

ORDINANCE NO. _____ - 2023

AN ORDINANCE AMENDING ARTICLE 8-16 OF THE ZONING ORDINANCE TO RE-CATEGORIZE COMMUNITY CENTER, DAY SHELTER, AND ADULT DAY CARE USES FROM A PRINCIPAL USE TO A CONDITIONAL USE WITHIN THE NEIGHBORHOOD BUSINESS (B-1) ZONE (KEITH CLARK).

WHEREAS, at a Public Hearing held on November 17, 2022, a petition for an amendment to Article 8-16 of the Lexington Fayette Urban County Government Zoning Ordinance to re-categorize community center, day shelter and adult day care uses from a principal use to a conditional use within the Neighborhood Business (B-1) zone was presented to the Urban County Planning Commission; said Commission recommending disapproval of the requested amendment by a vote of 10-0; and

WHEREAS, this Council disagrees 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 Articles 8-16(b)(37) and 8-16(b)(42) be and hereby are deleted, renumbering sections, and Article 8-16(b) of the Zoning Ordinance of the Lexington-Fayette Urban County Government, related to principal uses in the Neighborhood Business (B-1) Zone, be and hereby is amended in pertinent part to read as follows:

Sec. 8-16. - Neighborhood Business (B-1) Zone.

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

10. Private clubs.

37. Animal grooming facilities.

38. Mail service facilities.

39. Tattoo parlors.

40. Form-based neighborhood business project, as per Subsection (o)(3) of this section.

41. Commercial farm markets and market gardens.

42. Establishments primarily engaged in agricultural sales and services, but only

when located within five hundred (500) feet of an Agricultural Rural (A-R) zone.

43. Ecotourism activities to include hiking, bicycling and equine trails; recreational outfitters, and canoeing and kayaking launch sites.

44. Places of religious assembly.

45. Offices of veterinarians, animal hospitals or clinics, provided that:

(a) All exterior walls are completely soundproofed;

(b) Animal pens are located completely within the principal building; and

(c) Boarding is limited to only animals receiving medical treatment.

Section 2 – That Article 8-16(d) of the Zoning Ordinance of the Lexington-Fayette Urban County Government, related to conditional uses in the Neighborhood Business (B-

1) Zone, be and hereby is amended in pertinent part as follows:

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

20. Community Center

21. Adult Day Care

22. Day Center

Section 3 – That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL

PUBLISHED:

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