

- A. **ZONING ORDINANCE TEXT AMENDMENT INITIATION** – The staff will request that the Planning Commission initiate a text amendment to Articles 8 and 12 for various modifications to the Neighborhood Business (B-1) zone. Following notification to registered neighborhood associations, and review by the Commission's Zoning Committee, the required public hearing could be scheduled next year.

Mr. Sallee stated that the staff had distributed a memorandum concerning the proposed modifications to the B-1 zone to the Commission members at their meeting one week ago. He explained that, should the Commission choose to initiate the text amendment, it would likely not be heard for several months; and they could also request more time to discuss the issue at their January work session, if desired.

Commission Question: Mr. Penn asked if there would be a down side to initiating the proposed text amendment at this meeting. Ms. Wade answered that there was no down side. Mr. Penn stated that he would be in favor of initiating a text amendment at this meeting, in order to allow the staff time to begin work on the text amendment.

Action: A motion was made by Mr. Penn, seconded by Mr. Owens, and carried 9-0 (Beatty and Brewer absent) to initiate the text amendment to the B-1 zone as proposed by staff.

- B. **MODIFIED T.I.F. APPLICATION – RED MILE MIXED-USE DEVELOPMENT** – a review of a revised (expanded) Tax Increment Financing application for property located at 843 South Broadway, 476-478 Curry Avenue, and 1200 Red Mile Road (a portion of).

Ms. Rackers stated that the original Red Mile Tax Increment Financing (T.I.F.) application was approved by the Urban County Council in 2010, following the required review by the Planning Commission in December, 2009. At that time, the Commission found the requested T.I.F. to be in compliance with the 2007 Comprehensive Plan. Ms. Rackers displayed the approved Red Mile development plan, noting that the portion of the property along the racetrack is currently zoned A-U. The former Tattersalls facility was recently approved by the Planning Commission for a rezoning to R-5, in order to construct an apartment complex, clubhouse, and parking. All of the parcels included in the T.I.F. application are currently functionally vacant and available for development.

Ms. Rackers stated that the 2007 Comprehensive Plan recommends Office/Warehouse use for the properties on Curry Avenue; Semi-Public Facilities use for the rear portion of the Red Mile property; and Commercial/Residential mixed-use development for the South Broadway property. The area originally proposed for the T.I.F. contained 83 acres, and included the entire Red Mile complex, with the exception of the racetrack; the Tattersalls building; the stables near South Broadway; and the structure known as the Stable of Memories. The T.I.F. site plan reviewed by the Council was for a mixed-use development, to contain commercial and residential uses, as well as improvements to the Red Mile facility to extend from the racetrack to Versailles Road. Ms. Rackers explained that this proposed modification to the T.I.F. application would not change the affected areas. It would, however, expand the T.I.F. boundary to include the expanded residential use and a proposed connection to Curry Avenue. The apartment complex is proposed to be constructed by Hallmark Development at a cost of approximately \$28,000,000, and it should take approximately 15 months to complete. The development is projected to create approximately 200 construction jobs; the apartment complex itself will have seven to nine full-time employees, and will use local companies for services such as landscaping.

Ms. Rackers said that the addition of the Tattersalls property will not increase the amount of money that has been allocated by the state and local governments for this T.I.F. project. It would, however, allow the proposed apartment complex development to count against the initial \$20,000,000 that is required to activate the T.I.F., and allow reimbursement of part of the construction costs for the desired Curry Avenue connection.

Ms. Rackers concluded by saying that the staff finds the proposed modification to the T.I.F. to be in compliance with the recommendations of the 2007 Comprehensive Plan because the original application was in compliance with the Plan, and the modification proposed would involve only a small increase to the size of the T.I.F. area. In addition, it will provide connectivity and accessibility in the area via the connection of Curry Avenue, which has long been desired by the Urban County Government.

