

ORDINANCE NO. _____-2020

AN ORDINANCE AMENDING ORDINANCE NO. 77-2019 TO CORRECTLY STATE PROVISIONS OF THE DOWNTOWN BUSINESS (B-2) ZONE THAT WERE APPROVED AS PART OF THE ZONING TEXT AMENDMENT FOR THE DOWNTOWN BUSINESS (B-2) ZONE, AND TO DELETE CERTAIN SECTIONS AND RENUMBER SECTIONS AS APPROPRIATE.

WHEREAS, the Lexington-Fayette Urban County Government approved a zoning text amendment for the Downtown Business (B-2) zone to provide for greater correlation between the Town Branch Commons Corridor and development that is adjacent to or interacts directly with the Town Branch Commons Corridor in the B-2 zones, on October 10, 2019 pursuant to Ordinance No. 77-2019; and

WHEREAS, the ordinance inadvertently failed to delete Sections 8-17(o)(1) and 8-19(o)(1) as those sections no longer have any application in the B-2 zone, which were recommended for deletion by the Planning Commission, and included in the report from the Planning Commission; and

WHEREAS, there is no dispute that these sections should be deleted and were recommended to be deleted by the Urban County Council, Ordinance No. 77-2019 should be amended to accurately reflect the provisions of the B-2 zone.

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

Section 1 – That Section 1 of Ordinance No. 77-2019 be and hereby is amended to read as follows:

That Article 8-17(o) of the Zoning Ordinance of the Lexington-Fayette Urban County Government is hereby amended as follows:

8-17(o) Special Provisions:

1. For any development that is located adjacent to, connects to, or interacts directly with the Town Branch Commons corridor, such development of the site shall comply with the Town Branch Commons Masterplan & Design standards; taking precedent over the Downtown Streetscape Master Plan where conflicts occur.
2. For those floors of buildings containing dwelling units with windows for habitable rooms, there shall be provided a height-to-yard ratio of 3:1 for light and air. Public street right-of-way width may be used as part of this setback requirement, except that a minimum setback of five (5) feet from the property line, other than property lines adjoining street right-of-way, shall be required in any case. No setback shall be required for those floors containing non-residential uses or dwelling unit walls without windows.
3. Redevelopment of any site shall comply with the Downtown Streetscape Master Plan for Lexington, Kentucky.

Section 2 – That Section 3 of Ordinance No. 77-2019 be and hereby is amended to read as follow:

That Article 8-19(o) of the Zoning Ordinance of the Lexington-Fayette Urban County Government is hereby amended as follows:

8-19(o) Special Provisions:

1. For any development that is located adjacent to, connects to, or interacts directly with the Town Branch Commons corridor, such development of the site shall comply with the Town Branch Commons Masterplan & Design standards; taking precedent over the Downtown Streetscape Master Plan where conflicts occur.
2. Redevelopment of any site shall comply with the Downtown Streetscape Master Plan for Lexington, Kentucky.

Section 3 – That the remainder of Ordinance No. 77-2019 remains unchanged and in effect.

Section 4 - That this Ordinance shall become effective upon the date of its passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL