

§1000-403. Mon-Fayette Expressway Overlay.

- A. Intent. Recognizing potential economic development opportunities and increased economic values that are inherent with highway interchanges, the intent of the Mon-Fayette Expressway (MFE) Overlay is to encourage well-planned development that benefits from proximity to the MFE while creating unique gateways to each community that is served.
- B. Objectives. The Overlay seeks to achieve the following objectives:
1. Introducing new land use opportunities.
 2. Ensuring compatible and suitable transitions between differing land uses.
 3. Controlling access to both residential and non-residential areas.
 4. Regulating signage, lighting and other prominent visual objects.
 5. Optimizing building orientation and parking lot locations.
 6. Promoting innovative road design and traffic-control methods.
 7. Protecting important historic and cultural viewsheds.
 8. Encouraging development that fits into the context of the existing landscape, be it rural, suburban or urban.
- C. Eligibility and Requirements.
1. Land Use. While the MFE introduces new land use opportunities that may be used for any parcel within the overlay (see §1000-403 E), a property owner may opt to follow the use regulations for the appropriate base zoning designation of his/her property.
 2. Design Standards. Regardless of land use choice, conformity to the design guidelines in §1000-403 F shall be mandatory for all parcels within the MFE Overlay.
- D. Boundaries.
1. Because each MFE Interchange presents its own set of unique opportunities and challenges, the Overlay shall consist of four areas: MFE Overlay A, MFE Overlay B, MFE Overlay C and MFE Overlay D.
 2. Each Mon-Fayette Expressway Overlay area is illustrated on the Fayette County Zoning Map. If it is unclear whether a parcel falls within an overlay boundary, please contact the Fayette County Office of Planning, Zoning and Community Development for accurate identification.

- E. Land Uses. The following lists indicate the land uses that shall be permitted or permitted by special exception in each of the Overlay areas.

MFE OVERLAY A

RESIDENTIAL

Permitted Use

Bed and Breakfast
Home Occupation, Type 1
Single-Family Detached Dwelling
Use by Special Exception
Duplex
Home Occupation, Type 2

NON-RESIDENTIAL

Permitted Use

Agriculture
Business Services
Essential Services
Forestry
Hotel/Motel
Neighborhood Convenience Store
Office, Business, $\leq 5,000$ s.f.
Office, Business, $> 5,000$ s.f. and
 $< 40,000$
Office, Business, $> 40,000$ S.F.
Office, Medical
Personal Services/Improvement Establishment
Public Building
Public/Private Works Facility
Restaurant, High Turn-over Without Drive-Thru
Retail/Business Store, $\leq 10,000$ s.f.
Social Service Agency
Stable

Use by Special Exception

Assembly of Fabrication Facility
Billboard
Commercial School
Conference and Training Center
Contractor's Yard
Distribution Center
Flex Space
Freight Terminal
Gas Station
Manufacturing
Place of Assembly
Place of Worship
Recreation Facility
Research, Testing & Development Facility
Restaurant, High Turn-over with Drive-Thru
Retail/Business Store >10,000 s.f. and
 < 40,000 s.f.
Tavern/Bar
Terminal, Bus/Train
Warehouse
Wholesale Business

MFE OVERLAY B

RESIDENTIAL

Permitted Use

Bed and Breakfast

Duplex

Home Occupation, Type 1

Single-Family Detached Dwelling

Use by Special Exception
Home Occupation, Type 2

NON-RESIDENTIAL

Permitted Use

Agriculture
Bank
Beauty/Barber Shop
Business Services
Essential Services
Forestry
Office, Business, < 5,000 s.f.
Public Building
Public/Private Works Facility
Restaurant, High Turn-over with Drive-Thru
Restaurant, High Turn-over without Drive-Thru
Senior Center
Social Service Agency
Stable

Use by Special Exception

Automotive Repair & Service Station
Gas Station
Hotel
Motel
Neighborhood Convenience Store
Office, Business, > 5,000 s.f. and < 40,000 s.f.
Office, Business, > 40,000 S.F.
Office, Medical
Personal Services/Improvement Establishment
Place of Assembly
Place of Worship
Recreation Facility
Retail/Business Store, ≤ 10,000 s.f.
Retail/Business Store >10,000 s.f. and < 40,000 s.f.
Retail/Business Store > 40,000 s.f.

