

ORDINANCE NO. \_\_\_\_\_-2017

AN ORDINANCE CHANGING THE ZONE FROM AN INTERCHANGE SERVICE BUSINESS (B-5P) ZONE TO A HIGHWAY SERVICE BUSINESS (B-3) ZONE, FOR 0.75 NET (1.36 GROSS) ACRES, FOR PROPERTY LOCATED AT 2167 N. BROADWAY. (DAVID MEYERS, KENTUCKY LODGING AND DEVELOPMENT CO., INC.; COUNCIL DISTRICT 6).

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WHEREAS, at a Public Hearing held on January 26, 2017 a petition for a zoning ordinance map amendment for property located at 2167 N. Broadway from an Interchange Service Business (B-5P) zone to a Highway Service Business (B-3) zone for 0.75 net (1.36 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change by a vote of 9-0; 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 2167 N. Broadway from an Interchange Service Business (B-5P) zone to a Highway Service Business (B-3) zone for 0.75 net (1.36 gross) acres, being more fully described in Exhibit "A" which is attached hereto and incorporated herein by reference.

Section 2 - That the granting of this zone change is made subject to the following use restrictions as conditions of granting the zone change:

Under the provisions of Article 6-7 of the Zoning Ordinance, the following uses shall be prohibited for the subject property via conditional zoning:

- a. Establishments and lots for the display, rental, sale, service, and minor repair of farm equipment, contractor equipment, automobiles, motorcycles, trucks, boats, travel trailers, mobile homes, or supplies for such items.
- b. Cocktail lounges and nightclubs.
- c. Car wash establishments.
- d. Pawnshops.

- e. Adult arcades, massage parlors, adult bookstores, adult video stores, adult cabarets, adult dancing establishments, adult entertainment establishments, and sexual entertainment centers.
- f. Advertising signs, also known as billboards, as regulated by Article 17 of the Zoning Ordinance.

These restrictions are necessary and appropriate in order to restrict the most intense land uses on the subject property which are not currently permitted at this location. Such uses could have a negative impact on nearby residential neighborhoods:

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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