Commission Questions: Ms. Copeland asked if a "down payment" is required for the activation of the T.I.F. Ms. Rackers answered that \$20,000,000 is required in order to activate the T.I.F. Ms. Copeland asked how much money the Tattersalls property would contribute to that requirement. Casey Bolton, T.I.F. representative, stated that the apartment development is projected to cost \$28,000,000, which would cross the threshold and allow the activation of the T.I.F. within the two-year period allowed by the statutes. Ms. Copeland asked if the \$20,000,000 would be required to be spent prior to the T.I.F. activation. Mr. Bolton answered that, before the developer can recover any costs, they will have to prove that they have spent \$20,000,000. Ms. Copeland asked if the Mr. Bolton or the applicant intended to make a presentation. Mr. Bolton responded in the negative. Bruce Simpson, attorney for the applicant, responded that he did not have a formal presentation. He explained that the Planning Commission's responsibility with regard to T.I.F. applications is to determine if the request is in compliance with the Comprehensive Plan recommendations. Mr. Simpson said that the petitioner would rely upon the staff's determination that the requested T.I.F. modification is in compliance with the Comprehensive Plan, rather than make a presentation.

## ARTICLE 1: GENERAL PROVISIONS AND DEFINITIONS

(Note: Text underlined is an addition, while text ~~stricken through~~ is a deletion to the current Zoning Ordinance.)

### ARTICLE 1: GENERAL PROVISIONS AND DEFINITIONS

ANIMAL GROOMING FACILITY – An establishment where domestic animals are bathed, clipped, or combed for the purpose of enhancing their appearance or health, and for which a fee is charged, but not including overnight boarding of animals.

COCKTAIL LOUNGE – A commercial establishment dispensing and serving alcoholic beverages for consumption on the premises and in which live entertainment, exclusive of dancing, is permitted.

MAIL SERVICE FACILITY – A commercial establishment that conducts the retail sale of stationery products, provides packaging and mail services to retail customers, and provides mailboxes for lease.

NIGHTCLUB – A commercial establishment for dancing and live entertainment, which may or may not include dispensing and serving alcoholic beverages for consumption on the premises.

PRIMARY ENTRANCE – The place of ingress and egress for a structure used most frequency by the public.

TATTOO PARLOR – A commercial establishment whose principal business activity is the practice of placing designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin using needles or other instruments designed to contact or puncture the skin.

**ZONE, BUSINESS** - B-1, B-2, B-2A, B-2B, B-3, B-4, B-5P, ~~or~~ B-6P, or CC zone.

**ZONE, INDUSTRIAL** - An I-1, ~~or~~ I-2 or ED zone.

**ZONE, RESIDENTIAL** - An R-1A, R-1B, R-1C, R-1D, R-1E, R-1T, R-2, R-3, R-4, R-5, EAR-1, EAR-2, EAR-3 or PUD-1 zone.

ARTICLE 8: SCHEDULE OF ZONES

(Note: Text underlined is an addition, while text ~~stricken through~~ is a deletion to the current Zoning Ordinance.)

**ARTICLE 8: SCHEDULE OF ZONES**

**8-15 PROFESSIONAL OFFICE (P-1) ZONE**

**8-15(b) Principal Uses** (Other uses substantially similar to those listed herein shall also be deemed permitted.)

11. Hospitals, nursing homes, ~~and rest homes,~~ and assisted living facilities.
19. Beauty shops and barber shops not exceeding 2,000 square feet in floor area, which employ not more than five licensed cosmetologists, with all service provided only by licensed cosmetologists and/or barbers.
20. ~~Assisted living facilities and r~~Rehabilitation homes, but only when more than five hundred (500) feet from a residential zone.

**8-15(c) Accessory Uses** (Uses and structures which are customarily accessory, clearly incidental and subordinate to permitted uses.)

9. Drive-through facilities for the sale of goods or products or the provision of services otherwise permitted herein, when approved by the Planning Commission on a development plan.

**8-15(d) Conditional Uses** (Permitted only with Board of Adjustment approval.)

2. Drive-through facilities for sale of goods or products or the provision of services otherwise permitted herein, except as accessory uses herein.
5. ~~Assisted living facilities and r~~Rehabilitation homes, when located closer than five hundred (500) feet from a residential zone.
7. Mail service facilities, except as permitted in a Professional Office Project.

