Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507

Legislation Details (With Text)

File #:	0406-17	**Version:**	1	**Name:**	[PLN-MAR-16-00002]
Type:	Ordinance			**Status:**	Approved
File created:	4/10/2017			**In control:**	Urban County Council
On agenda:	5/11/2017			**Final action:**	5/11/2017
Enactment date:	5/11/2017			**Enactment #:**	O-066-2017

Title: An Ordinance to amend Ordinance No. 4-2017 to include conditional zoning restrictions which were inadvertently omitted from the Final Report from the Planning Commission and the Ordinance, and to add a new Section Two and renumber existing Sections Two and Three to Sections Three and Four to correct the omission. [Div. of Planning, Duncan]

Sponsors:

Indexes:

Code sections:

Attachments: 1. Blue Sheet Memo, 2. Final Report, 3. Conditional Zoning Restrictions, 4. 00572678.pdf, 5. ORDINANCE - 066-2017.pdf

Date	Ver.	Action By	Action	Result
5/11/2017	1	Urban County Council	Approved	Pass
4/27/2017	1	Urban County Council	Received First Reading	
4/25/2017	1	Urban County Council Work Session	Approved and Referred to Docket	Pass

An Ordinance to amend Ordinance No. 4-2017 to include conditional zoning restrictions which were inadvertently omitted from the Final Report from the Planning Commission and the Ordinance, and to add a new Section Two and renumber existing Sections Two and Three to Sections Three and Four to correct the omission. [Div. of Planning, Duncan]
Authorization to approve an Ordinance to correct Ordinance No. 4-2017, in order to include conditional zoning restrictions as recommended by the Planning Commission for property located at 353 Waller Avenue. This Ordinance changed the zoning from P-1 to R-5. (L0406-17) (Duncan/Paulsen)

Budgetary Implications NO

Advance Document Review:

Law: No

Risk Management: No

Fully Budgeted N/A

Account Number: N/A

This Fiscal Year Impact: N/A

Annual Impact: N/A

Project:

Activity:

Budget Reference:

Current Balance:

WHEREAS, the Urban County Council passed a map amendment zoning Ordinance on November 17, 2016 to change the zone from a Professional Office (P-1) zone to a High Rise Apartment (R-5) zone for properties located at 353 Waller Avenue; and

WHEREAS, the Ordinance inadvertently omitted conditional zoning restrictions which were recommended by the Planning Commission and included in the minutes from the Planning Commission hearing but inadvertently omitted from the final report of the Planning Commission: and

WHEREAS, the inadvertent omission of the conditional zoning restrictions should be included in the Ordinance but do not change the substance of the map amendment to the zoning Ordinance;

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

Section 1 - That Ordinance No. 4-2017 be and hereby is amended to include the following as a new section two and to renumber existing sections two and three to section three and four as follows:

> Section 2 - That the Granting of this zone change is made subject to the following use restrictions as conditions of Granting the zone change:
>
> Under the provisions of Article 6-7 of the Zoning Ordinance, the following uses are prohibited on the subject property via conditional zoning:
>
> a. Community Centers
> b. Boarding and Lodging Houses
> c. Assisted Living Facilities

d. Hospitality Houses
e. Rehabilitation Homes
f. Day Shelters

` Section 2 - That the remainder of Ordinance No. 4-2017 is unchanged.

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