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AGENDA
FAYETTE COUNTY PLANNING COMMISSION MEETING
140 STONEWALL AVENUE WEST
May 3, 2018
7:00 pm

***Please turn off or turn to mute all electronic devices during the
Planning Commission Meetings**

1. Consideration of the Minutes of the meeting held on April 19, 2018.
2. Discussion of tourist accommodations.
3. Discussion of Amendments to Chapter 110. Zoning Ordinance, Regarding Sec. 110-3. – Definitions and Sec. 110-79. - Accessory Structures and Uses.
4. Discussion of Amendments to Article XV. - Subdivision Regulations, Regarding Sec. 104-593. - Definitions and Sec. 104-603. Procedure for the Establishment of Front, Side and Rear Yards on a Flag Lot or a Nonconforming Landlocked Lot.
5. Discussion of the Future Land Use Plan.

Existing Regulations

ARTICLE VI. - TOURIST ACCOMMODATIONS

Tourist accommodation shall mean any property, facility, or structure providing accommodations for value to the public for not more than 30 consecutive days.

Zoning Ordinance

Sec. 110-3. - Definitions.

Bed and breakfast inn, A-R, means a bed and breakfast inn allowed as a conditional use in the A-R zoning district.

Campground facilities means any lot where two or more recreational vehicles and/or tents (which are normally associated with outdoor camping) are parked and/or erected for short-term occupancy.

Family means one or more persons occupying a single dwelling unit, provided that all persons are related by blood or marriage, or are lawful wards, and shall also include a group of persons, not exceeding four, living and cooking together as a single, nonprofit housekeeping unit. The members of said group need not be related by blood or marriage or be lawful wards, where said group is occupying a single dwelling unit.

Dwelling, single-family, means a detached dwelling designed for a single family.

Hotel means a building in which overnight accommodations are provided to the public and the innkeeper. The term " hotel" includes the term "motel".

Tourist Accommodation Types

Non-Residential Zoning:

Sec. 110-142. - O-I, Office-Institutional District.

(b) Permitted principal uses and structures.

(7) Hotel

(d) Conditional uses.

(3) Bed and breakfast inn

Sec. 110-143. - C-C, Community Commercial District. **NOT INCLUDED IN ZONING DISTRICT?**

Sec. 110-144. - C-H, Highway Commercial District.

(b) Permitted principal uses and structures. (39) Hotel

(d) Conditional uses.

(6) Bed and breakfast inn,

(7) Campground facilities

Sec. 110-169. - Conditional use approval.

J. Bed and breakfast inn. Allowed in the C-H and O-J zoning districts.

1. The bed and breakfast inn shall be limited to no more than ten guestrooms. Maximum permitted capacity shall be set by the Fayette County Health Department and/or Fayette County Fire Marshal, as applicable.
2. The operator of the bed and breakfast inn shall be a full-time resident of the structure in which the bed and breakfast inn is housed.
3. These facilities shall meet the requirements of the County Code, Chapter 8, Article VI, Tourist Accommodations.

k. Campground facilities. Allowed in the C-H zoning district.

1. Campsites shall be utilized by recreational vehicles (as defined herein) and by tents (normally associated with outdoor camping), but not by manufactured housing (as defined herein).
2. Each campsite shall be utilized for short-term occupancy not to exceed 15 calendar days; provided, however, that the property owner or resident manager may permanently occupy one single-family dwelling.
3. Campground facilities shall be permitted only on a lot which fronts on a major thoroughfare (as designated by the county thoroughfare plan). All access is limited to the major thoroughfare only.
4. The lot area shall be at least ten acres.
5. The maximum density shall not exceed four campsites per gross acre.
6. A minimum 50-foot planted buffer plus all required setbacks shall be established around the perimeter of the entire development. Buffer areas shall be continuous except for approved access, utility casements, and signs (see chapter 108).
7. Minimum setbacks for structures and use areas (including campsites) as measured from required buffers:
 - (i) Front yard: 75 feet.
 - (ii) Side yard: 25 feet.
 - (iii) Rear yard: 25 feet.
8. At least ten percent of the gross acreage shall be reserved for recreational areas.
9. Accessory uses shall be allowed provided that the following requirements are met:
 - (i) Such uses and structures shall be restricted to the use of occupants of the park and their guests.
 - (ii) All structures and use areas shall meet the minimum buffer and setback requirements found in subsections (2)h.6 and 7 of this section.

(iii) Such uses and structures shall be limited to the following: rental offices; shower and restroom facilities; coin-operated laundry facilities; convenience stores; and snack bars.

(iv) Total floor area for all structures listed in subsection (2)h.9(iii) of this section shall not exceed 3,000 square feet.

(v) The sale of alcoholic beverages and/or automotive gasoline shall be prohibited.

10. The site plan for the proposed campground (including all accessory structures) shall be approved by the county environmental health department.

Sec. 110-149. - Planned unit development. (f) Planned retreat and/or lodge. (Is a Tourist Accommodation by definition above.)

Residential Zoning:

Sec. 110-125. - A-R, Agricultural-Residential District.

(c) Conditional uses.

(3) A-R bed and breakfast inn

f. A-R bed and breakfast inn. Allowed in the A-R zoning district.

