

ORDINANCE NO. \_\_\_\_ - 2024

AN ORDINANCE CHANGING THE ZONE FROM A MIXED LOW DENSITY RESIDENTIAL (R-2) ZONE TO A NEIGHBORHOOD BUSINESS (B-1) ZONE, FOR 0.15 NET (0.17 GROSS) ACRES, FOR PROPERTY LOCATED AT 760 ANS 762 FLORENCE AVENUE. (BLACK SOIL: OUR BETTER NATURE, LLC; COUNCIL DISTRICT 2).

---

WHEREAS, at a Public Hearing held on November 16, 2023 and December 14, 2023, a petition for a zoning ordinance map amendment for property located at 760 and 762 Florence Avenue from a Mixed Low Density Residential (R-2) zone to a Neighborhood Business (B-1) zone, for 0.15 net (0.17 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 760 and 762 Florence Avenue from a Mixed Low Density Residential (R-2) zone to a Neighborhood Business (B-1) zone, for 0.15 net (0.17 gross) acres, being more fully described in Exhibit “A” which is attached hereto and incorporated herein by reference.

Section 2 – That, under the provisions of Article 6-7 of the Zoning Ordinance, the following conditional zoning restrictions shall apply to the subject properties:

The following uses shall be prohibited:

1. Funeral Homes
2. Rehabilitation Homes
3. Retail Sale of Beer, Wine or Liquor
4. Automobile Service Stations
5. Pawnshops
6. Short-Term Rental, Either Hosted or Un-Hosted
7. Retail Sale of Liquid Propane

8. Indoor Live Entertainment/Dancing as Accessory to Restaurant

9. Drive-Through Facilities

10. Adult Entertainment Establishments

These restrictions are necessary for the betterment of the neighborhood.

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:

---

MAYOR

ATTEST:

---

CLERK OF URBAN COUNTY COUNCIL  
PUBLISHED

0030-24:TWJ:4893-2930-2427, v. 1