

BLUE GRASS BUSINESS PARK DEVELOPMENT GUIDELINES

1. Targeted firms will be light industry/manufacturing companies whose processes are in agreement with Lexington-Fayette Urban County's I-1 zoning. Examples include:

2024	Mftg of	Ice Cream & Frozen...
2033	Mftg of	Canned Fruits, Vegetables...
2034	Mftg of	Dried & dehydrated Fruits...
2035	Mftg of	Pickled Fruits...
2037	Mftg of	Frozen fruits, juices...
2038	Mftg of	Frozen Specialties
2051	Mftg of	Bread & Other Bakery Products
2052	Mftg of	Cookies & Crackers
2053	Mftg of	Frozen Bakery Products
2064	Mftg of	Candy & other Confectionery...
2066	Mftg of	Chocolate & Cocoa Products
2096	Mftg of	Snack Chips
2098	Mftg of	Pasta
2099	Mftg of	Food Preparation...
2522	Mftg of	Office Furniture...
2652	Mftg of	Setup Paperboard Boxes
2653	Mftg of	Corrugated & Solid Fiber Boxes
2655	Mftg of	Fiber Cans, Tubes, Drums & Similar Products
2656	Mftg of	Sanitary Food Containers
2657	Mftg of	Folding Paperboard Boxes...
267	Mftg of	Converted Paper & Paperboard Boxes
273	Mftg of	Books
2741	Mftg of	Miscellaneous Publishing
2752	Mftg of	Commercial Printing
2771	Mftg of	Greeting Cards
2789	Mftg of	Bookbinding & Related Work
2791	Mftg of	Typesetting
2796	Mftg of	Plate making & Related Services
28	Mftg of	Chemicals & Allied Products (E.g. Pharmaceuticals)
30	Mftg of	Rubber & Miscellaneous Plastics Products
3211	Mftg of	Flat Glass
3221	Mftg of	Glass Containers
3229	Mftg of	Pressed & Blown Glass & Glassware...
3231	Mftg of	Glass Products...
3313	Mftg of	Electrometallurgical Products...
34	Mftg of	Fabricated Metal Products...
35	Mftg of	Industrial & Commercial Machinery & Computer Equipment
36	Mftg of	Electronic & Other Electrical Equipment & Components
37	Mftg of	Transportation Equipment <i>Except 3721 Mftg of Aircraft</i>
38	Mftg of	Measuring, Analyzing & Controlling Instruments; Photographic, Medical & Optical Goods; Watches & Clocks.

2. The Blue Grass Business Park will target companies for which the average wage paid within the park exceeds the average wage for Lexington-Fayette County. Currently the average Lexington wage is approximately \$11.00.
 - a. Commerce Lexington Inc. will target companies that will pay more than \$140,000 in total wages per acre per year for each acre sold.

- b. Commerce Lexington Inc. will only sell land to companies which commit to meeting the park's wage creation goal within an agreed upon time frame. For example, a firm may purchase 15 acres based upon plans to expand to 90 employees but initially only need 5 acres for 30 employees. Commerce Lexington Inc. and the firm would establish a timeline for expansion to prevent the extra 10 acres from sitting vacant past an agreed upon point in time. Language shall be inserted into the contract allowing Commerce Lexington Inc. to repurchase surplus land.
 - c. Commerce Lexington Inc. may adjust the land price based upon the level of wages paid so that higher-wage employers receive a greater incentive for locating both in the park and in Lexington.
 - d. Commerce Lexington Inc. will consider projects involving lower wages for employers willing to commit to targeting existing low wage employees and/or unemployed workers and who are willing to commit to the training necessary to upgrade needed skills, and ultimately the wages, of such persons.
3. Given the limited acreage in the Blue Grass Business Park, projects which need between five and twenty acres will be given priority.
 - a. Larger and smaller projects will be encouraged to purchase land elsewhere in Lexington. As always, Commerce Lexington Inc. staff will assist companies in search for a variety of Lexington land options.
 - b. If land elsewhere in Lexington is unavailable, the Commerce Lexington Inc. will consider a large or small project based upon its merits and impact upon the park.
 - c. Commerce Lexington Inc. will continue to submit all sites in Central County which meet stated projects' needs.
4. Commerce Lexington Inc. will not target stand-alone warehouse and distribution centers. In general these operations consume too much land, have too few jobs and generally pay lower wages than Commerce Lexington Inc.'s target.
 - a. Nevertheless, such operations might be considered as an accessory to manufacturing operations of the type of preferred for the park.
 - b. Commerce Lexington Inc. may agree to a distribution/warehouse project whose characteristics are such that they conform to the park's target of high annual wages per acre per year.
5. Industries currently located in Lexington will be allowed to purchase land within the Blue Grass Business Park given that there are additional jobs created which allow Commerce Lexington Inc. to meet the park's goal in wage creation, OR when purchase of land within the park is necessary to retain a company in Fayette County.

