

ORDINANCE NO. _____-2013

AN ORDINANCE CHANGING THE ZONE FROM A SINGLE FAMILY RESIDENTIAL (R-1C) ZONE TO A NEIGHBORHOOD BUSINESS (B-1) ZONE, FOR 0.309 NET (0.403 GROSS) ACRES, FOR PROPERTY LOCATED AT 708-712 HENRY CLAY BOULEVARD (STEVE AND CATHY SNOWDEN; COUNCIL DISTRICT 5).

WHEREAS, at a Public Hearing held on February 29, 2013, a petition for a zoning ordinance map amendment for property located at 708-712 Henry Clay Boulevard from a Single Family Residential (R-1C) zone to a Neighborhood Business (B-1) zone for 0.309 net (0.403 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change by a vote of 10-0; 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 herein by reference.

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

Section 1 - That the Zoning Ordinance of the Lexington-Fayette Urban County Government be amended to show a change in zone for property located at 708-712 Henry Clay Boulevard, from a Single Family Residential (R-1C) zone to a Neighborhood Business (B-1) zone for 0.309 net (0.403 gross) acres; being more fully described in Exhibit "A" which is attached hereto and incorporated herein by reference.

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 use and buffering restrictions are proposed for the subject property via conditional zoning:

PROHIBITED USES:

- a. Automobile service stations.
- b. Tattoo parlors.
- c. Miniature golf courses.
- d. Carnivals and circuses, even on a temporary basis.
- e. Community centers.
- f. Drive-through facilities
- g. Outdoor live entertainment

Landscaping and Lighting Restrictions:

- a. A landscape buffer shall be installed along the southwest and southeast property lines, which shall adhere to the Article 18 zone perimeter screening requirements, with the addition of a 3-foot shrubs located between any required trees.
- b. No pole lighting may be installed on the subject property; however, ground level lighting, light for pedestrian paths and sidewalks and indirect lighting shall be permitted.

Signage Restrictions:

- a. No free-standing signs shall be erected within 25' of a residential zone.
- b. No directional signs shall be installed within 20' of a residential zone.

Section 3 - That the Lexington-Fayette Urban County Planning Commission is directed to show the amendment on the official zone map atlas and to make reference to the number of this Ordinance.

Section 4 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL

Published: