

ORDINANCE NO. 122 -2022

AN ORDINANCE AMENDING ARTICLE 23A-9(b) AND 23A-9(d) OF THE ZONING ORDINANCE TO PERMIT HOTELS AND MOTELS IN THE COMMUNITY CENTER (CC) ZONE. (JASON L. JUSTICE).

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WHEREAS, the applicant, Jason L. Justice, has initiated a text amendment to Article 23A-9(b) and 23A-9(d) of the Zoning Ordinance to permit hotels and motels in the Community Center (CC) zone; and

WHEREAS, the Planning Commission has reviewed and considered a text amendment to Article 23A-9(b) and 23A-9(d) of the Zoning Ordinance to permit hotels and motels in the Community Center (CC) zone. The Planning Commission did recommend APPROVAL by a vote of 11-0; 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.

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

Section 1 – That Article 23A-9(b) of the Zoning Ordinance of the Lexington-Fayette Urban County Government is hereby amended to permit hotels and motels as a principal use in the Community Center (CC) zone as follows:

Article 23A-9(b) Principal Uses.

(35) Hotels and Motels

Section 2 – That Article 23-9(d) of the Zoning Ordinance of the Lexington-Fayette Urban County Government is hereby amended to read as follows:

Article 23A-9(d) Prohibited Uses.

17. Wholesale establishments.
18. Greenhouses, nurseries, hatcheries.
19. Establishments offering live entertainment in which a person simulates any sexual act or in which a person is unclothed, or in such attire, costume, or clothing as to expose to view any portion of the female breast below the top of the areola, the male or female genitalia, or the buttocks.
20. Establishments at which any employee is unclothed or in the attire, costume or clothing described above, or is clothed in such a manner as to simulate the breast, genitalia, buttocks, or any portion thereof.
21. Establishments having as a substantial or significant portion of their stock in trade for sale, rent or display, pictures, books, periodicals, magazines, appliances and similar material which are distinguished or characterized by their emphasis on matter

depicting, describing or relating to such sexual activities as: (a) Depiction of human genitals in a state of sexual stimulation or arousal; (b) Acts of human masturbation, sexual intercourse or sodomy; or (c) Holding or other erotic touching of human genitals, pubic region, buttocks or breasts.

22. Indoor motion picture theaters having as a substantial or significant portion of their use the presentation of material having as a dominant theme or characterized or distinguished by an emphasis on matter depicting, describing or relating to such sexual activities as: (a) Depiction of human genitals in a state of sexual stimulation or arousal; (b) Acts of human masturbation, sexual intercourse or sodomy; or (c) Holding or other erotic touching of human genitals, pubic region, buttocks or breasts.
23. Pool or billiard halls.
24. Primitive campgrounds; farm tours; hayrides; corn mazes; outdoor rodeos; riding stables; horse shows; fishing lakes; hunting and trapping; sportsmen's farms; and zoological gardens.

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

PASSED URBAN COUNTY COUNCIL: November 3, 2022



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MAYOR

ATTEST:



CLERK OF URBAN COUNTY COUNCIL

PUBLISHED: November 23, 2022-1t

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