

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

AN ORDINANCE CHANGING THE ZONE FROM AN AGRICULTURAL RURAL (A-R) ZONE TO A LIGHT INDUSTRIAL (I-1) ZONE, FOR 3.20 NET (6.98 GROSS) ACRES, FOR PROPERTY LOCATED AT 1551 GREENDALE ROAD (LAIL INTERESTS, LLLP; COUNCIL DISTRICT 2).

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WHEREAS, at a Public Hearing held on May 26, 2016 a petition for a zoning ordinance map amendment for property located at 1551 Greendale Road from an Agricultural Rural (A-R) zone to a Light Industrial (I-1) zone for 3.20 net (6.98 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change by a vote of 8-0; 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 1551 Greendale Road from an Agricultural Rural (A-R) zone to a Light Industrial (I-1) zone for 3.20 net (6.98 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:

**Prohibited Uses**

- a. Establishments and lots for the display, rental, sale and repair of farm equipment, contractor equipment, automobiles, trucks, mobile homes, recreational vehicles, minibikes, motorcycles, bicycles, boars or supplies for such items.
- b. Tire retreading or recapping.
- c. Truck terminals and freight yards.
- d. Automobile service stations.
- e. Underground storage tanks for materials other than petroleum products.
- f. Billboards, or advertising signs as defined in Article 17-3(b)(1) of the Zoning Ordinance.
- g. Outdoor public address systems.

- h. Grain drying, even when operated in a fully enclosed building.
- i. The above-ground 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 which contained any gas in any form, and the receiving of or dispensing of any gas in any form.
- j. Concrete mixing.
- k. Commercial composting.
- l. Helistops and Heliports.
- m. Mining of metallic and non-metallic minerals.

Prohibiting of these uses in the I-1 zone is appropriate and necessary for the subject property for the following reasons:

1. The subject site is located near planned and existing residential uses.
2. The site lies within the confines of the Royal Spring Aquifer recharge area, which is defined as an environmentally sensitive area.
3. Light industrial zones have been similarly restricted in this immediate area by the Planning Commission in the past.

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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