**8-15(e) Prohibited Uses**

7. Tattoo parlors.

**8-15(n) Off-Street Parking** (See Article 16 for additional parking regulations.)

~~Professional Office Project – One (1) space for every four hundred (400) square feet of floor area.~~

Beauty Shops or Barber Shops - One (1) space for every two hundred (200) square feet, with a minimum of three (3) spaces.

Mail Service Facilities – One (1) space for each two hundred (200) square feet of floor area.

**8-15(o) Special Provisions**

In addition to the uses otherwise permitted in the Professional Office zone, the following uses shall be permitted in the Professional Office Project:

**a. As a principal permitted use:**

1. Extended-Stay Hotels.
2. Mail service facilities.

**b. As accessory uses:**

1. Receiving, shipping, and storage of new fixtures, equipment and other non-perishable materials for distribution to corporate or affiliated units subsidiary to the tenant(s) of a principal structure. Such activity, including loading and unloading, shall be conducted entirely within the walls of the principal structure and shall be limited to a maximum of twenty percent (20%) of the total floor area of said principal structure.
2. Shoe repair, clothing alteration or tailoring services.

**c. As a conditional use:**

## ARTICLE 8: SCHEDULE OF ZONES

1. Helistops and heliports, provided such facilities conform to the requirements of all appropriate Federal, State and local regulations.
2. Beauty shops and barber shops, with no restrictions.

### 8-16 NEIGHBORHOOD BUSINESS (B-1) ZONE

8-16(b) **Principal Uses** (Other uses substantially similar to those listed herein shall also be deemed permitted.)

1. Banks, credit agencies, security and commodity brokers and exchanges, credit institutions, savings and loan companies, holding and investment companies.
2. Offices for business, professional, governmental, civic, social, fraternal, political, religious, and charitable organizations, including, but not limited to, real estate sales offices.
3. Research development and testing laboratories or centers.
4. Schools for academic instruction.
5. Libraries, museums, art galleries, and reading rooms.
6. Funeral parlors.
7. Medical and dental offices, clinics, and laboratories.
8. Telephone exchanges, radio and television studios.
9. Studios for work or teaching of fine arts, such as photography; music; drama; dance and theater.
10. Community centers and private clubs, churches, and Sunday schools.
11. Nursing homes, rest homes, and assisted living facilities.
12. Computer and data processing centers.
13. Ticket and travel agencies.
14. Kindergartens, nursery schools and child care centers for four (4) or more children. A fenced and screened play area shall be provided, which shall contain not less than twenty-five (25) square feet per child.
15. Business colleges, technical or trade schools or institutions.
16. Rehabilitation homes, but only when more than five hundred (500) feet from a residential zone.
- ~~1.~~ ~~The principal permitted uses in the P-1 zone, not including a Professional Office Project.~~
- 17.-2. Establishments for the retail sale of food products, such as supermarkets; dairy, bakery, meat, beer, liquor, and wine and other food product stores; and provided that production of food products is permitted only for retail sale on the premises.
- 18.-3. Restaurants and brew-pubs, except as prohibited under Section 8-16(e)(14) and (15), which offer no live entertainment or dancing.
- 19.-4. Establishments for the retail sale of merchandise, including: clothing, shoes, fabrics, yard goods; fixtures, furnishings, and appliances, such as floor covering, radios, TV, phonograph products and other visual and sound reproduction or transmitting equipment; furniture; kitchen and laundry equipment; glassware and china; and other establishments for the retail sale of hardware and wallpaper, lawn care products, paint and other interior or exterior care products, hobby items, toys, gifts, antiques, newspapers and magazines, stationery and books, flowers, music, cameras, jewelry and luggage, business supplies and machines; prescription and non-prescription medicines and medical supplies.
- 20.-5. Beauty shops, and barber shops.
21. S-shoe repair, clothing alterations and tailoring services.
22. Self service laundry, or laundry pick-up stations, including clothes cleaning establishments of not more than 40 pounds capacity and using a closed-system process.
- 23.-6. Automobile service stations, provided such use conforms to all requirements of Article 16.
- 24.-7. Parking lots and structures, provided such use conforms to the conditions of Article 16, and provided that at least twenty-five percent (25%) of the first floor is occupied by another permitted use or uses in the B-1 zone.
- 25.-8. Repair of household appliances.
- 26.-9. Retail sale of plant nursery or greenhouse products, except as prohibited herein.
- ~~10.~~ ~~Outdoor miniature golf or putting courses.~~
- 27.-11. Quick copy services utilizing xerographic or similar processes, but not utilizing offset printing methods.
- 28.-12. Circuses and carnivals on a temporary basis, and upon issuance of a permit by the Division of Building Inspection, which may restrict the permit in terms of time, parking, access, or in other ways to protect public health, safety, or welfare; or deny such if public health, safety, or welfare are adversely affected.
- 29.-13. Indoor theaters, limited to three screens or stages.
- 30.-14. Rental of equipment whose retail sale would be permitted in the B-1 zone.
- 31.-15. Dwelling units, provided the units are not located on the first floor of a structure, and provided that at least the first floor is occupied by another permitted use or uses in the B-1 zone, with no mixing of other permitted uses and dwelling units on any floor, not to exceed thirty-five (35) feet in height.
- 32.-16. Arcades, including pinball and electronic games.

## ARTICLE 8: SCHEDULE OF ZONES

- ~~33.-17.~~ Pawnshops which (1) were in operation prior to August 31, 1990 and in compliance with the provisions of KRS 226.010 et seq. and Code of Ordinances, Sections 13-52 and 13-53; or (2) had on file with the Lexington-Fayette Urban County Government, prior to August 31, 1990, an application for a business license or certificate of occupancy.
- ~~34.-18.~~ Athletic club facilities.
- ~~35.-19.~~ Banquet facility.
- 36. Animal grooming facilities.
- 37. Mail service facilities.
- 38. Tattoo parlors.
- 39. Form-based neighborhood business project as per 8-16(o)(4).

**8-16(c) Accessory Uses** (Uses and structures which are customarily accessory, clearly incidental and subordinate to permitted uses.)

- ~~4. The rental of trucks (single rear axle - 28' maximum overall length); trailers, and related items in conjunction with the operation of an automobile service station, provided the service station abuts a state or federal highway and does not abut a residential zone. No more than five (5) trucks shall be stored for longer than forty eight (48) hours on any service station. A site plan shall be submitted for the approval of the Division of Building Inspection for the control of such activities and shall show the entire property, signs, parking and location of the proposed storage area.~~
- ~~4.-5.~~ The sale of malt beverages, wine, or alcoholic beverages, when accessory to a restaurant permitted under Section 8-16(b)(3). Such accessory use shall not devote more than twenty-five percent (25%) of its public floor area exclusively primarily to the preparation and service of such beverages, nor provide any separate outside entrances or separate identification signs for those areas.
- ~~6. Drive through facilities for the sale of goods or products or the provision of services otherwise permitted herein.~~
- ~~5.-7.~~ Satellite dish antennas, as further regulated by Article 15-8.
- ~~6.-8.~~ One (1) or two (2) pool or billiard tables within an establishment.
- 7. Sidewalk cafés, when accessory to any permitted restaurant.
- 8. Retail sale of liquid propane (limited to 20 lb. containers), when accessory to the retail sale of merchandise or an automobile service station permitted under Article 8-16(b).
- 9. Drive-through facilities for the sale of goods or products or the provision of services otherwise permitted herein, when approved by the Planning Commission on a development plan.

