

ORDINANCE NO. \_\_\_\_\_-2013

AN ORDINANCE AMENDING ORDINANCE NO. 138-2012 TO MAKE THE FOLLOWING CORRECTIONS: ADDING SUB-SECTION 6 "INDOOR LIVE ENTERTAINMENT AND/OR DANCING, WHEN ACCESSORY TO A RESTAURANT OR BANQUET FACILITY, BUT ONLY WHEN LOCATED CLOSER THAN ONE HUNDRED (100) FEET FROM A RESIDENTIAL ZONE" TO SECTION 8-16(d), WHICH WAS INADVERTENTLY OMITTED (URBAN COUNTY PLANNING COMMISSION).

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WHEREAS, at a Public Hearing held on September 27, 2012, the Lexington-Fayette Urban County Planning Commission considered a text amendment to Article 1 and Article 8 of the Zoning Ordinance to amend the definition of "banquet facilities" to delete the requirement that the use must take place within a building currently or formerly used as a residence; and

WHEREAS, the Planning Commission did recommend APPROVAL of the staff alternative text amendment by a vote of 9-1; and

WHEREAS, this Council agreed with the recommendation of the Planning Commission and passed Ordinance 138-2012 on November 15, 2012; and

WHEREAS, corrections in Ordinance 138-2012, Section 8-16(d) sub-section 6, are required;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That Section 8-16(d), Subsection 6 of Ordinance 138-2012 is hereby amended to read as follows:

6. Indoor live entertainment and/or dancing, when accessory to a restaurant or banquet facility, but only when located closer than one hundred (100) feet from a residential zone.

Section 2 – 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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