

ORDINANCE \_\_\_\_\_ - 2017

AN ORDINANCE CHANGING THE ZONE FROM AN AGRICULTURAL RURAL (A-R) ZONE TO AN AGRICULTURAL NATURAL AREAS (A-N) ZONE, FOR 41.74 NET (43.44 GROSS) ACRES, FOR PROPERTY LOCATED AT 8291 & 8385 OLD RICHMOND ROAD, AND 8385 DURBIN LANE, WITH CONDITIONAL ZONING RESTRICTIONS, AS AMENDED. (BOONE CREEK PROPERTIES, LLC; COUNCIL DISTRICT 12.)

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WHEREAS, at a Public Hearing held on October 27, 2016, a petition for a zoning ordinance map amendment for property located at 8291 & 8385 Old Richmond Road, and 8385 Durbin Lane from an Agricultural Rural (A-R) zone to an Agricultural Natural Areas (A-N) zone, for 41.74 net (43.44 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending approval of the zone change by a vote of 10-0; and

WHEREAS, this Council agrees with the recommendation of the Planning Commission and added conditional zoning restrictions to said approval; 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 8291 & 8385 Old Richmond Road, 8385 Durbin Lane from an Agricultural Rural (A-R) zone to an Agricultural Natural Areas (A-N) zone, for 41.74 net (43.44 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 restrictions are proposed for the subject property via conditional zoning:

Prohibited Uses:

- a. Cemeteries, crematories, columbariums, and mausoleums.
- b. Non-service facilities of public utilities and common carriers by rail, including office, garage and warehouse space.
- c. Outdoor rifle and other firearm ranges and outdoor rodeos.

- d. Mining and/or quarrying of non-metallic minerals.
- e. Radio, telephone, and/or television transmitting or relay facilities.

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:

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MAYOR

ATTEST:

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CLERK OF URBAN COUNTY COUNCIL

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