

ORDINANCE NO. \_\_\_\_ - 2022

AN ORDINANCE CHANGING THE ZONE FROM A NEIGHBORHOOD BUSINESS (B-1) ZONE TO A HIGHWAY SERVICE BUSINESS (B-3) ZONE, FOR 1.90 NET (2.78 GROSS) ACRES, FOR PROPERTY LOCATED AT 3440, 3450 AND 3454 RICHMOND ROAD. (DF LEXINGTON PROPERTIES II, LLC; COUNCIL DISTRICT 7).

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WHEREAS, at a Public Hearing held on June 23, 2022, a petition for a zoning ordinance map amendment for property located at 3440, 3450 and 3454 Richmond Road from a Neighborhood Business (B-1) zone to a Highway Service Business (B-3) zone, for 1.90 net (2.78 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 3440, 3450 and 3454 Richmond Road from a Neighborhood Business (B-1) zone to a Highway Service Business (B-3) zone, for 1.90 net (2.78 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 use restrictions are imposed via conditional zoning:

- a. The following uses shall be prohibited:
  - i. Adult entertainment establishments, adult bookstores, and adult video stores.
  - ii. Drive-through windows accessory to restaurants.
  - iii. Billboards.
  - iv. Outdoor loud speakers or music.

These restrictions are appropriate and necessary to reduce the potential impact of the allowable uses on the neighboring development, while also protecting Richmond Road, which is an identified gateway into Lexington.

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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