

ORDINANCE NO. _____-2012

AN ORDINANCE AMENDING ARTICLE 1 AND ARTICLE 8 OF THE ZONING ORDINANCE TO DEFINE ADULT DAY CARE CENTERS AND TO REGULATE SUCH FACILITIES AS A CONDITIONAL USE IN THE P-1, B-1, B-2, B-2A AND P-2 ZONES.

WHEREAS, the Lexington-Fayette Urban County Planning Commission has considered a text amendment to Article 1 and Article 8 of the Zoning Ordinance to define adult day care centers and to regulate such facilities as a conditional use in the P-1, B-1, B-2, B-2A and P-2 zones; and

WHEREAS, the Planning Commission did hold a public hearing on this proposed text amendment on July 12, 2012; and

WHEREAS, the Planning Commission did recommend APPROVAL of this revised commission proposed text amendment by a vote of 8-1; 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 1-11 DEFINITIONS

11-1 ADULT DAYCARE CENTER-A facility providing care, protection, and/or guidance for adults in a protective setting during only part of a 24-hour day, with no overnight accommodations. This term does not include public and private educational facilities or any facility offering care to individuals for a full 24-hour period.

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

8-15(d) Conditional Uses – PROFESSIONAL OFFICE (P-1) ZONE
7. Adult day care centers.

8-15(n) Off-Street Parking-PROFESSIONAL OFFICE (P-1) ZONE
Adult Day Care Center-One (1) space for every ten (10) persons being provided care, plus one (1) space per caregiver on the maximum shift.

8-16(d) Conditional Uses-NEIGHBORHOOD BUSINESS (B-1) ZONE
13. Adult day care centers.

8-17(d) Conditional Uses-DOWNTOWN BUSINESS (B-2) ZONE
(carries forward to the B-2A zone)
9. Adult day care centers.

8-24(d) Conditional Uses-OFFICE, INDUSTRY AND RESEARCH PARK (P-2) ZONE
5. Adult day care centers.

8-24(n) Off-Street Parking-OFFICE INDUSTRY AND RESEARCH PARK (P-2) ZONE
Adult Day Care Center-One (1) space for every ten (10) persons being provided care, plus one (1) space per caregiver on the maximum shift.

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

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