MFE OVERLAY C

RESIDENTIAL

Permitted Use

Bed and Breakfast

Duplex

Home Occupation, Type 1

Single-Family Detached Dwelling

Use by Special Exception
Home Occupation, Type 2
NON-RESIDENTIAL

Permitted Use
Agriculture
Bank
Beauty/Barber Shop
Business Services
Essential Services
Forestry
Office, Business, < 5,000 s.f.
Public Building
Public/Private Works Facility
Senior Center
Social Service Agency
Stable

Use by Special Exception

Automotive Repair & Service Station
Billboard
Gas Station
Hotel
Motel
Neighborhood Convenience Store
Office, Business, > 5,000 s.f. and < 40,000 s.f.
Office, Business, > 40,000 S.F.
Office, Medical
Personal Services/Improvement Establishment
Place of Assembly
Place of Worship
Recreation Facility
Restaurant, High Turn-over with Drive-Thru
Restaurant, High Turn-over without Drive-Thru
Retail/Business Store, \leq 10,000 s.f.
Retail/Business Store >10,000 s.f. and < 40,000 s.f.
Retail/Business Store > 40,000 s.f.

MFE OVERLAY D

RESIDENTIAL

Permitted Use

Apartment

Assisted Living Facility

Bed and Breakfast

Duplex

Home Occupation, Type 1

Quadplex

Single-Family Detached Dwelling

Townhouse

Use by Special Exception

Home Occupation, Type
NON-RESIDENTIAL

Permitted Use

Agriculture
Business Services
Distribution Center
Essential Services
Flex Space
Forestry
Freight Terminal
Hotel
Manufacturing
Motel
Neighborhood Convenience Store
Office, Business, $\leq 5,000$ s.f.
Office, Business, $> 5,000$ s.f.
and $< 40,000$ s.f.
Office, Business, $> 40,000$ S.F.
Personal Services/Improvement Establishment
Public Building
Public/Private Works Facility
Research, Testing & Development Facility
Restaurant, High Turn-over without
Drive-Thru
Retail/Business Store, $\leq 10,000$ s.f.
Social Service Agency
Stable
Warehouse
Wholesale Business

Use by Special Exception

Assembly or Fabrication Facility
Billboard
Commercial School
Conference and Training Center
Contractor's Yard
Gas Station
Place of Assembly
Place of Worship
Recreation Facility
Restaurant, High Turn-over with Drive-Thru
Tavern/Bar
Terminal, Bus/Train

F. Initial Design Guideline Concepts.

1. Non-Residential Uses.

a. Height, Bulk, and Coverage.

Non-residential bulk and coverage shall not exceed the maximum indicated in the base zoning district by more than thirty percent (30%). The maximum building height shall remain the same as the base zoning district.

b. Setbacks.

When adjacent to a residential use, a non-residential use shall increase the corresponding yard setback to a distance equal to three hundred percent (300%) that which is defined in the base zoning district for such use.

c. Bufferyards.

When adjacent to a residential use, a non-residential use shall provide a landscaped bufferyard at a depth and intensity of planting equal to twice that defined in §1000-212 of the Fayette County Zoning Ordinance. See Appendix 5.

d. Parking.

Efforts should be made to locate all parking to the side and/or rear of the development structure(s). If parking is to be located between the building and the front lot line, bufferyard requirements as described in §1000-212 shall be increased by fifty percent (50%) and one deciduous tree (a minimum of 3.5" caliper) shall be provided per each ten (10) spaces provided. The trees may be placed either along the parking lot perimeter or within landscape islands situated in the parking lot.

e. Curb Cuts.

Curb cuts shall be limited to two per development parcel. A maximum five percent (5%) building coverage bonus may be granted if a site developer agrees to share or utilize a curb cut or parking area located on an adjoining parcel. This agreement shall occur through a right-of-access agreement between the site developer and the adjoining property owner. A copy of such

agreement shall be submitted to the County as part of land development approval process.

- f. Exterior Lighting.
Exterior Lighting for non-residential uses and parking areas shall not project direct or indirect light on to adjacent development areas so that a measurement of 0.0 footcandles occurs along each and all lot lines. Plans and specifications must meet the County's established lighting standards. Lighting should comply with County Standards and shall be reduced to a site average of 0.4 footcandles between midnight and 7:00 a.m.
- g. Loading Docks and Service Areas.
Loading Docks and Service Areas shall not be visible from the public rights-of-way or residential areas. All loading and service facilities shall be screened with evergreen landscaping or an eight (8) foot high masonry wall. No service/loading activity and/or facility is permitted within the required yard areas.
- h. Signage.
One freestanding business identification sign is permitted per development parcel and can be located within the bufferyard. A freestanding signage structure, including sign supports and face, shall not exceed fifteen (15) feet in height. The sign's maximum size graphic area shall not exceed 40 (forty) square feet in size. Two wall-mounted or freestanding directional signs, a maximum of nine (9) square feet each, are permitted per development parcel. Signage materials and lighting shall be coordinated with County standards. Wall mounted signs for business identification shall be permitted in accordance with County standards.
- i. Dumpsters and Outdoor Storage.
All dumpsters and/or outdoor storage shall be screened with a 100% opaque fence, wall or landscaping that achieves an equivalent effect. All such areas/dumpsters shall be located no more than one hundred (100) feet from the principle structure on the lot.
- j. Paving Standards.
All parking lots and cartways shall be constructed of a dust-free surface to ensure adverse impacts are minimized on adjacent

parcels. Paved surfaces shall be constructed for a minimum depth of thirty (30) feet at all access points from a road right-of-way.

2. Residential Uses.

a. Open Space Conservation.

A residential density bonus, up to twenty percent (20%), may be applied to a proposed development if said development provides a minimum of thirty percent (30%) of the total site for open space. No more than twenty-five percent of said space shall be comprised of slopes steeper than twenty-five percent (25%) in gradient. Said open space shall not include parking areas, road rights-of-way or other similar development.

2. Neighborhood Character.

Where it is feasible for connections to exist between proposed development and existing residential development, said proposed development shall be designed and constructed in a manner consistent with existing neighborhood patterns including the layout of streets and architectural character.

3. Height, Bulk, and Coverage.

Residential bulk and coverage shall not exceed the maximum indicated in the base zoning district by more than fifty percent (50%). The maximum building height shall remain the same as the base zoning district.

4. Minimum Lot Size and Setbacks.

In developments where open space conservation is designed, minimum lot size may be permitted to be reduced by twenty percent (20%). Minimum front, side and rear setbacks shall be permitted to be reduced by twenty percent (20%).

5. Bufferyards.

When adjacent to a single-family residential use, a multi-family residential use shall provide a landscaped bufferyard at a depth and intensity of planting equal to twice that defined in §1000-212 of the Fayette County Zoning Ordinance. See Appendix 5.

6. Parking Lots.

Efforts should be made to locate all parking to the side and/or rear of the development structure(s). If parking is to be located between

the building and the front lot line, bufferyard requirements as described in §1000-212 shall be increased by fifty percent (50%) and one deciduous tree (a minimum of 3.5" caliper) shall be provided per

each ten (10) spaces provided. The trees may be placed either along the parking lot perimeter or within landscape islands situated in the parking lot.

G. Historic and Cultural Viewsheds.

All proposed developments within the MFE Overlay shall be required to submit at least two (2) scale cross-sections illustrating the relationship of said development with surrounding ridges and/or topographic high points. All cross-sections shall be generated using a standard 7.5 minute USGS topographic quadrangle with twenty (20) foot contour lines or a similar alternative. Upon review by the Fayette County Department of Planning, Zoning, and Community Development, potential threats to the viewshed will be assessed in context of immediate surrounding development, the overall MFE Overlay area and areas adjacent to the Overlay boundary. In a case where a viewshed is determined to be threatened, the County may request more information, including but not limited to additional cross sections, photographs, and locations of significant historic and cultural resources. In order to protect said resources and overall cultural and natural integrity of the landscape, changes in proposed layout, grading patterns, bufferyard dimensions, vegetation removal, and/or height and bulk of structures may be required by the County before a development proposal is approved.

Approved by Resolution dated September 24, 2009