8-22 LIGHT INDUSTRIAL (I-1) ZONE – Lexington

8-22(a) Intent - This zone is intended for manufacturing, industrial and related uses not involving a potential nuisance in terms of smoke, noise, odor, vibration, heat, light or industrial waste. In addition, the Comprehensive Plan recognizes that it is important to promote adaptive reuse of older industrial areas and to allow Industrial Mixed-Use projects and Adaptive Reuse Projects. The Comprehensive Plan should be used to determine appropriate locations for this zone and for Industrial Mixed-Use Projects. Consideration should be given to the relationship of this zone to the surrounding land uses and to the adequacy of the street system to serve the anticipated traffic needs.

8-22(b) Principal Uses (Other uses substantially similar to those listed herein shall also be deemed permitted.)

1. The principal permitted uses in the B-4 zone.
2. The manufacturing, compounding, assembling, processing, packaging, or similar treatment of articles of merchandise from the following previously prepared materials: asbestos, bone, canvas, cellophane, cellulose, cloth, cork, feather, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious and semi-precious metals, precious and semi-precious stones, rubber, sheet metal (excluding large stampings), shell, textiles, tobacco, wax, wire, wood (excluding sawmills, planing mills), and yarn.
3. The manufacturing, compounding, assembling, processing, packaging, or similar treatment of such products as: bakery goods; billboards; candy; ceramics; cosmetics; drafting instruments; electrical parts; appliances; electric or neon signs; electronic instruments; food products; meat packaging; ice cream; medical and dental instruments; musical instruments; pharmaceuticals; pottery, china, or figurines; radios; record players; rubber and metal stamps; rubber products; scientific instruments and equipment; shoes; television receivers; toiletries, soaps and detergents; toys; and watches and clocks.
4. Other industrial and manufacturing uses, such as auto parts rebuilding; battery manufacturing; beverage manufacturing; dairy and non-dairy and food and non-food product bottling plants; box and crate assembly; building materials sales; rental storage yard; bag, carpet and rug cleaning and dyeing; cabinet shop; cannery; caterers; cooperage; crematory; dextrin and starch manufacturing; enameling, lacquering, and japanning; felt manufacturing; electric foundry; furniture manufacturing; heating equipment manufacturing; inflammable underground liquid storage; iron works (ornamental), and wire drawing; parcel delivery stations; phonograph record manufacturing; public utility service yard; radium extraction; railway or truck terminal; stone monument works; tool manufacturing; vehicle storage yards for which occupancy permits were issued prior to May 1, 1985; welding, and other metal working shops.
5. Recycling, sorting, baling and processing of glass and nonferrous metals, including copper; brass; aluminum; lead and nickel, but not including automobile wrecking yard; building materials salvage; junk yards or other uses first permitted in the I-2 zone. Recycling, sorting, baling and processing of paper scrap and storage of waste paper shall be permitted only when wholly conducted in a completely enclosed building.
6. Industrial Mixed-Use Projects, as further regulated by Article 8-22(o).
7. Adaptive Reuse Projects, as set out in Section 8- 21(b)23 and Section 8-21(o)4.

8-22(c) Accessory Uses (Uses and structures which are customarily accessory, clearly incidental and subordinate to permitted uses.)

