

ORDINANCE NO. _____-2012

AN ORDINANCE AMENDING ARTICLE 1 AND ARTICLE 8 OF THE ZONING ORDINANCE TO AMEND THE DEFINITION OF "BANQUET FACILITIES" TO DELETE THE REQUIREMENT THAT THE USE MUST TAKE PLACE WITHIN A BUILDING CURRENTLY OR FORMERLY USED AS A RESIDENCE.

WHEREAS, the Lexington-Fayette Urban County Planning Commission has considered a text amendment to Article 1 and Article 8 of the Zoning Ordinance to amend the definition of "banquet facilities" to delete the requirement that the use must take place within a building currently or formerly used as a residence; and

WHEREAS, the Planning Commission did hold a public hearing on this proposed text amendment on September 27, 2012; and

WHEREAS, the Planning Commission did recommend APPROVAL of the staff alternative text amendment by a vote of 9-1; 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 GENERAL PROVISION AND DEFINITIONS

1-11 DEFINITIONS

BANQUET FACILITY-A building made available to the public for holding meetings and social events. This use may include the sale of alcoholic beverages; indoor live entertainment; and may also include, as an accessory use, events conducted outside the main building in tents or other temporary facilities, subject to the issuance of a permit by the Division of Building Inspection.

Section 2 – 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

8-16(c) Accessory Uses

10. Indoor live entertainment and/or dancing, when accessory to a restaurant or banquet facility, but only when located more than one hundred (100) feet from a residential zone.

8-16(d) Conditional Uses

5. Outdoor live entertainment, cocktail, lounges, brew-pubs or nightclubs [unless prohibited under Sections 8-16(e)(14) and (15)]. Such uses shall be located at least one hundred (100) feet from any residential zone and shall be sound-proofed to the maximum extent feasible by using existing technology, with noise or other emissions not creating a nuisance to the surrounding neighborhood.

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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