

RESOLUTION NO. 770 -2016

A RESOLUTION DECLARING A MORATORIUM ON DEMOLITION PERMITS, BUILDING PERMITS AND THE ACCEPTING, PROCESSING AND ISSUANCE OF CONDITIONAL USE PERMITS, SUBDIVISION PLANS, AND ZONING MAP AMENDMENTS ON PROPERTY LOCATED ON ADAIR ROAD, MORE SPECIFICALLY DEFINED AS THE FOLLOWING PROPERTIES: 400-448 (EVEN NUMBERED) ADAIR ROAD AND 401-449 (ODD NUMBERED) ADAIR ROAD, AND TO ALLOW THE PLANNING COMMISSION AND THE URBAN COUNTY GOVERNMENT TIME TO CONSIDER A REZONING TO THESE PROPERTIES: SETTING THE DURATION OF THE MORATORIUM FOR A PERIOD OF SIX MONTHS FROM THE EFFECTIVE DATE OF THIS RESOLUTION OR UNTIL THE COUNCIL TAKES FINAL ACTION ON THE PROPOSED REZONING, WHICHEVER OCCURS FIRST.

WHEREAS, a moratorium on demolition permits, building permits and the accepting processing and issuance of conditional use permits, subdivision plans and zoning map amendments in the defined area is necessary and appropriate to protect the existing character and integrity of Adair Road while the Planning Commission and Urban County Council consider feasibility and suitability of applying a down zoning to the properties located on this road;

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

Section 1 – That a moratorium is hereby declared on all properties located on Adair Road, more specifically defined as the following properties: 400-448 (even numbered) and 401-449 (odd numbered) Adair Road (the "Subject Properties"); that the moratorium is imposed on the issuance of demolition permits, building permits and the accepting, processing and issuance of conditional use permits, subdivision plans and zoning map amendments for the Subject Properties.

Section 2 – That the Division of Building Inspection and the Division of Planning are directed to refuse to accept application for any demolition permits, building permits, conditional use permits, subdivision plans, and zoning map amendments for the Subject Properties for the duration of the moratorium.

Section 3 – That the purpose of this moratorium is hereby established to allow the Planning Commission and Urban County Government sufficient time to consider application of a rezoning on the Subject Properties.

Section 4 – That the duration of the moratorium is hereby set to extend to six months from the effective date of this Ordinance, or until the Council take final action on the down zoning, whichever event occurs first.

Section 5 – That this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: December 6, 2016



MAYOR

ATTEST:


CLERK OF URBAN COUNTY COUNCIL

1390-16:TJ:X:\CASES\PLANNING\16-LE0001\LEG\00556882.DOCX

MOTION

I move to place on the docket a resolution declaring a moratorium on the application and issuance of building permits, demolition permits, zoning map amendments and subdivision applications, to study a re-zoning and other potential zoning actions for certain properties located at 400-448 (even numbered) and 401-449 (odd numbered) Adair Road for a period of six months or until the Council takes final action on any zoning actions, whichever event occurs first.

COUNCILMEMBER

TO BE MADE AT WORK SESSION ON DECEMBER 6, 2016