1. Off-street parking areas and structures, and loading facilities.
2. Dwelling units for watchmen or caretakers, provided that such facilities shall be located on the same premises as the permitted use.
3. Outdoor storage of products manufactured on the premises or materials to be used in manufacture on the premises.
4. Facilities for serving food only for employees and visitors; having no direct access to the exterior, and having no signs visible from the exterior of the building.
5. Offices.
6. Recreational facilities.
7. Sale of manufactured goods.
8. Sale of finished products related or incidental to the principal use, provided that the area set aside for sales of these related or incidental items does not constitute more than thirty percent (30%) of the total floor and storage area.
9. Satellite dish antennas, as further regulated by Article 15-8.
10. Beauty salons where accessory to an athletic club facility, provided that the area of the salon shall not constitute more than 10% of the total floor area, that the salon has no separate external entrance, nor separate business signage.

8-22(d) Conditional Uses (Permitted only with Board of Adjustment approval.)

1. Automobile race tracks.
2. Public utilities and public service uses and structures. 8 - 72
3. Columbariums and crematories.
4. Penal or correctional institutions.
5. Indoor recreational activities, except as provided as part of an Adaptive Reuse Project, that require buildings, which as a result of their size and design, are not compatible with residential and business zones, but would be compatible in a Light Industrial (I-1) zone, including indoor tennis courts; skating rinks; athletic club facilities and bowling alleys.
6. Grain drying, when operated in a fully enclosed building at least three hundred (300) feet from the nearest residential, business, or professional office zone.
7. The above- or below-ground storage for resale of any flammable or nonflammable gas or oxidizer in liquid or gaseous form, the storage of any empty container which contained any gas in any form; and the receiving of or dispensing of any gas in any form, unless limited by 8-22(e); and provided such operations conform to the standards prescribed by the National Fire Protection Association, the Kentucky Occupational Safety and Health Standards for General Industry, and any requirements of the Fire Marshall. Such conformance shall be certified in writing by the Fire Marshall, and any required protective measures for the containers shall be met in all ways.
8. Banks, with or without drive-through facilities, except as provided as part of an Industrial Mixed-Use Project or an Adaptive Reuse Project, provided:
 - a. The site lies within the area of a development plan approved by the Planning Commission, having a minimum one hundred (100) acres zoned industrial;
 - b. There shall be an on-site stacking capacity of a minimum of twenty (20) cars for each bank having drive-through facilities;
 - c. The site shall not have direct access to an arterial street;
 - d. There exists, within the development plan area, industrial businesses having a full-time, non-seasonal, on-site total employee population of at least five hundred (500) employees;
 - e. There exists, within a one-mile radius of the property boundaries of the proposed site, industrial businesses having a full-time, non-seasonal, on-site total employee population of at least twenty-five hundred (2,500) employees;
 - f. A site development plan is submitted to, and approved by, the Board of Adjustment and the Planning Commission.
9. Concrete mixing and concrete products, but only when the proposal complies with the requirements of the Mining/Quarrying Ordinance (Code of Ordinances #252-91) and the conditions and requirements as set forth therein, and only under the following conditions:
 - a. That no concrete mixing operation be conducted closer than one thousand (1,000) feet from any existing residence on another lot under different ownership.
 - b. Noise, Air & Water Quality - The facility shall be operated at all times in compliance with applicable Federal, State and local laws and regulations on noise, air, and water quality, including the LFUCG Noise Ordinance Sections 14-70 through 14-80), Article 6-7: Stormwater Disposal Standards, and Article 20: Soil Erosion Controls.
 - c. Development Plan - The development plan shall indicate all existing contours, shown with intervals sufficient to show existing drainage courses, retention, storm water and sedimentation basins; and the names and locations of all streams, creeks, or other bodies of water within five hundred (500) feet.
 - d. Drainage and Erosion Control - All operations shall have adequate drainage, erosion, and sediment control measures incorporated in the site/development plan(s). If, in the event that adequate drainage, erosion, and sediment control cannot be provided, permits may be denied.
 - e. Roads - All access roads that intersect with a State highway or public street shall be paved with an all-weather surface of either asphalt or concrete for the entire length of road from State highway or street to the active loading point. Internal roads may be unpaved, provided dust is adequately controlled.
 - f. Screening - Screening shall be provided as defined in accordance with LFUCG Article 18 of the Zoning Ordinance.
 - g. Transportation Plan - A Transportation Plan shall be planned (in relationship to the arterial roadway system) to minimize the impact of traffic, dust, and vehicle noise on areas outside the site and shall include the following information:
 - 1) Product shipping and deliveries;

