siding, wood textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, or stucco (including synthetic stucco);

c. Framed doors and windows of a residential character. To maintain a residential character, large display windows shall give the appearance of smaller individual panes and framing consistent with the standard residential grid pattern for doors and windows;

2-d. Accessory structures shall maintain the same architectural character of the principal structure including the pitched roof **peaked (gable or hip) roof with a minimum pitch of four and one-half (4.5) inches in one (1) foot** and must be constructed of the same materials or materials which simulate same. An elevation drawing denoting compliance with this requirement must be submitted as part of the site plan.

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32. No outside storage will be permitted.

43. The lot must have direct access to an Arterial street.

54. The dumpster must be located to the side or rear of the principal structure and screened per the Development Regulations.

E. **Dimensional Requirements.** The minimum dimensional requirements in the L-C Zoning District shall be as follows:

1. Lot area:

a. Where public water is available: 43,560 square feet (one [1] acre)

b. Where public water is not available: 65,340 square feet (one and one-half [1.5] acres)

2. Lot width: 125 feet

3. Front yard setback:
 - a. Major thoroughfare:
 - (1) Arterial: ~~seventy-five (75)~~ 75 feet
 - (2) Collector: ~~sixty (60)~~ 60 feet
 - b. Minor thoroughfare: ~~fifty-five (55)~~ 55 feet
4. Rear yard setback: ~~fifteen (15)~~ 15 feet
5. Side yard setback: ~~fifteen (15)~~ 15 feet
6. Height limit: ~~thirty-five (35)~~ 35 feet
7. Floor to Area Ratio: .1, (gross square footage of site x .1 = square footage of structure). The total maximum square footage for all structures combined on the site shall not exceed 10,000 square feet. ~~However, to discourage the development of one linear building and to encourage the development of~~

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~~separate clustered buildings on the site, the square footage for the structures may be increased by fifteen (15) percent when more than one (1) building is developed. The distance between structures shall be a minimum of twenty-six (26) feet. In addition to the area required to facilitate vehicular access, each building wall bordering the space between structures must have a five (5) foot landscaped area consisting of five (5) shrubs, two (2) feet tall at planting, per twenty-five (25) linear feet of building wall.~~

The PC held a lengthy discussion concerning the 10,000 square foot structure size. They concurred that 10,000 square feet was excessive based on the intent of the L-C Zoning District which is intended to establish small scale business areas which do not generate large amounts of traffic, noise or light.

Mr. Graw suggested that the entire paragraph should remain as written and not be deleted. The PC concurred.

Mr. Thoms suggested reducing the maximum square footage from 10,000 to 8,500. The PC concurred.

8. Buffer: If the rear or side yard abuts a residential or A-R Zoning District, a minimum buffer of ~~fifty (50)~~ 50 feet adjacent to such lot line shall be

provided in addition to the required setback (the setback shall be measured from the buffer).

9. Lot coverage limit, including structure and parking area: ~~sixty percent (60%)~~ **60 percent** of total lot area (Adopted 06/28/01)

6-21. M-1 Light Industrial District.

- A. Description of District. This district is composed of certain lands and structures which are suitable for light industrial development but where proximity to existing or proposed residential or commercial districts make it desirable to limit the manner and extent of industrial operations and thereby protect the nearby residential or commercial land. (Amended 02/22/07)
- B. Permitted Uses. The following Permitted Uses shall be allowed in the M-1 Zoning District:
 1. Ambulance service;

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2. Amusement facilities, indoor or outdoor (**Athletic/Sports instruction facilities and Recreation and Athletic fields and facilities**);
3. Appliance sales and repair;
4. Architectural or Design Firms; (Adopted 02/22/07)
5. Armories for meeting and training of military organizations;
6. Athletic events (temporary in nature);
7. Automobile, **truck, and heavy equipment** ~~or truck sales~~ **and repairs**, service station, paint shop, parts store including rebuilding of parts, parking lot or garage, upholstery shop, automobile repair facilities not specifically permitted under the C-H Zoning District; (Amended 06/24/04; Amended 02/22/07)
8. Blueprinting/graphics service; (Amended 02/22/07)
9. Bookbinding;

10. Building construction/contracting and related activities, ~~e.g. sale and storage of supplies and materials~~; (Amended 02/22/07)