**8-16(d) Conditional Uses** (Permitted only with Board of Adjustment approval.)

- ~~3. The rental of trucks (single rear axle - 28' maximum overall length); trailers and related items in conjunction with the operation of an automobile service station, provided that the service station abuts a state or federal highway ~~when abutting a residential zone~~. No more than five (5) trucks shall be stored for longer than forty-eight (48) hours on any service station. A site plan shall be submitted for the approval of the Board of Adjustment for the continued control of such activity and shall show the entire property, buildings, signs, parking and location of the proposed storage area.~~
- ~~4. ~~A Restaurants and brew-pubs, without live entertainment or dancing, which devotes more than twenty-five percent (25%) of the establishments' public floor area exclusively primarily to the preparation and service of malt beverages, wine or alcoholic beverages.~~~~
- ~~5. Restaurants and brew-pubs offering live entertainment and/or dancing, cocktail lounges, ~~brew-pubs~~ or nightclubs [unless prohibited under Section 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.~~
- ~~6. A combination business, office and residential project, provided the following conditions and requirements are met:~~
  - ~~a. The maximum residential density shall be twenty (20) units per net acre.~~
  - ~~b. The minimum lot size shall be one acre and shall be located in a B-1 area with a minimum of twenty (20) contiguous acres, which must have any part thereof being within one and one half (1½) miles of the center of Lexington-Fayette Urban County, as measured from the Courthouse Block bounded by Main, Cheapside, Short and Upper Streets, and shall be within an Urban Activity Center.~~
  - ~~c. The minimum lot frontage shall be one hundred fifty (150) feet.~~
  - ~~d. The minimum front yard shall be an average of ten (10) feet, but shall be not less than 5 feet at any point. In addition, for every story in excess of three stories, two percent (2%) of the total area shall be added to the otherwise required front yard, or such area shall be provided as ground level open space on land adjoining the right of way.~~
  - ~~e. The minimum side street side yard shall be an average of ten (10) feet, but shall be not less than five (5) feet at any point. In addition, for every story in excess of three stories, two percent (2%) of the total area shall be added to the otherwise required side street side yard, or such area shall be provided as ground level open space on land adjoining the right of way.~~

## ARTICLE 8: SCHEDULE OF ZONES

- ~~f. The minimum usable open space shall be twenty percent (20%).~~
- ~~g. The maximum lot (building) coverage shall be eighty five percent (85%).~~
- ~~h. The maximum floor area ratio shall be 1.6.~~
- ~~i. The maximum height shall be five (5) stories or sixty five (65) feet, whichever is less. For all stories above twenty five (25), feet there shall be an average minimum setback ratio of three to one (3:1) from the front wall of the first two floors, measured from the top of the front wall of the second floor.~~
- ~~j. The project must be located at least five hundred (500) feet from any other such project, measured from property line to property line.~~
- ~~k. The project must be located at least one hundred (100) feet from any historic district or from any residential zone, except R 4 or R 5, measured from property line to property line.~~
- ~~l. Minimum parking for business uses shall be as required in the B 1 zone; minimum parking for office uses shall be as required in the P 1 zone; and minimum parking for residential uses shall be as required in the R 3 zone, with all parking to be provided on site. The provisions of Article 16 3 shall not be applicable.~~
- ~~m. The first floor of the structure must be occupied by a business or office use with no business or office use located above the third floor, and with no mixing of dwelling units and other permitted uses on any floor. No more than fifty percent (50%) of the floor area may be used for residential uses, and no more than fifty percent (50%) of the floor area may be used for office purposes.~~
- ~~n. The permitted conditional uses shall be those principal and accessory uses in the B 1 zone, with the exception that no drive through windows shall be permitted. The petitioner shall submit to the Board of Adjustment a list of proposed uses, and the Board may further limit the uses that are allowed.~~
- ~~o. Signs shall be as otherwise permitted in the B 1 zone, with the exception that no free standing sign shall be permitted.~~
- ~~p. The total land area for the project shall not exceed two (2) acres in size, or ten percent (10%) of the gross land area within the designated B 1 zone, whichever is the greater acreage.~~
- ~~q. A development plan shall be submitted with the appeal containing sufficient information to determine compliance with the B 1 zone and the requirements and conditions of this conditional use.~~
- ~~r. Before voting upon any application for a conditional use permit for a combination business, office and residential project, in addition to all other notice required by law or regulation, notice of the time, place and reason for holding a public hearing shall be given by first class letter at least forty five (45) days in advance of the hearing to: the owners of all property within one thousand (1,000) feet of the subject property; the officers of all neighborhood associations, registered with the Planning Commission, having any part of their boundaries within one thousand (1,000) feet of the subject property and the County Government, Mayor and Council.~~
- ~~s. The Board of Adjustment may approve the conditional use only if the proposal complies with the requirements of the B 1 zone and the additional requirements as set forth in this section, and provided the Board finds the following:
  - ~~1) The proposal will not have an adverse effect on existing or future development of the subject property or surrounding neighborhood.~~
  - ~~2) The proposal will not alter the essential character of the surrounding neighborhood.~~
  - ~~3) The proposed site is located in a declining or transitional business area, and the proposed development will encourage needed rehabilitation in the surrounding area.~~
  - ~~4) Traffic that is anticipated, based on the proposed uses, will not have a material adverse effect on the traffic on adjoining streets.~~
  - ~~5) The proposed design and use of materials will be compatible with existing development on surrounding properties.~~
  - ~~6) All business and office uses within the project shall comply with the stated intent for the B 1 zone.~~
  - ~~7) The project is in accordance with the Comprehensive Plan.~~~~

