

**ORDINANCE NO. 2020-O-01**

**AN ORDINANCE AMENDING THE INDEPENDENCE ZONING ORDINANCE ADDING SELF-STORAGE FACILITIES AS A CONDITIONAL USE WITHIN THE NSC ZONE, ALONG WITH LOCATION RESTRICTIONS AND USE STANDARDS THAT REGULATE HOW EACH STORAGE UNIT IS ACCESSED.**

**WHEREAS**, a request for a text amendment to the Independence Zoning Ordinance was submitted to the Kenton County Planning Commission by the City of Independence, to add self-storage facilities as a conditional use within the NSC Zone, along with location restrictions and use standards that regulate how each storage unit is accessed ; and

**WHEREAS**, the PDS staff reviewed the application and recommended that the proposed text amendment be approved; and

**WHEREAS**, the Kenton County Planning Commission, upon reviewing the PDS staff recommendations and after holding a public hearing on February 6, 2020, voted to approve the text amendment on the basis that the text amendment is allowed to be included within the text of the zoning ordinance, as authorized by Kentucky Revised Statute (KRS) 100.203(1).

**NOW THEREFORE, BE IT ORDAINED BY THE CITY OF INDEPENDENCE, COUNTY OF KENTON, COMMONWEALTH OF KENTUCKY:**

**SECTION I**

That the Independence City Council hereby approves said text amendment, attached hereto as Exhibit "A" and incorporated reference herein, to add self-storage facilities as a conditional use within the NSC Zone, along with location restrictions and use standards that regulate how each storage unit is accessed , on the following bases:

1. The proposed text amendment is authorized to be included within the City's zoning ordinance per Kentucky Revised Statutes (KRS) 100.203 (1) (see Attachment A).
2. The proposed text amendment is inconsistent with the intent of the NSC Zone. However, the use is already a conditional use within the NSC Zone. Therefore, the addition of regulations will limit the proliferation of these uses in a zone primarily intended to provide retail goods and services.
3. The proposed text amendment will not have an adverse effect on the public health, safety, or welfare and will not be injurious to the public residing in or moving through the area, for the reason stated above.
4. Based on testimony provided during the public hearing held on February 6, 2020.

**SECTION II**

That should any section or part of any section or any provision of this Ordinance be declared invalid by a Court of competent jurisdiction, for any reason, such declaration shall not invalidate, or adversely affect, the remainder of this Ordinance.

**SECTION III**

That this Ordinance shall take effect and be in full force when passed, published, and recorded according to the law.



Christopher J. Reinersman, Mayor

ATTEST:

  
Gina Gabbard, City Clerk

First Reading: March 2, 2020  
Second Reading: April 6, 2020  
Ayes: 5  
Nays: 0

Publication Date: April 27, 2020