

ORDINANCE NO. _____-2016

AN ORDINANCE CHANGING THE ZONE FROM A SINGLE FAMILY RESIDENTIAL (R-1D) ZONE TO A PLANNED NEIGHBORHOOD RESIDENTIAL (R-3) ZONE, FOR 13.81 NET (14.47 GROSS) ACRES, FOR PROPERTY LOCATED AT 564 ASBURY LANE (A PORTION OF) (PALUMBO PROPERTIES, INC.; COUNCIL DISTRICT 1).

WHEREAS, at a Public Hearing held on September 22, 2016 a petition for a zoning ordinance map amendment for property located at 564 Asbury Lane (a portion of) from a Single Family Residential (R-1D) zone to a Planned Neighborhood Residential (R-3) zone for 13.81 net (14.47 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change by a vote of 9-1; 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 564 Asbury Lane (a portion of) from a Single Family Residential (R-1D) zone to a Planned Neighborhood Residential (R-3) zone for 13.81 net (14.47 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:

- a. A twenty foot (20') tree preservation area (TPA) and landscape buffer shall be established along the eastern property boundary. This buffer shall contain trees and shrubs as required by Article 18 of the Zoning Ordinance. Existing trees over 4" caliper in size shall be maintained within the TPA and buffer. Only diseased, dead and /or dying trees may be removed, and only with the Urban Forester's approval.
- b. Pole lighting shall be limited to 12 feet in height. In addition, ground-level lighting, lighting for pedestrian path and sidewalks and indirect lighting shall be permitted.

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

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