Building supplies sales;

11. Bus passenger station;
12. Cabinet sales and installation; (Adopted 02/22/07)
13. Carnivals (temporary in nature);
14. Car wash and/or detailing facility; (Amended 07/22/04)
15. Community fairs (temporary in nature);
16. Copy center; (Adopted 02/22/07)
17. Dental laboratory;

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18. Delivery/courier service; (Adopted 02/22/07)
19. ~~Drive-in theater~~;
20. Electrical repair;
21. Engineering Firms; (Adopted 02/22/07)
22. Engraving;
23. Farmer's market;
24. Farm equipment sales;
25. Feed sales;
26. Fertilizer sales;
27. Flooring sales and installation; (Adopted 02/22/07)
28. Freezer locker service;

29. Freight express office;
30. Furniture store;
31. Glass sales;
32. Grading service; (Adopted 02/22/07)
33. Greenhouse;
34. Gunsmith/*Gun Sales*;
35. Hardware;
36. Home furnishings *and accessories*;
37. Horse show and equine activity facilities; (Amended 07/22/04)

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38. Hotel;
39. Ice storage;
40. Insecticide sales and storage;
41. Janitorial service/supply; (Adopted 02/22/07)
42. Land development firms; (Adopted 02/22/07)
43. Land surveying service; (Adopted 02/22/07)
44. Landscaping service, (Adopted 02/22/07)
45. Light manufacturing including the following:
 - a. Appliance and electronic device assembly plant, including the manufacturing of parts for appliances and electronic devices;
 - b. Assembly of products from previously prepared materials;
 - c. Bottling and canning plant;

- d. Ceramic products provided that kilns shall only be by gas or electricity;
- e. Construction of signs, including painted signs;
- f. Copperage;
- g. Ice manufacturing;
- h. Laundry, cleaning and dyeing plants;
- i. Light sheet metal products such as ventilating ducts and eaves;
- j. Musical instruments, toys, novelties, and similar products;

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- k. Manufacturing of food, cosmetic and pharmaceutical products, but not including fish and meat products, sauerkraut, vinegar, yeast and rendering plants;
 - l. Machine/welding shop and related activities; (Amended 02/22/07)
 - m. Other manufacturing, processing, packaging, or handling of a similar nature which shall not emit or produce more smoke, noise, odor, dust, vibration, or fumes than the uses listed herein;
 - n. Tinsmith and roofing service.
- 46. Locksmith;
 - 47. Magazine publication and distribution;
 - 48. Medical laboratory;
 - 49. Manufactured home salesroom and sales lot;
 - 50. Newspaper publication and distribution;
 - 51. Nursery, plant;

52. Office Equipment Service and Repair; (Adopted 02/22/07)
53. Office trailer;
54. Parking garage and/or lot, automobile;
55. Pest control;
56. Petroleum bulk plant (storage);
57. Photostating;
58. Planing or saw mill;

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Plant nursery and growing crops/garden and related sales;

Mr. Thoms pointed out that the proposed amendment was allowing a plant nursery to change from an industrial use to a commercial use which is a significant change.

59. Printing shop;
60. Public utility facilities;
61. Radio studio;
62. Railroad freight station;
63. Railroad passenger station;
64. Recreational facilities, indoor or outdoor;
65. Rent-alls;
66. Rescue squad;
67. Restaurants, including drive-in/drive-thru;
68. Restaurant supply; (Adopted 02/22/07)

69. Rodeo/rodeo facilities; (Amended 07/22/04)
70. Seed sales and storage;
71. Security system service; (Adopted 02/22/07)
72. Shell home display;
73. ~~Shrubbery sales;~~
74. Taxidermist;
75. Taxi service;

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76. Television studio/media productions; (Amended 02/22/07)
77. Tire sales;
78. Trade school;
79. Uniform services; (Adopted 02/22/07)
80. Utility trailer rentals and rent-alls;
81. Warehousing/Distribution; and (Amended 02/22/07)
82. Wholesaling.

