

ORDINANCE NO. \_\_\_\_ - 2022

AN ORDINANCE CHANGING THE ZONE FROM AN AGRICULTURAL RURAL (A-R) ZONE AND A SINGLE-FAMILY RESIDENTIAL (R-1D) ZONE TO A NEIGHBORHOOD BUSINESS (B-1) ZONE FOR 5.6879 NET (5.8494 GROSS) ACRES, FOR PROPERTY LOCATED AT 6270 ATHENS WALNUT HILL PIKE. (ATHENS PROPERTY, LLC; COUNCIL DISTRICT 12).

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WHEREAS, at a Public Hearing held on August 25, 2022, a petition for a zoning ordinance map amendment for property located at 6270 Athens Walnut Hill Pike from an Agricultural Rural (A-R) zone and a Single-Family Residential (R-1D) zone to a Neighborhood Business (B-1) zone for 5.6879 net (5.8494 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change by a vote of 8-0; 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 6270 Athens Walnut Hill Pike from an Agricultural Rural (A-R) zone and a Single-Family Residential (R-1D) zone to a Neighborhood Business (B-1) zone for 5.6879 net (5.8494 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. The following uses shall be prohibited:
  - i. Drive-through facilities.
  - ii. Research development and testing laboratories or centers.
  - iii. Medical and dental offices, clinics and laboratories.
  - iv. Telecommunication towers, satellite dishes, antennae and transmitters.
  - v. Data processing centers.
  - vi. Brew-pubs.

- vii. Self-service laundry or laundry pick-up stations, including clothes cleaning establishments of not more than forty (40) pounds capacity and using a closed-system process.
  - viii. Automobile service stations.
  - ix. Parking lots and parking structures.
  - x. Repair of household appliances.
  - xi. Miniature golf or putting courses.
  - xii. Indoor theaters, with more than two (2) screens or stages.
  - xiii. Rental of equipment whose retail sale would be permitted in the B-1 zone.
  - xiv. Dwelling units.
  - xv. Animal grooming facilities.
  - xvi. Tattoo parlors.
  - xvii. Form-based neighborhood business project.
  - xviii. Day shelters.
  - xix. Extended stay hotels.
- b. The following uses in excess of 500 square feet shall be prohibited:
- i. Telephone exchanges, radio and television studios.
  - ii. Quick copy services utilizing xerographic or similar processes, but not utilizing offset printing methods.
  - iii. Computer Centers.
  - iv. Athletic club facilities.
  - v. Offices of veterinarians, animal hospitals or clinics.

These restrictions are appropriate and necessary to reduce the potential impact of the allowable uses on the Athens rural settlement.

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

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