

ORDINANCE NO. \_\_\_\_ - 2023

AN ORDINANCE CHANGING THE ZONE FROM A HIGH DENSITY APARTMENT (R-4) ZONE TO A PROFESSIONAL OFFICE (P-1) ZONE, FOR 0.768 NET (1.027 GROSS) ACRES, FOR PROPERTY LOCATED AT 203 E. FOURTH STREET. (ELMWOOD OZ FUND LLC; COUNCIL DISTRICT 1).

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WHEREAS, at a Public Hearing held on November 17, 2022, a petition for a zoning ordinance map amendment for property located at 203 E. Fourth Street from a High Density Apartment (R-4) zone to a Professional Office (P-1) zone, for 0.768 net (1.027 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, the Urban County 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 203 E. Fourth Street from a High Density Apartment (R-4) zone to a Professional Office (P-1) zone, for 0.768 net (1.027 gross) acres, being more fully described in Exhibit “A” which is attached hereto and incorporated herein by reference.

Section 2 – That under the provisions of Article 6-7 of the Zoning Ordinance, the following use restrictions are imposed via conditional zoning:

- a. The following uses shall be prohibited:
  - i. Drive-through facilities.
  - ii. Banks and other financial institutions.
  - iii. Community Center.
  - iv. Funeral parlor.

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

PUBLISHED:

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