C. Conditional Uses. The following Conditional Uses shall be allowed in the M-1 Zoning District provided that all conditions specified in Section 7-1 herein are met:

1. Aircraft Landing Area;
2. Animal Hospital, Kennel (Commercial or Non-Commercial), or Veterinary Clinic;
3. Experimental Labs;
4. Feed Lot and/or Commercial Barn;

5. Home Occupation; (Adopted 10/23/08)
6. Outdoor Amusement Facilities, Rides, Structures over thirty-five (35) feet in height, including, but not limited to Bungee and Parachute Jumping;
7. Recycling Facility;
8. Self-Storage Facility; and (Adopted 06/24/04)
9. Single-Family Residence.

D. Dimensional Requirements. The minimum dimensional requirements in the M-1 Zoning District shall be as follows:

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1. Lot area:
 - a. Where a central water distribution system is provided: 43,560 square feet (one [1] acre)
 - b. Where a central sanitary sewage and central water distribution systems are provided: 21,780 square feet (one-half [.50] acre)
2. Lot width: 125 feet
3. Front yard setback:
 - a. Major thoroughfare:
 - (1) Arterial: 100 feet
 - (2) Collector: ~~eighty (80)~~ **80** feet
 - b. Minor thoroughfare: ~~sixty-five (65)~~ **65** feet
4. Rear yard setback: ~~twenty-five (25)~~ **25** feet
5. Side yard setback: ~~twenty-five (25)~~ **25** feet
6. Buffer: If the rear or side yard abuts a residential or A-R Zoning District a minimum buffer of ~~seventy-five (75)~~ **75** feet shall be provided adjacent to the

lot line in addition to the required setback. The setback shall be measured from the buffer.

7. Height limit: ~~thirty-five (35)~~ 35 feet
8. Lot coverage limit, including structure and parking area: ~~seventy (70)~~ 70 percent of total lot area
9. Screening dimensions for storage areas, loading docks and parking (See ~~Section 5-18, Section 5-19, Article V.~~ and the Development Regulations.)

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6-22. M-2 Manufacturing and Heavy Industrial District.

- A. Description of District. This district is composed of certain lands and structures providing for those industrial uses which cannot comply with the regulations of the M-1 Zoning District and located in such a manner as not to be injurious to lands and development in nearby districts.
- B. Permitted Uses. The following Permitted Uses shall be allowed in the M-2 Zoning District:
 1. Acid storage and manufacture;
 2. Railroad classification and repair yard;
 3. Truck terminal;
 4. Ambulance service;
 5. Appliance sales and repair;
 6. Armories for meeting and training of military organizations;
 7. ~~Athletic events (temporary in nature);~~
 8. Automobile, ***truck, and heavy equipment*** or truck sales ***and repairs***, service station, paint shop, parts store including rebuilding of parts, parking lot or garage, tire recapping facility, upholstery shop;

9. Blueprinting;
10. Bookbinding;
11. Building construction/contracting and related activities, ~~e.g. sale and storage of supplies and materials~~; (Amended 02/22/07)

Building supplies sales;

12. Carnivals ~~(temporary in nature)~~;

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13. Car wash;
14. ~~Catering service;~~
15. ~~Community fairs (temporary in nature)~~;
16. ~~Drive-in theater;~~
17. Electrical repair;
18. Engraving;
19. ~~Farmer's market;~~
20. Farm equipment sales;
21. Feed sales;
22. Fertilizer sales;
23. Freezer locker service;
24. Freight express office;
25. ~~Furniture store;~~
26. Glass sales;

27. Greenhouse;
28. Hardware;
29. ~~Home furnishings;~~
30. ~~Horse show (temporary in nature);~~
31. Ice storage;
32. Insecticide sales and storage;

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33. Light manufacturing including the following:
 - a. Appliance and electronic device assembly plant, including the manufacturing of parts for appliances and electronic devices;
 - b. Assembly of products from previously prepared materials;
 - c. Bottling and canning plant;
 - d. Ceramic products provided that kilns shall only be by gas or electricity;
 - e. Construction of signs, including painted signs;
 - f. Copperage;
 - g. Ice manufacturing;
 - h. Laundry, cleaning and dyeing plants;
 - i. Light sheet metal products such as ventilating ducts and eaves;
 - j. Musical instruments, toys, novelties, and similar products;
 - k. Manufacturing of food, cosmetic and pharmaceutical products, but not including fish and meat products, sauerkraut, vinegar, yeast and rendering plants;
 - l. Machine and metal shop and related activities;

m. Other manufacturing, processing, packaging, or handling of a similar nature which shall not emit or produce more smoke, noise, odor, dust, vibration, or fumes than the uses listed herein;

n. ~~Tinsmith and roofing service;~~

34. Magazine publication and distribution;

35. Mini-storage facilities with a unit floor space not to exceed 425 feet;

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36. Newspaper publication and distribution;

