

ORDINANCE NO. \_\_\_\_\_-2016

AN ORDINANCE CHANGING THE ZONE FROM A SINGLE FAMILY RESIDENTIAL (R-1C) ZONE TO A WHOLESALE AND WAREHOUSE (B-4) ZONE, FOR 0.31 NET (0.48 GROSS) ACRES, FOR PROPERTY LOCATED AT 1500 & 1502 N. LIMESTONE. (JAMES CLAY WALLER (AMD.); COUNCIL DISTRICT 1).

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WHEREAS, at a Public Hearing held on July 28, 2016 a petition for a zoning ordinance map amendment for property located at 1500 & 1502 N. Limestone from a Single Family Residential (R-1C) zone to a Wholesale and Warehouse (B-4) zone for 0.31 net (0.48 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change by a vote of 9-0; 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 1500 & 1502 N. Limestone from a Single Family Residential (R-1C) zone to a Wholesale and Warehouse (B-4) zone for 0.31 net (0.48 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:

PRINCIPAL PERMITTED USES

- a. Wholesale establishments, wholesale establishments with warehouses, storage and warehousing.
- b. Shops of special trade and general contractors such as plumbing; heating; carpentry; painting; plastering; printing; publishing; lithographing; engraving; electrical; sign painting; upholstery; tile, mosaic and terrazzo work: electroplating: and interior decorating.
- c. Parking lots and structures.
- d. Animal hospitals or clinics, provided that such structures or areas used, not including accessory parking areas, shall be at least one hundred (100) feet from any residential zone.

- e. Offices of purchasers, processors and handlers of agricultural products, limited to administrative uses only.
- f. Sales of feed, grain other agricultural supplies.
- g. Garden centers.
- h. Establishments and lots for the sale of farm equipment, contractor equipment, automobiles, trucks, mobile homes, recreational vehicles, such as mini-bikes, motorcycles, boats or supplies for such items.
- i. Establishments for the sale of precut, prefabricated, or shell homes.
- j. Retail sale of building materials and lumber.
- k. Mail order business.
- l. Office uses, limited to a maximum square footage of 60% of the floor area in the building in which the use is located.
- m. Office/warehouse mixed-use project, as further regulated by Article 8-21(o)(3).
- n. Adaptive Reuse Projects, as further regulated in Article 8-21(o)(4).

**OTHER RESTICTIONS**

- a. Outdoor music or sound systems and call boxes shall be prohibited.
- b. Lighting shall be shielded and directed downward and away from residentially zoned properties.
- c. The following landscaped and buffering restrictions shall apply:
  - 1. There shall be a 10' open space and landscape buffer along property boundary where it adjoins any residential dwelling. An 8' tall solid wood fence shall be placed along the length of the open space/buffer area. Within this open space/buffer area, the developer shall plant and maintain 8' evergreen trees planted 15' on center.
  - 2. There shall be a 30' setback along the front of the property which shall contain a landscape/open space buffer. Within the landscape/open space buffer, the developer shall plant and maintain 8' tall deciduous trees planted 15' on center, and 3' shrubs interspersed with the trees.

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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