

ORDINANCE NO. \_\_\_\_\_ - 2021

AN ORDINANCE CHANGING THE ZONE FROM A WHOLESALE AND WAREHOUSE BUSINESS (B-4) ZONE TO A RESTRICTED LIGHT INDUSTRIAL (I-1) ZONE, FOR 2.33 NET (2.49 GROSS) ACRES, FOR PROPERTY LOCATED AT 720-740 NATIONAL AVENUE, AND FOR 1.69 NET (2.41 GROSS) ACRES, FOR PROPERTY LOCATED AT 737 NATIONAL AVENUE. (WALKER PROPERTIES OF CENTRAL KY, LLC; COUNCIL DISTRICT 3).

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WHEREAS, at a Public Hearing held on September 23, 2021, a petition for a zoning ordinance map amendment for property located at 720-740 National Avenue for 2.33 net (2.49 gross) acres and 737 National Avenue for 1.69 net (2.41 gross) acres from a Wholesale and Warehouse Business (B-4) zone to a restricted Light Industrial (I-1) zone was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change by a vote of 10-0; 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 720-740 National Avenue for 2.33 net (2.49 gross) acres and 737 National Avenue for 1.69 net (2.41 gross) acres from a Wholesale and Warehouse Business (B-4) zone to a restricted Light Industrial (I-1), 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 shall apply via conditional zoning:

a. Prohibited Uses:

- i. Self-storage warehousing.
- ii. Tire retreading and recapping.
- iii. Automobile service stations.
- iv. Major automobile or truck repair.
- v. Establishments for the display and sale of precut, prefabricated, or shell homes.
- vi. Auto parts rebuilding.
- vii. Box and crate assembly.
- viii. Columbariums and crematories.
- ix. Electric foundry (melts down scrap metal).
- x. Inflammable underground liquid storage.
- xi. The processing of asbestos.

- xii. The above-or below-ground storage for resale of any flammable or nonflammable gas or oxidizer in liquid or gaseous form; the storage of any empty container that contained any gas in any form; and the receiving of or dispensing of any gas in any form, unless in association with an automobile and vehicle refueling station.
  - xiii. Establishment and lots for the display rental, sale and repair of farm equipment; contractor equipment; automobiles, truck, mobile homes; boats, with the exception of canoes or kayaks, or supplies for such items.
  - xiv. Battery manufacturing.
  - xv. Public utility service yard.
  - xvi. Truck terminals and freight yards.
  - xvii. Shredding, sorting and balling paper scrap and storage of waste paper.
  - xviii. Recycling, sorting, bailing and processing of glass and nonferrous metals; building materials salvage.
  - xix. Penal or correctional institutions.
  - xx. Commercial composting.
- b. All lighting within forty (40) feet of residential zoning shall be a maximum height of twelve feet and directed downward.
- c. There shall be no outdoor amplified speakers for the property located at 720-740 National Avenue.

These restrictions are appropriate and necessary to limit the impact of industrial land uses on the adjacent residential land.

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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