

ORDINANCE NO. \_\_\_\_\_-2013

AN ORDINANCE AMENDING ARTICLES 1, 3 AND 8 OF THE ZONING ORDINANCE TO CLARIFY REGULATIONS RELATED TO VEHICLE REPAIR ACCESSORY TO RESIDENTIAL USES. (PLANNING COMMISSION).

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WHEREAS, the Lexington-Fayette Urban County Planning Commission has considered text amendments to Articles 1, 3 and 8 of the Zoning Ordinance to clarify regulations related to vehicle repair accessory to residential uses; and

WHEREAS, the Planning Commission did hold a public hearing on this proposed text amendment on July 25, 2013; and

WHEREAS, the Planning Commission did recommend APPROVAL of the text amendment by a vote of 10-0; 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 by reference herein.

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

Section 1 – That Article 1 of the Zoning Ordinance of the Lexington-Fayette Urban County Government is hereby amended to read as follows:

ARTICLE 1-11: Definitions

AUTOMOBILE AND TRUCK REPAIR, MAJOR - Rebuilding or reconditioning of engines or transmissions, vehicles or trailers; repair and collision service, such as body, frame, or fender straightening; painting and clear coating; upholstery; auto glass work, and the like.

AUTOMOBILE AND TRUCK REPAIR, MINOR - Minor repairs and routine maintenance, including oil and filter change lubrication, engine tune-up, troubleshooting and replacement of lights, brakes, and other prepackaged components, and tire rotation or replacement; but not including any operation specified under "Automobile and Truck Repair, Major."

Section 2 – That Article 3 of the Zoning Ordinance of the Lexington-Fayette Urban County Government is hereby amended to read as follows:

ARTICLE 3: GENERAL REGULATIONS

3-8 General Regulations for Vehicle Repairs Accessory to a Residential Use

- a. Vehicles being repaired shall be parked/stored on a paved surface or on a permitted or legally non-conforming gravel surface if a paved surface is

- not available.
- b. Major repairs shall be confined to the interior of a garage or other enclosed building, and shall not include any finish painting or clear coating operations.
- c. At outdoor locations, including any unenclosed structure such as a carport, only minor repairs are allowed. Only one vehicle per dwelling at an outdoor location can be under repair at any given time, and repairs must be completed within three days.
- d. Repairs are only allowed on vehicles that are registered to an occupant of the dwelling on the subject property.
- e. Repairs may not be conducted as a business or as part of a commercial operation of any kind.
- f. All waste oil and fluids shall be recycled or disposed of at an approved off-site location in compliance with local, state and federal environmental regulations. Auto parts and tires shall be recycled or disposed of in accordance with current LFUCG Division of Waste Management guidelines and in compliance with local, state and federal environmental regulations.

Section 3 –That Article 8 of the Zoning Ordinance of the Lexington-Fayette Urban County Government is hereby amended to read as follows;

ARTICLE 8: SCHEDULE OF ZONES

8-1 Agricultural Rural (A-R) Zone

8-1(e) Prohibited Uses in the A-R Zone

11. Major or minor automobile and truck repair, except as permitted by Article 3-8.

8-2 AGRICULTURAL BUFFER (A-B) ZONE

8-2(e) Prohibited Uses

11. Major or minor automobile and truck repair, except as permitted by Article 3-8.

8-3 AGRICULTURAL NATURAL (A-N) ZONE

8-3(e) Prohibited Uses

11. Major or minor automobile and truck repair, except as permitted by Article 3-8.

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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