

ORDINANCE NO. 91-2013

AN ORDINANCE AMENDING ARTICLES 1 AND 23A OF THE ZONING ORDINANCE TO DEFINE HOSPICE AND ADD HOSPICE FACILITIES AS A PRINCIPAL USE; AND REGULATE PARKING FOR SUCH USES IN THE ED ZONE (URBAN COUNTY COUNCIL).

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WHEREAS, the Lexington-Fayette Urban County Planning Commission has considered a text amendment to Articles 1 and 23A of the Zoning Ordinance to define hospice and add hospice facilities as a principal use and to regulate parking for such uses in the ED zone; and

WHEREAS, the Planning Commission held a public hearing on this proposed text amendment on June 27, 2013; and

WHEREAS, the Planning Commission recommended APPROVAL of this text amendment by a vote of 8-0; 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 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**

**HOSPICE** – A facility which provides support and care for persons in the last stage of an incurable disease or condition, and to their families. Overnight, in-patient and out-patient facilities may be included, as well as offices, storage, and an associated pharmacy. Medical care, palliative care, counseling and education may be provided.

Section 2 - That Article 23A of the Zoning Ordinance of the Lexington Fayette Urban County Government is hereby amended to read as follows:

**ARTICLE 23A: EXPANSION AREA ZONING CATEGORIES AND RESTRICTIONS**

**23A-10 ECONOMIC DEVELOPMENT (ED) ZONE**

**23A-10(b) PRINCIPAL USES**

Medical and dental offices, clinics and laboratories, and hospices.

**23A-10(c) ACCESSORY USES**

10. Establishments limited to the filling of prescriptions and retail sale of pharmaceutical and medical supplies with a drive-through window, provided it meets the following conditions:

a) Establishments limited to the filling of prescriptions shall be located in a building, the primary use of which is for medical uses; including, but not limited to, hospitals; in-patient treatment facilities; hospices; outpatient facilities; surgery centers; medical and dental offices, clinics or laboratories.

b) Establishments principally used for the retail sale of pharmaceutical and medical supplies shall be internally oriented to the site (e.g., not located on adjoining arterial streets).

c) It shall have no more than one public entrance and one service entrance directly to the outside of the building.


d) Signage for such establishments may be directly, indirectly or internally illuminated; there shall be no more than one (1) wall-mounted business sign per such establishment, not to exceed thirty-two (32) square feet in area; and no more than one (1) free standing monument type business sign, eight (8) feet in height, with a maximum size of thirty-two (32) square feet.

23A-10 (i)

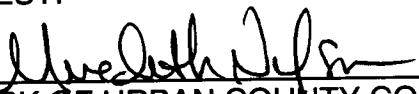
Hospices – One (1) space for every two (2) beds; plus one (1) space for each employee on the maximum working shift, with a minimum of five (5) spaces.

Section 3 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: August 29, 2013

MAYOR 

ATTEST:

  
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CLERK OF URBAN COUNTY COUNCIL  
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