

## Sec. 8-19. - Lexington Center Business (B-2B) Zone.

(a) *Intent.* The intent of this zone is to ensure compatible land uses, the preservation of existing attractions compatible with the Lexington Center, and the encouragement of new uses necessary to the proper development of the downtown area. The permitted land uses in the zone should have a logical relation to the Lexington Center and to the downtown core, should promote tourism, should promote the economic health of the community, should provide for an aesthetically pleasing environment, and should prevent the creation of influences adverse to the prospering of the Lexington Center and the downtown area. Development within this zone should coordinate with adopted plans and studies, including corridor studies and streetscape plans. This zone should be located and developed within the Downtown Place-Type and should be established in accordance with the Goals, Objectives, Policies, and Development Criteria of the Comprehensive Plan.

(b) *Principal Uses.* (Other uses substantially similar to those listed herein shall also be deemed permitted.)

1. Civic Center and convention facilities.
2. Banks, credit agencies, security and commodity brokers and exchanges, credit institutions; savings and loan companies, holding and investment companies.
3. Offices and clinics.
4. Schools for academic instruction.
5. Libraries, museums, art galleries, and reading rooms.
6. Studios for work or teaching of fine arts, such as photography, music, drama, dance or theater.
7. Places of religious assembly.
8. Ticket and travel agencies.
9. Restaurants, cocktail lounges and nightclubs, including those serving alcoholic beverages and/or offering live entertainment, except as prohibited under Subsection (e) of this section.
10. Establishments for the retail sale of primarily new merchandise.
11. Beauty shops and barber shops.
12. Shoe repair, clothing alterations or tailoring services.
13. Retail sale of plant, nursery or greenhouse products, or agricultural produce.
14. Commercial farm markets and market gardens.
15. Hotels or motels.
16. Any type of residential use.
17. Antique shops.
18. Establishments for the display, rental or sale of automobiles, motorcycles, trucks not exceeding one and one-half (1½) tons, and boats limited to runabout boats, provided that the outdoor display or storage of vehicles shall conform to the requirements of Article 16.
19. Amusement enterprises, such as circuses; carnivals; horse racing or automobile racing, special events, festivals, and concerts provided such activity is operated on a

temporary basis of a duration not exceeding two (2) weeks.

20. Establishments engaged in blueprinting, printing, publishing, and lithography; interior decoration and upholstery; repair of household appliances.
21. Bookstores, except as prohibited under Subsection (e) of this section.
22. Indoor amusement enterprises, such as motion picture theaters, except as prohibited under Subsection (e) of this section; billiard or pool halls; bowling alleys; dance halls, skating rinks; and arcades.
23. Computer and data processing centers.
24. Telephone exchanges, radio and television studios.
25. Cable television system signal distribution centers and studios.
26. Private clubs, except as prohibited under Subsections (e)7, 8 and 9 of this section.
27. Kindergartens, nursery schools and childcare centers for four (4) or more children. A fenced and screened play area shall be provided, which shall contain not less than twenty-five (25) square feet per child.
28. Pawnshops which:
  - (1) Were in operation prior to August 31, 1990, and in compliance with the provisions of KRS 226.010 et seq. and Code of Ordinances, Sections 13-52 and 13-53; or
  - (2) Had on file with the Lexington-Fayette Urban County Government, prior to August 31, 1990, an application for a business license or certificate of occupancy.
29. Historic house museums.
30. Health clubs, athletic clubs and spas.
31. Hosted or Un-Hosted Short Term rentals, as regulated in Section 3-13 of the Zoning Ordinance.

(c) *Accessory Uses.* (Uses and structures which are customarily accessory, clearly incidental and subordinate to permitted uses.)

1. Storage area for delivery vehicles of a permitted use.
2. Sidewalk cafe, when accessory to any permitted restaurant.
3. Major automobile and truck repair, when accessory to an establishment primarily engaged in the sale of automobiles and trucks.
4. Parking lots and parking structures, when accessory to principal permitted uses.
5. Satellite dish antennas, as further regulated by Section 15-8.
6. Micro-brewery, when accessory to a restaurant permitted herein; shall be located at least one hundred (100) feet from a residential zone, and shall be soundproofed to the maximum extent feasible by using existing technology, with noise or other emissions not creating a nuisance to the surrounding neighborhood.

(d) *Conditional Uses.* (Permitted only with Board of Adjustment approval.)

1. Automobile service stations at which only minor automobile and truck repair is performed, and provided such use conforms to all requirements of Article 16.

2. Automobile rental facilities; parking lots and parking structures, when not accessory to a principal permitted use, provided such uses conform to all requirements of Article 16.
3. Secondhand shops.
4. Self-service laundry or laundry pick-up stations, including clothes cleaning establishments of not more than forty (40) pounds capacity and using a closed-system process.
5. Helistops, provided such facilities conform to the requirements of all appropriate federal, state and local regulations.
6. Drive-through facilities for sale of goods or products or provision of services otherwise permitted herein.
7. Recycling drop-off centers for aluminum; steel; plastic; glass; newspapers; cardboard and other paper products; oil and other household recyclable waste, provided that such an establishment shall be located at least two hundred (200) feet from any residential zone. Any appeal for a conditional use permit to operate a recycling drop-off center shall include as part of the application: Reasons for the location of the proposed use at a specific site, description of equipment to be used, physical arrangement, and operation of the proposed center. The Board of Adjustment shall consider the necessity of screening, if needed.
8. Mining of non-metallic minerals, but only when the proposal complies with the requirements of the Mining/Quarrying Ordinance (Code of Ordinances #252-91) and the conditions and requirements as set forth therein. The Board of Adjustment shall specifically consider and be able to find:
  - a. That the proposed use will not constitute a public nuisance by creating excessive noise, odor, traffic, dust, or damage to the environment or surrounding properties;
  - b. That a reasonable degree of reclamation and proper drainage control is feasible; and
  - c. That the owner and/or applicant has not had a permit revoked or bond or other security forfeited for failure to comply with any federal, state or local laws, regulations or conditions, including land reclamation, pertaining to the proposed use.
9. Gasoline pumps available to the public without an employee on site, provided a plan is approved by the Board of Adjustment for periodic inspection of the site by an employee for the following purposes:
  - a. To check all operating equipment;
  - b. To check fire suppression system(s);
  - c. To check the condition of the fire alarm(s);
  - d. To check for indications of fuel leaks and spillage;
  - e. To remove trash from the site;
  - f. To monitor the general condition of the site.
10. Temporary structures designed for use or occupancy for sixty-one (61) to one hundred eighty (180) days per 12-month period on a single property, calculating said

