

ORDINANCE NO. \_\_\_\_-2017

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.

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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:

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MAYOR

ATTEST:

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CLERK OF URBAN COUNTY COUNCIL

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