*Re-number remaining sections as necessary*

- ~~9. 10. Assisted living facilities and rehabilitation homes, but only when located closer more than five hundred (500) feet from a residential zone.~~
- ~~10. Extended-stay hotels.~~
- ~~11. Parking lots, provided such use conforms to the conditions of Article 16.~~
- ~~12. Drive-through facilities for the sale of goods or products or the provision of services otherwise permitted herein, except as accessory uses herein.~~

### 8-16(e) Prohibited Uses

- ~~21. Hospitals.~~
- ~~22. Outdoor miniature golf or putting course.~~

## ARTICLE 8: SCHEDULE OF ZONES

### 8-16(h) Minimum and Maximum Front Yard –

- a. Minimum – 10 feet.
- b. Maximum – 20 feet.

**8-16(m) Maximum Height of Building** - ~~25 feet for business uses; 35 feet for residential uses, as permitted herein; and 65 feet as a conditional use, as established in Section 8-16(d)(6).~~ 35 feet, except as permitted in Section 8-16(o)(3).

**8-16(n) Off-Street Parking** (See Article 16 for additional parking regulations.)

**Beauty Shops, Barber Shops, and Shoe Repair Shops, Clothing Alterations, Tailoring Services and Tattoo Parlors** - One space for every two hundred (200) square feet, with a minimum of three (3) spaces.

**Restaurants and Brew-Pubs with no live entertainment or dancing** - One (1) space for every two hundred (200) square feet of floor area; or one (1) space for every four (4) indoor seats plus one (1) for every eight (8) outdoor seats, whichever is greater.

**Cocktail Lounges, Night Clubs, Banquet Facilities or Restaurants and Brew-Pubs with live entertainment or dancing** - One (1) space for every one hundred fifty (150) square feet; or one (1) space for every three (3) indoor seats plus one (1) for every six (6) outdoor seats, whichever is greater.

**Outdoor Miniature Golf or Putting Course**—One and one-half (1½) spaces per hole.

**Arcades, with or without accessory billiard or pool tables** - One (1) space for every ~~two hundred fifty (250) one hundred (100)~~ square feet of floor area, ~~plus one (1) space for every three (3) employees.~~

**Animal Grooming Facilities** – One (1) space for every two hundred (200) square feet, with a minimum of three (3) spaces.

### 8-16(o) Special Provisions:

1. No building to be used principally as a single ~~use or establishment store selling food, produce, grocery items or general merchandise~~ shall exceed ~~40,000~~50,000 square feet in floor area unless approved by the Planning Commission prior to ~~[DATE OF ORDINANCE]~~April 27, 2000 for at least 40,000 square feet in size. No such ~~building structure~~ may exceed 60,000 square feet in size, in any event.
3. A form-based neighborhood business project may be approved by the Planning Commission on any site over one (1) acre in size. For any such project, a final development plan shall be approved by the Planning Commission prior to issuance of any building permit. The lot, yard, height and setback requirements will be those established by the Commission on the approved development plan, rather than those stated above. In addition to the development plan, an applicant seeking approval of a form-based neighborhood business project shall be required to submit an area character and context study prepared by an architect or urban design professional. The study will document the architectural and urban design character of the area. It shall demonstrate, through the use of renderings, elevations and similar graphic materials, how the proposed project will enhance and complement the area's character. It will also show its integration with the surrounding neighborhood by using positive design features such as supplemental landscaping, provision of public space and open space buffers, and improved pedestrian accommodations. These drawings shall be made a part of the Commission's approval, and building permits shall comply with the approved drawings. A form-based neighborhood business project shall not be subject to the square footage limitation of 8-16(o)(1) above.

## 8-17 DOWNTOWN BUSINESS (B-2) ZONE

**8-17(b) Principal Uses** (Other uses substantially similar to those listed herein shall also be deemed permitted.)

1. The principal permitted uses in the B-1~~(and P-1)~~ zone.
2. Amusement enterprises, such as indoor billiard or pool halls; indoor theaters; bowling alleys; dance halls; skating rinks.
5. Establishments engaged in blueprinting, printing, publishing, and lithographing, interior decorating; upholstery; laundering; clothes cleaning and dyeing; ~~dressmaking~~clothing alterations and tailoring services.
14. Telephone exchanges, radio and television studios.

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15. Cable television system signal distribution centers and studios.

*Re-number remaining sections as necessary*

19. Parking lots and structures, provided such use conforms to the conditions of Article 16.

**8-17(c) Accessory Uses** (Uses and structures which are customarily accessory, clearly incidental and subordinate to permitted uses.)

7. Parking areas or structures.

**8-17(d) Conditional Uses** (Permitted only with Board of Adjustment approval.)

~~6. Assisted living facilities and r~~Rehabilitation homes, when located closer than five hundred (500) feet from a residential zone.

**8-17(e) Prohibited Uses**

5. Hospitals.

6. Outdoor miniature golf or putting course.

**8-19 LEXINGTON CENTER BUSINESS (B-2B) ZONE**

**8-19(b) Principal Uses** (Other uses substantially similar to those listed herein shall also be deemed permitted.)

11. Beauty shops, ~~and~~ barber shops.

12. S, shoe repair, dressmaking clothing alterations or tailoring services.

*Re-number remaining sections as necessary*

**8-19(e) Prohibited Uses**

10. Animal kennels, hospitals, clinics, outdoor runways or pens, and animal grooming facilities.

13. Tattoo parlors.

**8-20 HIGHWAY SERVICE BUSINESS (B-3) ZONE**

**8-20(b) Principal Uses** (Other uses substantially similar to those listed herein shall also be deemed permitted.)

14. ~~Barber shops, beauty shops.~~ Beauty shops, and barber shops.

15. Shoe repair, clothing alteration, tailoring services, and tattoo parlors.

*Re-number remaining sections as necessary*

**8-20(c) Accessory Uses** (Uses and structures which are customarily accessory, clearly incidental and subordinate to permitted uses.)

11. Retail sale of liquid propane (limited to 20 lb. containers), when accessory to the retail sale of merchandise or an automobile service station permitted under Article 8-16(b).

**8-20(d) Conditional Uses** (Permitted only with Board of Adjustment approval.)

1. Indoor and outdoor athletic facilities that may also require buildings which, as a result of their size and design, are not compatible with residential and business zones, but would be compatible in a Highway Service Business (B-3) zone, such as a field house; gymnasium; football stadium; tennis courts; soccer field or polo field, ~~and~~ baseball field; and miniature golf or putting course.

10. The above- or below-ground storage of any flammable material in gaseous form, except as permitted herein, including



## ARTICLE 8: SCHEDULE OF ZONES

compressed natural gas, except in conformance with the Kentucky Building Code and all applicable fire safety codes. Total above-ground storage of gas is limited to 600 square feet. There may be no filling or re-filling of gas containers in this zone.