- 2) Mode of transportation;
 - 3) Route(s) to and from the site;
 - 4) Schedule and frequency of shipments;
 - 5) Delivery and shipping spillage control methods;
 - 6) Employee parking.
- h. Storage - Storage and/or stockpiles of hazardous materials shall be in a completely closed building. Outdoor storage, except aggregate, sand and recycled asphalt material, shall be enclosed on at least three sides by a solid wall or fence, not less than six (6) feet nor greater than eight (8) feet in height, and shall be placed at designated 8 – 73 site(s) on the development plan. At the cessation of operation, all storage piles and/or stockpiles shall either be removed or graded and covered with a minimum of 18 inches of topsoil and/or other soilmaking materials, and planted in accordance with Article 18 of the Zoning Ordinance.
- i. Excess Product and Waste – Excess product and waste, when disposed of on site, shall be in a designated area so as to prevent erosion and contamination of streams and waterways. At the cessation of operation, all outdoor storage piles and/or stockpiles shall either be removed or graded and covered with a minimum of 18 inches of topsoil and/or other soilmaking materials, and planted in accordance with Article 18 of the Zoning Ordinance.
10. Cable television system facilities, including transmitting towers; antennas; earth stations; microwave dishes; relays; business offices; television studios; and storage facilities.
11. Vehicle storage yards, for which occupancy permits were applied for on or after May 1, 1985.
12. Offices, except as provided as part of an Adaptive Reuse Project, other than as accessory uses under Section 8-22(c)(5), provided that the following requirements are met:
- a. That no more than fifty percent (50%) of the total floor area of any structure may be used for office purposes, not counting as accessory uses under Section 8-22(c)(5).
 - b. That minimum parking requirements shall be met as under the P-1 zone.
 - c. The office use would be located in a structure that would qualify for designation as a landmark under the provisions of Article 13: Historic Preservation herein.
13. Commercial composting, provided that the following requirements are met:
- a. That all such composting shall be conducted in a fully enclosed building.
 - b. That a permit-by-rule or letter of intent from the Division of Waste Management of the Kentucky Natural Resources and Environmental Protection Cabinet be obtained prior to submission of any application to the Board of Adjustment for a conditional use permit.
 - c. That a development plan, indicating access points and circulation routes; proposed signage; screening and landscaping; fencing and other significant geological or physical features of the property, be submitted as part of any application.
 - d. That the Board specifically consider and be able to find that the proposed use will not constitute a public nuisance by creating excessive noise, odor, traffic or dust.
14. Helistops and heliports, provided such facilities conform to the requirements of all appropriate Federal, State and local regulations.
15. Mining of non-metallic minerals, but only when the proposal complies with the requirements of the Mining/Quarrying Ordinance (Code of Ordinances #252-91) and the conditions and requirements as set forth therein. The Board of Adjustment shall specifically consider and be able to find:
- a. That the proposed use will not constitute a public nuisance by creating excessive noise, odor, traffic, dust, or damage to the environment or surrounding properties;
 - b. That a reasonable degree of reclamation and proper drainage control is feasible; and
 - c. That the owner and/or applicant has not had a permit revoked or bond or other security forfeited for failure to comply with any Federal, State or local laws, regulations or conditions, including land reclamation, pertaining to the proposed use.
16. Churches, Sunday schools, and church-related schools for academic instruction, except as provided as part of an Adaptive Reuse Project.
17. Retail sale, except as provided as part of an Adaptive Reuse Project, of furniture and household-related items, such as antiques; fabrics; fixtures; furnishings; glassware and china, when accessory to its storage, refinishing, repairing or upholstery on the same premises.
18. Community centers, except as provided as part of an Adaptive Reuse Project.
19. Child care centers, except as provided as part of an Adaptive Reuse Project.
20. Agricultural market.

8-22(e) Prohibited Uses (All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal, accessory or conditional uses shall be prohibited. The uses below are provided for illustration purposes and for the purpose of limiting permitted uses, and are not intended to be a total listing of all the uses that are prohibited.)

1. The prohibited uses in the B-4 zone, items 3 through 11.
2. All uses first permitted in the I-2 zone, except as specifically permitted herein.
3. A facility for the storage and distribution of gas by railroad tank cars, through gas piping, or by tank trucks, which each have a water capacity in excess of 4,000 gallons.
4. Slaughterhouses. Lot, Yard, and Height Requirements (See Articles 3 and 15 8 – 74 for additional regulations.)