1. Minimum lot size: ten (10) acres.

2. The bed and breakfast inn shall be limited to no more than five guestrooms and no more than 10 occupants. Maximum permitted capacity shall be set by the Fayette County Health Department and/or Fayette County Fire Marshal, as applicable.

3. Ownership.

i. If the A-R bed and breakfast inn is not owned by a corporation or partnership, the A-R bed and breakfast inn operator shall be the owner/occupant of the property.

ii. If the property and the A-R bed and breakfast inn business are owned by a corporation or partnership, the operator/occupant shall be an officer of the corporation or a partner in the case of a partnership.

4. These facilities shall not be permitted on a lot which accesses a road designated as an internal local road by the county thoroughfare plan and/or the county engineer.

5. These facilities shall meet the requirements of the County Code, Chapter 8, Article VI, Tourist Accommodations.

6. Adequate off-street parking shall be required. A prepared surface is not required for the parking areas. Parking areas shall be exempt from Nonresidential Development Landscape Requirements of the Fayette County Development Regulations.

GOAL: Add Tourist Accommodations to residential zoning districts and allow them on properties zoned non-residential that are being used residentially. Tourist Accommodations are separated into three types:

- Short term whole house rental
- Short term partial house rental
- A-R Bed and Breakfast Inn (Existing Conditional Use).

Distinguish between Tourist Accommodations in residential zoning and in non-residential zoning. Tourist Accommodations in a strictly non-residential zoning/use should not be under ARTICLE VI. - TOURIST ACCOMMODATIONS.

- Short term whole house rental
 - lot must be a minimum of five (5) acres
 - lot cannot be in a platted subdivision where lot’s addressed access is an Internal Local

- Short term partial house rental
 - on lots of less than five acres
 - on a lot in a platted subdivision based on road classification (Internal Local)

No accessory structure guesthouse shall be used as a Tourist Accommodation
Fire Marshall will require sprinkler system in all Tourist Accommodations

Residential -A-R, C-S, EST, R-85, R-80, R-78, R-75, R-72, R-70, R-55, R-50, R-45, R-40, R-20, DR-15, PUD-PRD, PUD-PRL

Non-residential - O-I, C-C, C-H, L-C 1, L-C 2, M-1, M-2, BTP, G-B

EST, C-S, R-85, R-80, R-78, R-75, R-72, R-70, R-55, R-50, R-45, R-40, R-20, DR-15, RMF, MHP, PUD-PRD, PUD-PRL, PUD-PEF, O-I, C-C, C-H, L-C 1, L-C 2, M-1, M-2, and BTP.

Definition

Short term partial house rental, tourist accommodation, means the rental of a residence for 30 consecutive days or less where the owner or long term renter of the residence resides in the residence during the time of the short term rental.

Short term whole house rental, tourist accommodation, means the rental of a residence for 30 consecutive days or less where the owner or long term renter of the residence does not reside in the residence during the time of the short term rental.

Conditional uses.

*(?)Tourist accommodation short term whole house rental and short term partial house rental;
Short term whole house rental and partial house rental. Allowed in the zoning districts.*

- A tourist accommodation short term whole house rental and short term partial house rental shall comply with Article VI. - Tourist Accommodations.
- Meal service shall not be provided to tourists in a short term whole house rental or partial house rental.
- A tourist accommodation with a short term whole house rental is allowed on a lot with a minimum of five (5) acres and which not does have its addressed access on a street designated as an Internal Local by the county thoroughfare plan and/or the county engineer.

- A tourist accommodation on a lot which is less than five (5) acres in size shall be limited to short term partial house rental only.
- A tourist accommodation on a lot which has its addressed access on a street designated as an Internal Local by the county thoroughfare plan and/or the county engineer shall be limited to short term partial house rental only.

Building line, front, means a line running parallel to the street which touches the nearest point of the principal structure to the street.

Front door means the main entrance to a residence or building which is normally oriented to a street.

Front yard, primary means on a corner lot, the area between a property line adjacent to a street and a line running parallel to the front plane of the principal structure, extending the full width.

Front yard, secondary means on a corner lot, the area between a property line adjacent to a street and the principal structure outside of the primary front yard.

Principal structure, front means the wall/plane of the principal structure in which the front door is located.

Sec. 104-603. Procedure for the establishment of front, side and rear yards on a flag lot or a nonconforming landlocked lot.

Due to the various development patterns of flag lots in the past and their irregular shapes, and that nonconforming land locked lots have no road frontage, a property owner may request that the planning commission establish the front, side and rear yards on an existing flag lot and a proposed flag lot in conjunction with the Final Plat and Minor Subdivision Plat approval process that would be different than the yards per existing County regulations, and establish the front, side and rear yards on a nonconforming landlocked lot. This procedure is applicable to existing flag lots, proposed flag lots and nonconforming landlocked lots. The front, side and rear orientation of the residence (existing or proposed) on the flag lot or nonconforming landlocked lot and/or the orientation of the lot access will be considered in this establishment of front, side and rear yards. The establishment of yards through this procedure will require the revision of a Minor Subdivision Plat or Final Plat, as applicable.

Signage shall be posted on property for which the procedure is sought. One sign is required for each street frontage/access of said property and one sign shall be placed on the building portion of the property. The signage shall be posted not more than 45 calendar days, nor less than 15 calendar days prior to the meeting to consider the procedure before the planning commission.