37. ~~Nursery, plant;~~

38. ~~Office trailer;~~

39. ~~Paint shop, automobile;~~

40. Parking lot or garage, ~~automobile;~~

41. ~~Parts store, automobile~~ ***including rebuilding of parts;***

42. Pest control;

43. Petroleum bulk plant (storage and recycling);

44. Photostating;

45. Planing or saw mill;

Plant nursery and growing crops/garden and related sales;

46. Printing shop;

47. Public utility facilities;

48. Railroad freight station;

49. Rent-alls;

50. Reseue squad;
51. Restaurants, including drive-in/drive-thru;
52. Rodeo (temporary in nature);
53. Seed sales and storage;
54. Taxi service;

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55. Tire recapping facility;
56. Tire sales;
- Upholstery shop;**
57. Utilities, public facilities;
58. Utility trailer rentals and rent-alls;
59. Warehousing; and
60. Wholesaling.

C. Conditional Uses. The following Conditional Uses shall be allowed in the M-2 Zoning District provided that all conditions specified in Section 7-1 herein are met:

1. Aircraft Landing Area;
2. Experimental lab;
3. Heavy Manufacturing, packaging, processing or handling of materials;
4. Home Occupation; (Adopted 10/23/08)
5. Junk Yard or Auto Grave Yard;
6. Landfill;
7. Mining or Quarrying;

Recycling facility:

8. Single-Family Residence; and
9. Transfer Station for Household and Commercial Garbage.

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D. Dimensional Requirements. The minimum dimensional requirements in the M-2 Zoning District shall be as follows:

1. Lot area: 87,120 square feet (two [2] acres)
2. Lot width: 125 feet
3. Front yard setback:
 - a. Major thoroughfare:
 - (1) Arterial: 100 feet
 - (2) Collector: ~~eighty (80)~~ **80** feet
 - b. Minor thoroughfare: ~~sixty-five (65)~~ **65** feet
4. Rear yard setback: ~~twenty-five (25)~~ **25** feet
5. Side yard setback: ~~twenty-five (25)~~ **25** feet
6. Buffer: If the rear or side yard abuts a residential or A-R Zoning District a minimum buffer of ~~seventy-five (75)~~ **75** feet shall be provided adjacent to the lot line in addition to the required setback. The setback shall be measured from the buffer.
7. Height limit: ~~thirty-five (35)~~ **35** feet
8. Lot coverage limit, including structure and parking area: ~~seventy (70)~~ **70** percent of total lot area
9. Screening dimensions for storage areas, loading docks and parking see

6-23. Planned Unit Development.

A. Purpose. The intent of this section is to:

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1. Encourage the development of large lots of land as: Planned Residential Developments (PRD), Planned Industrial Parks (PIP), Planned Retreats or Lodges (PRL), Planned Entertainment Farming (PEF), and Planned Outdoor Recreation (POR);
2. Encourage flexible and creative concepts in site planning;
3. Preserve the natural amenities of the land by encouraging scenic and functional open spaces;
4. Accomplish a more desirable environment than would be possible through the strict application of minimum requirements of this Ordinance;
5. Provide for an efficient use of land resulting in smaller networks of utilities and streets and thereby lower development and housing costs; and
6. Provide an environment of stable character compatible with surrounding

areas.

B. Ownership control. At the time a final plat ***is approved and recorded*** of the Planned Unit Development has been approved by the Planning Commission, as required by this Ordinance, the land comprising the area for the Planned Unit Development shall be under one ownership, i.e., either an individual, a corporation or some other single legal entity. Individual lots may be sold only after the final plat has been approved and recorded and the deed contains sufficient covenants assuring the continuance of the Planned Unit Development as originally approved and developed.

C. Development standards. Each Planned Unit Development shall meet the following standards in addition to any other as hereinafter set forth:

1. The development shall utilize creative or flexible design including, but not limited to, varied lot sizes, amenities, ~~mixed uses~~, etc.;

2. The development shall be compatible with surrounding uses and with the Land Use Plan of Fayette County;
3. Paving of roads. Developers of approved Planned Unit Developments shall be required to pave all new subdivision streets contained within said development in conformance with the rules and regulations of the

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Development Regulations of Fayette County. Improvements to existing County-maintained roads or planned County roads which pass through a Planned Unit Development will be handled conditionally at the time of rezoning or at the time of a revision to a development plan. However, in any Planned Retreat or Lodge (PRL), the developer shall be required to provide for all-weather roads, **as approved by Public Works**, suitable for the passage of emergency vehicles.

- D. Relation to zoning districts. An approved Planned Unit Development shall be considered to be a separate zoning district in which the development plan, as approved, establishes the restrictions and regulations according to which development shall occur. Upon approval, the zoning map shall be changed to indicate the area as a Planned Unit Development.

E. Planned Residential Development.

1. Purpose. The intent of a Planned Residential Development is to encourage creativity and resourcefulness in land planning and development and to provide parks and recreational facilities for the residents of the development.
2. Permitted Uses. Planned Residential Developments may contain single-family dwellings, two-family dwellings, townhouses, or a combination thereof. Customary home occupations and residential accessory buildings and uses shall also be allowed.
3. Minimum Dimensional and Other Requirements. The minimum dimensional requirements in the PRD shall be as follows:
 - a. Development size: 100 contiguous acres located within **the A-R and** residential zoning districts
 - b. Each single-family dwelling shall be placed on a separate lot.

- c. Side yard setback: ~~fifteen (15)~~ **15** feet
- d. Rear yard setback: ~~thirty (30)~~ **30** feet

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- e. Maximum density: four (4) units per acre (single-family attached); and one (1) unit per acre (single-family detached). For purposes of this section, density shall be interpreted as the number of dwelling units per net acre devoted to residential development.
4. Common Open Space Requirements. Planned Residential Developments shall meet the following common open space requirements:
- a. A minimum of 2,500 square feet per lot shall be reserved for open space. The open space shall not be located in the following areas: street rights-of-way (public or private); all land located within the 100-year flood plain; water impoundments; and all lands proposed to be dedicated to a governing authority.
 - b. The open space shall be deeded to and maintained by the Property Owners Association, comprised of the residents of the development. The initial owner of the development shall be responsible for the organization of said association. The organization, responsibilities and financing of the Property Owners Association shall be established in appropriate deed covenants, which shall run with the land and which shall appear in each and every deed of property given by the initial owner.
5. General Deed Covenants. Appropriate deed covenants, which shall run with the land, shall be made a part of each deed of property given by the initial owner of the development in order to ensure the continuance of the Planned Residential Development in accordance with all approved plans and this section. A copy of the covenants must be given to the Zoning Administrator as a part of the record of the Planned Residential Development.
- ~~6. Stage Development. The entire development may be divided into logical geographical sections for the purposes of construction, landscaping, etc., subject to the approval of the Planning Commission.~~

7. ~~Performance Bond.~~ The initial owner shall furnish such bond or bonds as may be deemed by the County Engineer, in a form acceptable to the County Attorney, reasonably required to assure performance of the Planned Residential Development plan and to protect the public interest in the event of abandonment of said development prior to completion.

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F. ~~Planned Industrial Park.~~

1. ~~Purpose.~~ The intent of a Planned Industrial Park (PIP) is to encourage the development of a localized industrial park designed to meet light and heavy industrial purposes.
2. ~~Permitted Uses.~~ All those uses permitted in the M-1 and M-2 Zoning Districts shall be allowed in the PIP.
3. ~~Minimum Dimensional and Other Requirements.~~ The minimum requirements for a PIP shall be as follows:
 - a. ~~Location:~~ M-1 or M-2 Zoning District
 - b. ~~The development shall have access and egress only to an Arterial Thoroughfare.~~
 - c. ~~Development size:~~ ten (10) acres
 - d. ~~Front, side, and rear yard setbacks along the exterior boundaries of the development shall be consistent with either the M-1 or M-2 Zoning District, whichever is applicable.~~
 - e. ~~Height limit:~~ thirty five (35) 35 feet

G. Planned Retreat or Lodge.

1. Purpose. The intent of a Planned Retreat or Lodge (PRL) is to provide a development exclusively designed to accommodate the assembly of a group or organization whereby food and lodging may be furnished for a definite and temporary period.
2. Permitted Uses. All those uses allowed in the A-R Zoning District shall be allowed in a PRL.

3. Minimum Dimensional and Other Requirements. The minimum requirements for a PRL shall be as follows:

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- a. Location: A-R Zoning District
- b. Development size: ~~fifty (50)~~ **50 contiguous** acres
- c. Maximum density: one (1) unit for each ten (10) acres of the development
- d. Each structure whose principal purpose is to provide housing shall have access to a street maintained by the County. Said access shall have a minimum width of ~~sixty (60)~~ **60** feet.
- e. No structure shall be permitted within 150 feet of the right-of-way of any abutting street maintained by the County.
- f. A buffer zone of 150 feet shall be provided around the periphery of the development.
- g. Height limit: ~~thirty five (35)~~ **35** feet

H. Planned Entertainment Farming.

- 1. Purpose. To allow certain incidental uses to an active farming operation to preserve agricultural areas. An active farming operation is defined as any area of 100 or more **contiguous** acres from which \$10,000 or more of agricultural products are grown and sold on an annual basis. Income verification may be required. Agricultural products are defined here as the growing of annual crops, the raising of livestock and/or horses, and dairy farming.
- 2. Permitted Uses. The following Permitted Uses shall be allowed in a PEF:
 - a. Single-family dwelling and accessory uses and structures associated with the single-family dwelling exclusively as per ~~Section 5-10~~ **Article V**;
 - b. Farm buildings (must be bonafide structures related to the farming

operation);

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- c. Growing of crops;
 - d. Raising and Selling livestock;
 - e. Dairy farm and production;
 - f. Greenhouses and Shrubbery sales;
 - g. Farmer's market (limited to sales of crops grown on premises by owner of property);
 - h. Pick-your-own produce;
 - i. Processing of agricultural products (must meet Conditional Use requirements per the A-R Zoning District);
 - j. Horse stables and Horseback riding;
 - k. Horse show (by permit, temporary, fourteen [14] days per year);
 - l. Rodeo (by permit, temporary, fourteen [14] days per year);
 - m. Petting zoo;
 - n. Educational tours;
 - o. Picnicking;
 - p. Sit down restaurant, Banquet facility, Bakery and Catering (no drive-thru, and no selling of alcoholic beverages, shall be permitted) (minimum seating capacity of ~~fifty~~ [50] **50** persons);
 - q. Gift shop in association with Restaurant only; and
 - r. Pay fishing and bait sales in association with Pay fishing.
3. Minimum Dimensional and Other Requirements. The minimum

requirements for PEF shall be as follows:

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- a. Location: A-R Zoning District
- b. Development size: 100 contiguous acres
- c. Single-family dwellings and those accessory uses and structures associated with the single-family dwelling shall meet those requirements established within the A-R Zoning District.
- d. All other non-residential structures shall meet the following setbacks:
 - (1) Front yard: 200 feet
 - (2) Rear yard: 100 feet
 - (3) Side yard: 100 feet
- e. A Site Plan is required indicating the location of all structures/activities.
- f. All parking and access areas must be paved and landscaped per the Development Regulations.
- g. All service areas shall be screened per ~~Sections 5-18 and 5-19~~ Article V herein.
- h. All parking and service areas must be to the rear of any restaurant building.
- i. Only structures whose principal purpose is for the storage of farm equipment and/or animals shall have a metal facade. All other structures shall have a non-metallic facade.
- j. Must comply with all County, (including Fire Marshal), State and Federal requirements.

I. ~~Planned Outdoor Recreation.~~

1. ~~Purpose.~~ The intent of a Planned Outdoor Recreation Development (POR) is to provide the residents of Fayette County adequate recreational opportunities outside of existing public facilities, parks, private recreation and amenity areas.

2. ~~Permitted Uses.~~ The following Permitted Uses shall be allowed in a POR:

a. ~~Outdoor Athletic Fields;~~

b. ~~Outdoor Athletic Courts;~~

c. ~~Accessory Uses:~~

(1) ~~Picnic and Playground Areas;~~

(2) ~~Concession Facilities;~~

(3) ~~Press Box Facilities;~~

(4) ~~Restroom Facilities;~~

(5) ~~Maintenance and/or Equipment Facilities;~~

(6) ~~Ticket Sales Facilities;~~

(7) ~~Bleachers;~~

(8) ~~Dugouts;~~

(9) ~~Lights; and~~

(10) ~~Scoreboards.~~

3. ~~Prohibited Uses.~~ The following uses shall be prohibited in a POR:

a. ~~Motorized or other Wheeled Vehicle Sports;~~

- b. ~~Swimming Pools and Water related activities;~~
 - e. ~~Archery;~~
 - d. ~~Firearms and Target Range;~~
 - e. ~~Explosives and Fireworks;~~
 - f. ~~Paintball and similar activities; and~~
 - g. ~~Amusement Park activities and rides.~~
4. ~~Minimum Dimensional and Other Requirements. The minimum requirements for a POR shall be as follows:~~
- a. ~~Development size: fifty (50) acres~~
 - b. ~~The development shall have ingress and egress only to an Arterial Thoroughfare as designated by the Fayette County Thoroughfare Plan.~~
 - e. ~~Maximum number of outdoor athletic fields and/or courts: eight (8)~~
 - d. ~~Setbacks:~~
 - (1) ~~No Permitted Uses shall be allowed within 100 feet of the right of way.~~
 - (2) ~~No Permitted Uses shall be allowed within 500 feet from any A-R or residential zoning district.~~
 - (3) ~~No Permitted Uses shall be allowed within fifty (50) feet from any non-residential zoning district.~~
 - e. ~~A buffer of 100 feet plus the required setbacks shall separate all Permitted Uses from any A-R or residential zoning district. Off-street parking areas may be located within the setback areas.~~

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- ~~f. Landscaping and buffer areas shall be planted in accordance with the Development Regulations.~~
- ~~g. Paved access and paved parking shall be provided as follows:
 - ~~(1) Forty (40) spaces per outdoor athletic field; and~~
 - ~~(2) Ten (10) spaces per outdoor athletic court.~~~~
- ~~h. Hours of operation are to be determined at the time of development plan approval. No play permitted after 10:00 P.M.~~
- ~~i. Lights must be established in such a way that adjacent properties and residents are not adversely affected, and that no direct light is cast upon said properties and residents. No lighting permitted after 10:30 P.M.~~
- ~~j. Adequate trash receptacles and grounds maintenance must be provided to maintain a litter free recreation area. Dumpsters must be screened on all sides.~~
- ~~k. Outside loudspeaker system use permitted until 10:00 P.M.~~
- ~~l. Height limit: thirty five (35) feet, with the exception of lights.~~

The PC concurred that they would like to retain the POR in the ordinance.

- J. Review and Approval Procedures. The following procedures shall be followed in the establishment of each and every Planned Unit Development:
 - 1. Pre-Application Conference. Prior to filing a formal application for a Planned Unit Development, the applicant shall meet with the Zoning Administrator in order to review the general character of the proposed development, i.e., ***including but not limited to:*** its scope, nature and location. At this time, the applicant shall be fully advised of the approval procedures contained herein and the various information, studies, etc., which the applicant may need in order to continue with the said procedures.

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2. Pre-Recommendation Meeting(s). Prior to meeting the Planning Commission for a final approval, the applicant shall meet with the Planning Commission in a plan review session(s). At this meeting, the applicant shall be required to review any plan with the Planning Commission and provide preliminary data concerning said plan as required by the Planning Commission.
3. Recommendation. An applicant shall submit a petition to the Planning Commission for its recommendation of the Planned Unit Development. This petition shall contain a Development Plan and a written summary of intent, and shall show the relation between the proposed development and the surrounding area, both proposed and existing.

The Planning Commission shall make its determination on the basis of the information contained in the Development Plan, any other information, and the purposes and standards of a Planned Unit Development, as contained herein.

4. Development Plan. The following information shall be submitted as the Development Plan:
 - a. General location map;
 - b. Current topographical map clearly showing existing topographic conditions, including contour intervals of no more than ~~twenty (20)~~ 20 feet based on field survey or photogrammetric methods;
 - c. Map showing the existing flood plains and flood soil as indicated by FEMA;
 - d. Existing and proposed land uses in the development site and in surrounding areas for a distance of one (1) mile, including the approximate location of all streets;
 - e. Legal description of the subject property;
 - f. Location and use of existing and proposed public, semi-public, or community facilities such as schools, parks and other open space. This will include areas proposed to be deducted or reserved for community or public use;

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- g. Perspective drawings of representative building types for all non-residential structures which indicate the proposed general architectural style and appearance; and
 - h. If a proposed development creates special problems or involves unusual circumstances, additional information may be required in order to properly evaluate the proposal as follows:
 - (1) Off-street parking and loading plan;
 - (2) Economic feasibility report or market analysis;
 - (3) Area traffic study and circulation plan within the development and to and from existing thoroughfares;
 - (4) Hydraulic, hydrologic; and drainage engineering studies; and
 - (5) Other information as may be requested.
5. Summary of Intent. The written statement submitted with the Development Plan shall include the following information:
- a. Statement of the present ownership of all land within the proposed development;
 - b. Explanation of the character of the proposed development, including ***but not limited to:*** a summary of acres, dwelling units, gross density by type of land use, and minimum standards for floor area, lot size, yard and spacing requirements;
 - c. General statement of the proposed development schedule and progression of unit development or staging; and
 - d. Agreements, provisions, and covenants which govern the use, maintenance, and protection of the development and any common or open space, including the provisions which will organize, regulate and sustain the Property Owners Association, where applicable.

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6. Approval.

- a. An application for approval of a Planned Unit Development shall be considered administratively as a petition for rezoning and will be subject to the procedures established in this Ordinance.
- b. After review and public hearing, the Board of Commissioners may disapprove, approve or approve with modifications the proposed development after receiving the recommendations of the Planning Commission.
- c. If the proposed development is approved as submitted, the Zoning Administrator shall cause the official zoning map to be changed to indicate the Planned Unit Development. If the plan is approved with modifications, the applicant shall file written notice of consent to the modification and a properly revised Development Plan with the Zoning Administrator prior to changing the map. The Development Plan and all other accompanying information shall be properly identified and permanently filed with the Zoning Administrator.

7. Subdivision Approval.

- a. At the option of the applicant, a preliminary subdivision plat may be filed along with the Development Plan in order that tentative approval of the subdivision by the Planning Commission may be granted, pending the approval by the Board of Commissioners of the Development Plan.
- b. In no case shall final subdivision approval precede the approval of the Development Plan.
- c. Site development regulations, specifications, and procedures governing the platting of a Planned Unit Development and plat approval shall be in accordance with the Fayette County Subdivision Regulations and Development Regulations.

8. Building and Occupancy Permits. The Zoning Administrator shall approve of the issuance of building permits for buildings and structures in the Planned Unit Development if they are in substantial conformity with the approved Development Plan, the development schedule, and with all other applicable regulations. A certificate of occupancy shall be issued for any completed building or structure if it conforms to the requirements of the approved Development Plan and all other applicable regulations.

9. Revision of Development Plan. Any change in the approved Development Plan, which affects the intent and character of the development, the density or land use pattern, the location or dimensions of streets, or similar substantial changes, must be reviewed and approved by the Board of Commissioners upon the recommendation of the Planning Commission. A request for a revision of the Development Plan shall be supported by a written statement as to why the revisions are necessary or desirable.

Mr. Dutton advised that the next Workshop would be held on July 16, 2009.

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Chairman Powell asked if there was any further business.

Pete Frisina asked the PC members if they recalled any discussion in the past regarding nonresidential nodes at the intersection of SR 74 South and SR 85 South.

Chairman Powell said that he thought it was the consensus of the PC that the area be studied after the road improvements were completed. The other PC members concurred.

Hearing no further business, Jim Graw made a motion to adjourn the Public Meeting/Workshop. The motion unanimously passed 5-0. The Public Meeting/Workshop adjourned at 8:33 P.M.

**PLANNING COMMISSION
OF
FAYETTE COUNTY**

ATTEST:

**DOUG POWELL
CHAIRMAN**

**ROBYN S. WILSON
P.C. SECRETARY**