

ORDINANCE NO. \_\_\_\_\_ - 2019

AN ORDINANCE CHANGING THE ZONE FROM AN AGRICULTURAL RURAL (A-R) ZONE TO A LIGHT INDUSTRIAL (I-1) ZONE, FOR 11.52 NET (11.82 GROSS) ACRES, FOR PROPERTY LOCATED AT 5301 ATHENS BOONESBORO ROAD. (IVCP ATHENS, LLC; COUNCIL DISTRICT 7).

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WHEREAS, at a Public Hearing held on January 24, 2019, a petition for a zoning ordinance map amendment for property located at 5301 Athens Boonesboro Road from an Agricultural Rural (A-R) zone to a Light Industrial (I-1) zone, for 11.52 net (11.82 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change by a vote of 6-1; 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 5301 Athens Boonesboro Road from an Agricultural Rural (A-R) zone to a Light Industrial (I-1) zone, for 11.52 net (11.82 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 landscape buffers and prohibited uses shall apply to the subject property via conditional zoning:

- a. Landscape Buffers (in addition to the requirements of Article 18 of the Zoning Ordinance)
  1. Along the eastern boundary of the subject property, adjacent to Interstate 75, a 25-foot wide landscape buffer shall be provided.
  2. Included in the landscape buffer shall be evergreen trees planted every 20 feet, staggered on center in two rows.
- b. Prohibited Uses:
  1. Establishments and lots for the display, rental, sale, service and minor repair of mobile homes.

2. Ice Plant.
3. Tire re-treading and re-capping.
4. Truck terminals and fright yards.
5. Major or minor automobile and truck repair.
6. Establishments for the display and sale of precut, prefabricated or shell homes.
7. Rental Storage yard.
8. Commercial wood lots.
9. Outdoor material storage and sales as otherwise permitted.
10. Advertising signs, also known as billboards, as regulated by Article 17 of the zoning ordinance.

These restrictions are appropriate and necessary in order to restrict the most intense land uses on the subject property, which could have a negative impact on the surrounding agricultural zones and Athens Boonesboro Road, a major gateway into the Lexington Fayette Urban County. These restrictions will protect the aesthetic character of the Athens Boonesboro Road gateway, as recommended by the 2017 Rural Land Management Plan (RLMP).

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: