

ORDINANCE NO. \_\_\_\_ - 2023

AN ORDINANCE CHANGING THE ZONE FROM A PROFESSIONAL OFFICE (P-1) ZONE TO A NEIGHBORHOOD BUSINESS (B-1) ZONE, FOR 1.23 NET (1.37 GROSS) ACRES, FOR PROPERTY LOCATED AT 446 EAST HIGH STREET, AS AMENDED. (BREAD AND ROSES, LLC; COUNCIL DISTRICT 3).

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WHEREAS, at a Public Hearing held on March 23, 2023, a petition for a zoning ordinance map amendment for property located at 446 East High Street from a Professional Office (P-1) zone to a Neighborhood Business (B-1) zone, for 1.23 net (1.37 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change by a vote of 7-0; and

WHEREAS, this Council agrees with the recommendation of the Planning Commission; and

WHEREAS, the recommendation form of the Planning Commission is attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That the Zoning Ordinance of the Lexington-Fayette Urban County Government be amended to show a change in zone for property located at 446 East High Street from a Professional Office (P-1) zone to a Neighborhood Business (B-1) zone, for 1.23 net (1.37 gross) acres, being more fully described in Exhibit “A” which is attached hereto and incorporated herein by reference.

Section 2 – That under the provisions of Article 6-7 of the Zoning Ordinance, the following use restrictions are imposed via conditional zoning:

a. Prohibited Uses:

- i. Automobile service stations
- ii. Miniature golf courses
- iii. Carnivals and Circuses, even on a temporary basis
- iv. Drive-through facilities
- v. Pawn shops
- vi. Gasoline pumps
- vii. Mining of non-metallic minerals
- viii. Parking lots and structures, other than as an accessory use
- ix. Rental of equipment whose retail sale would otherwise be permitted in a B-1 zone
- x. Minor automobile repair
- xi. Funeral parlors

These restrictions are appropriate and necessary for the following reasons:

1. To protect the character of the Aylesford Park Historic area as well as the character of the High Street corridor.
2. The limitations of these uses also align with the applicant's stated goals of providing a development that is oriented towards the existing neighborhood, rather than the traveling public.
3. These restrictions help ensure the site provides a safe pedestrian experience, and do not encourage auto-centric travel patterns.

Section 3 – That the Lexington-Fayette Urban County Planning Commission is directed to show the amendment on the official zone map atlas and to make reference to the number of this Ordinance.

Section 4 – That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

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MAYOR

ATTEST:

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CLERK OF URBAN COUNTY COUNCIL

PUBLISHED:

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