**8-20(n) Off-Street Parking** (See Article 16 for additional parking regulations.)

Car Washing Establishments with Two (2) or More Stalls - Two (2) spaces for each stall, plus one (1) space for each vacuum unit.

Outdoor Miniature Golf or Putting Course - One and one-half (1½) spaces per hole.

### 8-21 WHOLESALE AND WAREHOUSE BUSINESS (B-4) ZONE

**8-21(b) Principal Uses** (Other uses substantially similar to those listed herein shall also be deemed permitted.)

8. Kennels, animal hospitals, animal grooming facilities or clinics, provided that such structures or areas used, not including accessory parking areas, shall be at least one hundred (100) feet from any residential zone.

**8-21(c) Accessory Uses** (Uses and structures which are customarily accessory, clearly incidental and subordinate to permitted uses.

9. Retail sale of liquid propane (limited to 20 lb. containers), when accessory to retail sale of building materials and lumber permitted under Sections 8-21(b)(18).

**8-21(e) Prohibited Uses** (All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal, accessory, or conditional uses shall be prohibited. The uses below are provided for illustration purposes and for the purpose of limiting permitted uses, and are not intended to be a total listing of all the uses that are prohibited.)

9. Restaurants, cocktail lounges, and nightclubs, except as permitted herein.

**8-21(n) Off-Street Parking** - (See Article 16 for additional parking regulations.)

Animal Grooming Facilities - One (1) space for every two hundred (200) square feet, with a minimum of three (3) spaces.

Bowling Alleys - Five (5) spaces for each alley, plus one (1) space for each employee. Four (4) spaces per alley; however, snack bars and food service provided primarily to patrons shall not require additional parking.

### 8-22 LIGHT INDUSTRIAL (I-1) ZONE

**8-22(c) Accessory Uses** (Uses and structures which are customarily accessory, clearly incidental and subordinate to permitted uses.)

11. Retail sale of liquid propane (limited to 20 lb. containers), when accessory to retail sale of building materials and lumber permitted under Article 8-21(b)(18).

**8-22(d) Conditional Uses** (Permitted only with Board of Adjustment approval.)

- ~~12. Offices, except as provided as part of an Adaptive Reuse Project, other than as accessory uses under Section 8-22(e)(5), provided that the following requirements are met:~~
- ~~a. That no more than fifty percent (50%) of the total floor area of any structure may be used for office purposes, not counting as accessory uses under Section 8-22(e)(5).~~
  - ~~b. That minimum parking requirements shall be met as under the P-1 zone.~~
  - ~~c. The office use would be located in a structure that would qualify for designation as a landmark under the provisions of Article 13: Historic Preservation herein.~~

*Re-number remaining sections as necessary*

## ARTICLE 12: PLANNED SHOPPING CENTER (B-6P) ZONE

(Note: Text underlined is an addition, while text ~~stricken through~~ is a deletion to the current Zoning Ordinance.)

### ARTICLE 12: PLANNED SHOPPING CENTER (B-6P) ZONE

**12-3 PRINCIPAL PERMITTED USES** - The principal uses permitted in a B-6P zone shall be as follows:

- a. ~~The~~these principal and accessory uses as permitted uses in the B-1 and P-1 zones, except as restricted herein.
- b. Indoor theaters.
- d. Parking lots and structures.

**12-4 ACCESSORY USES** - The accessory uses permitted in a B-6P zone shall be as follows:

- a. The accessory uses in the B-1 and P-1 zones.
- b. Drive-through facilities for the sale of goods or products or the provision of services otherwise permitted herein, when approved by the Planning Commission on a development plan.

**12-5 ~~12-4~~ CONDITIONAL USES**

- f. ~~Assisted living facilities and r~~Rehabilitation homes, when located closer than five hundred (500) feet from a residential zone.
- g. Outdoor miniature golf or putting course.
- h. Drive-through facilities for the sale of goods or products or provision of services otherwise permitted herein, except as accessory uses herein.

*Re-number remaining sections as necessary*