

ORDINANCE NO. _____ - 2022

AN ORDINANCE CHANGING THE ZONE FROM AN AGRICULTURAL RURAL (A-R) ZONE FOR 136.26 NET (172.26 GROSS) ACRES, AN AGRICULTURAL URBAN (A-U) ZONE FOR 56.33 NET (63.17 GROSS) ACRES, AND A UNIVERSITY RESEARCH CAMPUS (P-2) ZONE FOR 7.41 NET AND GROSS ACRES TO A RESTRICTED LIGHT INDUSTRIAL (I-1) ZONE FOR PROPERTIES LOCATED AT 2850 GEORGETOWN ROAD AND 1490 BULL LEA ROAD (A PORTION OF). (URBAN COUNTY COUNCIL; COUNCIL DISTRICT 2).

WHEREAS, at a Public Hearing held on December 16, 2021, a petition for a zoning ordinance map amendment for properties located at 2850 Georgetown Road and 1490 Bull Lea Road (a portion of) from an Agricultural Rural (A-R) zone for 136.26 net (172.26 gross) acres, an Agricultural Urban (A-U) zone for 56.33 net (63.17 gross) acres, and a University Research Campus (P-2) zone for 7.41 net and gross acres to a Restricted Light Industrial (I-1) zone was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change by a vote of 11-0; 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 properties located at 2850 Georgetown Road and 1490 Bull Lea Road (a portion of) from an Agricultural Rural (A-R) zone for 136.26 net (172.26 gross) acres, an Agricultural Urban (A-U) zone for 56.33 net (63.17 gross) acres, and a University Research Campus (P-2) zone for 7.41 net and gross acres to a Restricted Light Industrial (I-1) zone, 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 shall apply via conditional zoning:

- a. Prohibited Uses:
 - i. Wholesale establishment, wholesale establishment with warehouses, storage and warehousing.
 - ii. Laundry (excluding self-service laundry), clothes cleaning or dyeing shop.
 - iii. Ice plant.

- iv. Tire retreading and recapping.
- v. Parking lots and structures.
- vi. Machine shops.
- vii. Kennels, animal hospitals or clinics.
- viii. Garden centers.
- ix. Truck terminals and freight yards.
- x. Automobile service stations, subject to the conditions of Article 16.
- xi. Major or minor automobile and truck repair.
- xii. Establishments for the display and sale of precut, prefabricated, or shell homes.
- xiii. Carnivals.
- xiv. Retail sales of building materials and lumber.
- xv. Pawnshops.
- xvi. Shredding, sorting and baling of paper scrap and storage of waste paper.
- xvii. Automobile and vehicle refueling stations.
- xviii. Indoor recreational activities, including, but not limited to, indoor tennis courts; skating rinks; athletic club facilities and bowling alleys.
- xix. Mining of non-metallic minerals.
- xx. Circuses.
- xxi. Ecotourism activities to include campgrounds; commercial hiking, bicycling, equine and zip line trails; tree; canopy trails; canoeing and kayaking launch sites; recreational outfitters; fishing and hunting clubs; botanical gardens; nature preserves; and seasonal activities, including associated gift shops as an accessory use.
- xxii. Market gardens.
- xxiii. Billboards.
- xxiv. 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, and processing of paper shall be permitted only when wholly conducted in a completely enclosed building.
- xxv. Commercial woodlots.
- xxvi. Retail sale of liquid propane.
- xxvii. Automobile, truck ATV, motorcycle, bicycle motocross, or other vehicle or bicycle race tracks.
- xxviii. Public utilities and public service uses and structures.
- xxix. Penal or correctional institutions.
- xxx. Cable television system facilities, including transmitting towers; antennas; earth stations; microwave dishes; relays; business offices; television studios; and storage facilities.
- xxxi. Vehicle storage yards.
- xxxii. Commercial composting.
- xxxiii. Helistops and heliports.
- xxxiv. Community Centers.
- xxxv. Day Shelters.

b. All development sites within the Legacy Business center shall be governed by a final development plan.

These restriction are appropriate and necessary for the following reasons:

1. To protect the appearance of the Georgetown corridor as a gateway into Lexington, while promoting employment that is appropriate along Lexington's freight corridor.
2. The Planning Commission has adopted a Well head Protection Plan for the Royal Spring Aquifer, which sets forth a plan to ensure a continual source of potable groundwater from Royal Spring for Georgetown and Scott County, and to preserve the integrity of surface waters. This plan has been adopted by both the Planning Commissions of Fayette and Scott Counties, and has most recently been approved by the Kentucky Division of Water on 8/28/03.
3. The proposed restrictions within the Well head Protection Area will better protect the surface and groundwater in the area by prohibiting some uses and requiring "best management practices" for other uses that could potentially be harmful to the wellhead, thus ensuring greater compliance with the Royal Spring Wellhead Protection Plan.

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:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL
PUBLISHED:

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