period by cumulative consideration of the use of any and all such structures on a single property.

11. Tattoo parlors.

12. Ecotourism activities to include commercial hiking, bicycling, equine and zip line trails; tree canopy tours; canoeing and kayaking launch sites; fishing clubs; botanical gardens; nature preserves, and seasonal activities.

13. Sign with dynamic content, provided such use conforms to the requirements of Section 17-11(i)(2)(c).

(e) *Prohibited Uses.* (All uses other than those listed as principal, accessory, or conditional uses shall be prohibited. The uses below are provided for illustration purposes and for the purpose of limiting permitted uses, and are not intended to be a total listing of all the uses that are prohibited.)

1. Establishments primarily engaged in agricultural equipment sales and services.

2. Warehouse, as well as storage uses, except as accessory uses herein.

3. Shops of special trade and general contractors, such as plumbing; heating; carpentry; masonry; plastering; painting; metal work; electrical; sign painting; tile, mosaic and terrazzo work; electroplating; drilling; excavating; wrecking, construction and paving. This is not intended to prohibit administrative offices of such.

4. Manufacturing, compounding, assembling, bottling, processing and packaging, and other industrial uses for sale or distribution other than as retail on the premises.

5. Truck terminals and freight yards.

6. Drive-in restaurants or drive-in theaters.

7. Establishments offering live entertainment 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.

8. 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.

9. 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.

10. Animal kennels, hospitals, clinics, outdoor runways or pens, and animal grooming facilities.

11. The above- or below-ground storage of any flammable material in gaseous form, including compressed natural gas.

12. Pawnshops, except as permitted herein.

13. Campgrounds and hunting clubs.

14. Farm tours, hayrides, corm mazes, outdoor rodeos, riding stables, horse shows, fishing lakes, hunting or trapping, sportsmen's farms, zoological gardens and classes related to agricultural products or skills.

15. Medicinal cannabis businesses.

Lot, Yard, and Height Requirements. (See Articles 3 and 15 for additional regulations.)

(f) *Minimum Lot Size*. No limitation.

(g) *Minimum Lot Frontage*. No limitation.

(h) *Minimum Front Yard*. No limitation.

(i) *Minimum Each Side Yard*. No limitation.

(j) *Minimum Rear Yard*. No limitation.

(k) *Minimum Open Space*. See Article 20 for open space regulations.

(l) *Maximum Lot Coverage*. No limitation.

(m) *Maximum Height of Building*. No limitation.

(n) *Off-Street Parking*. (See Articles 16 and 18 for additional parking regulations.)

No minimum requirements.

Conditional Uses: The Board of Adjustment may establish additional requirements, as needed.

(o) *Special Provisions*.

1. For any development that is located adjacent to, connects to, or interacts directly with the Town Branch Commons corridor, such development of the site shall comply with the Town Branch Commons Masterplan and Design standards; taking precedent over the Downtown Streetscape Master Plan where conflicts occur.

2. Redevelopment of any site shall comply with the Downtown Streetscape Master Plan for Lexington, Kentucky.

(Code 1983, § 8-19; Ord. No. 263-83, § 1, 12-15-1983; Ord. No. 234-85, §§ 1, 2, 11-12-1985; Ord. No. 89-86, § 18, 5-29-1986; Ord. No. 152-91, §§ 2, 4, 7-18-1991; Ord. No. 30-92, § 11, 3-3-1992; Ord. No. 30-95, § 1, 2-9-1995; Ord. No. 85-96, § 3, 5-30-1996; Ord. No. 222-98, § 1, 8-27-1998; Ord. No. 261-98, § 1, 10-1-1998; Ord. No. 325-2000, § 1, 11-9-2000; Ord. No. 217-2006, § 1, 7-11-2006; Ord. No. 129-2009, § 23, 7-2-2009; Ord. No. 99-2011, § 6, 8-25-2011; Ord. No. 155-2013, § 2, 12-10-2013; Ord. No. 137-2016, § 2(8-19), 7-7-2016; Ord. No. 22-2017, § 3(8-19), 3-2-2017; Ord. No. 166-2017, § 3(8-19), 11-16-2017; Ord. No. [77-2019](#), § 3, 10-10-2019; Ord. No. [031-2020](#), § 1, 3-17-2020; Ord. No. [113-2022](#), § 3, 10-27-2022; Ord. No. [004-2023](#), § 20, 1-31-2023; Ord. No. [020-2023](#), § 13, 3-9-2023; Ord. No. [074-2023](#), § 14, 7-11-2023; Ord. No. [126-2023](#), § 1, 11-2-2023; Ord. No. [057-2024](#), § 12, 6-27-2024)