8-22(f) Minimum Lot Size - No limitation.

8-22(g) Minimum Lot Frontage - No limitation.

8-22(h) Minimum Front Yard - 20'.

8-22(i) Minimum Each Side Yard - No limitation, except as provided in Section 8-22(o).

8-22(j) Minimum Rear Yard - No limitation, except as provided in Section 8-22(o).

8-22(k) Minimum Useable Open Space – No limitation.

8-22(l) Maximum Lot Coverage - No limitation.

8-22(m) Maximum Height of Building - 75', except when a side or rear yard abuts a Professional Office or Residential zone, then a 3:1 height to yard ratio.

8-22(n) Off-Street Parking (See Article 16 for additional parking regulations.) As for B-4. Manufacturing or Industrial Uses - One (1) space for every two (2) employees on a maximum working shift, with a minimum of five (5) spaces. Automobile Race Tracks - One (1) space for every five (5) seats. Correctional or Penal Institutions - One (1) space for each employee. Accessory Dwelling Units - One (1) space per dwelling unit. Retail Sales Facility for manufactured goods - One (1) space for every four hundred (400) square feet of floor area. Industrial Mixed Use Projects - As for MU-3, except that off-site parking may be provided in conformity with Article 16-1(d). Conditional Uses - Parking requirements for conditional uses are minimum requirements; the Board of Adjustment may require additional parking, as needed. Combinations - Combined uses shall provide parking equal to the sum of individual requirements.

8-22(o) Special Provisions

1. All industrial uses shall be conducted in a completely enclosed building, except for outdoor storage uses, which shall be enclosed on all sides by a solid wall or fence not less than six (6) feet in height.
2. Except for Industrial Mixed Use Projects, all buildings and structures shall be at least one hundred (100) feet from any residential zone, unless the portion within that distance has no openings except stationary windows and doors which are designed and intended solely for pedestrian access.
3. Landscape buffer areas shall be required as set forth in Article 18.
4. An Industrial Mixed Use Project may be permitted by the Planning Commission upon the approval of a development plan, subject to the following requirements:
 - a. The property must be in a location recommended in the Comprehensive Plan for Industrial Mixed Use, and should not displace an existing agriculture-related use permitted in the I-1 zone.
 - b. At least twenty percent (20%) of the total floor area shall be devoted to residential use, at least ten percent (10%) shall be devoted to a principal permitted use in this zone or the Wholesale and Warehouse Business (B-4) zone, and no more than forty percent (40%) of the total floor area shall be occupied by retail uses.
 - c. At least forty percent (40%) of the front building wall(s) of new buildings proposed for an Industrial Mixed Use Project shall be required to be built at the 20-foot setback.
 - d. In addition to the uses otherwise permitted in the Light Industrial (I-1) zone, the following uses shall be permitted in an Industrial Mixed Use Project:

As Principal Permitted uses:

1. Dwelling units.

2. Uses permitted in the Professional Office (P-1) zone, excluding a Professional Office Project.
3. Uses permitted in the Neighborhood Business (B-1) zone.

As Conditional uses:

1. Restaurants, without live entertainment or dancing, which devote more than twenty percent (20%) of the public floor area exclusively to the preparation and service of malt beverages, wine or alcoholic beverages.
2. Restaurants or nightclubs offering live entertainment and/or dancing, brew-pubs, or nightclubs, wine or spirit-tasting rooms [unless prohibited under Section 8-16(e)(14) and (15)]. Such uses shall be located at least one hundred (100) feet from any residential zone and shall be soundproofed to the maximum extent feasible by using existing technology, with 8 – 75 noise or other emissions not creating a nuisance to the surrounding neighborhood.

As Prohibited uses:

1. All adult uses listed in Section 8-16(e)(14) through (17) of the Zoning Ordinance.
- e. The minimum and maximum mix of uses shall be calculated based on the overall Industrial Mixed Use Project shown on the development plan. Each building within the Industrial Mixed Use Project shall not be required to contain a mixture of uses, provided that at least one structure shall contain a mixture of uses.

*From the Lexington Fayette Urban County Government – Division of Planning – Zoning Ordinance
<http://www.lexingtonky.gov/modules/ShowDocument.aspx?documentid=1681>