

Minutes AARC Board Work Session December 8, 2021

Present

AARC Members: Lori Garkovich, Skip Phillips, Floyd Raglan, Bob Rouse; and Planning Director: Pattie Wilson

New Member Bob Rouse introduced himself to the committee.

Oath of Office: Bob Rouse Administered by Pattie Wilson

WORKSESSION: The AARC will be discussing Tourist Destination and Tourist Destination Expanded, Article II (306 A & B); and, Article VII, Section 701.8 and Definitions, A-H.

Discussion of Tourist Destination and Tourist Destination Expanded

Background information

The conclusions we draw will be recommendations to the Planning Commission at which point it will hold a public hearing. The results of the Planning Commission's deliberations will be forwarded to the three legislative bodies (Fiscal Court, City Council's of Midway and Versailles). BUT if adopted, anything that has been approved under the existing ordinance is grandfathered in as a legal nonconforming use.

A Tourist Destination and Tourist Destination Expanded are ONLY permitted in A-1 (Agricultural Districts) and I-2 (Heavy Industrial Districts). (Pattie verified this after the meeting)

The framework for the discussion

The AARC was established to facilitate the continued use of agricultural land and/or the maintenance of agricultural land as open space to be available for future agricultural use by permitting commercial activities [consistent with the permitted and accessory uses in the A1 district] that would supplement farm income.

From the minutes of the Nov 10, 2003 forming committee meeting: Discussion of goals for the Agricultural Advisory Committee. Two possible goals discussed briefly [by the committee members] are:

To insure that Woodford County farmers can take advantage of farm-based income generating opportunities while maintaining the integrity of the agricultural zone

To assist farm operators in establishing agricultural businesses that best fit their personal goals, farm characteristics, and the area where their farm is located

AARC members identified key questions to guide this discussion:

- Do the ordinances add to or diminish the effectiveness of the planning process in achieving the land use goals of Woodford County, if so, how?
- Do the ordinances add value to the planning process, if so, how?
- Does the language of the existing ordinances need to be modified, if so, how and why?

The discussion

Re Tourist Destination and Tourist Destination Expanded

When AARC is limited to evaluating ONLY the noise, lights and special events effects of Tourist Destinations, their ability to contribute to an assessment of the impact of a tourist destination on adjacent agricultural enterprises is diminished. It is logical that AARC should make CONDITIONAL USE recommendations to the Board of Adjustment for any type of tourist destination.

With Tourist Destination defined as a **principle use**, the assumption is that this property owner's rights to use their land displaces (and thereby dismisses) the property right interests of all neighbors adjacent to or on the way to the proposed tourist destination.

The only differences in the language of the Tourist Destination and Tourist Destination Expanded are:

- Tourist Destination Expanded is a **conditional use**;
- Tourist Destination Expanded has no limit on guest rooms nor seating at an associated restaurant nor the number of special events except those set as conditions by the Board of Adjustment. (306 a,b,c)

The consensus of the AARC members was:

- **Remove Tourist Destination Expanded (306B)** from the zoning ordinances.
- **Redefine Tourist Destination as a conditional use** that is reviewed by the AARC with recommendation to BOA.
- **Add caps on the number of** permitted guest rooms, seating at an associated restaurant, and the number of special events.
- **Clarify the definition** of what constitutes a Tourist Destination 306A (e.g., landmark; historical structure; natural landmark; Strike "if any" from the following definition of Tourist Destination: "while allowing for the continued use of the subject property for agricultural purposes, ~~if any~~, and preservation of the landmark or historic structure").
- **Clarify the language/definitions associated with** the Tourist Destination ordinance (e.g.,) to emphasize the need for activities associated with the Tourist Destination to be consistent with the overall purpose of the A-1 District.

A natural landmark must be unique, significant and distinctive.

- Clarify the definition of Landmark (266A)

General discussion regarding AARC processes

Should there be a time period for the current use of land for agricultural purposes to demonstrate commitment to agricultural production in hand with an ag-tourism activity? (Pattie will contact legal counsel to see if this is permissible and enforceable.)

Another Work Session was planned to continue discussing updating the noted ordinances at the next regular scheduled AARC meeting on Wednesday, January 12, 2022 at 8:30 AM in the 2nd floor courtroom in the Woodford County Courthouse.