

ORDINANCE NO. 2021-O-04

AN ORDINANCE AMENDING THE INDEPENDENCE ZONING ORDINANCE BY ADDING REGULATIONS TO THE INDUSTRIAL PARK (IP) ZONE TO: (1) INCREASE THE MAXIMUM HEIGHT OF BUILDINGS FROM FORTY (40) FEET TO FIFTY (50) FEET, (2) ADD ADDITIONAL OFFICE USES AND ACCESSORY USES, AND (3) ADD DEVELOPMENT CONTROLS FOR OFFICE USES.

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, for the consideration of a text amendment, amending regulations to the Industrial Park (IP) Zone to: (1) increase the maximum height of buildings from forty (40) feet to fifty (50) feet, (2) add additional office uses and accessory uses, and (3) add development controls for office uses; 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 4, 2021, 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" incorporated by reference herein, amending regulations to the Industrial Park (IP) Zone to: (1) increase the maximum height of buildings from forty (40) feet to fifty (50) feet, (2) add additional office uses and accessory uses, and (3) add development controls for office uses, on the following bases:

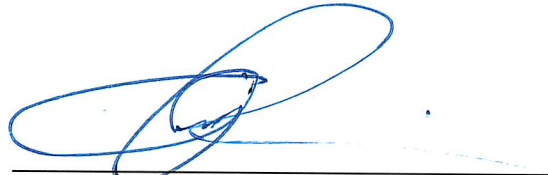
1. The proposed text amendments are authorized to be included within the City's zoning ordinance per Kentucky Revised Statutes (KRS) 100.203 (1) (see Attachment A).
2. The proposed text amendments are appropriate. The increase of building height, the addition of permitted and accessory uses, and the addition of accessory use standards are compatible with the IP Zone and are consistent with other surrounding jurisdictions. While the IP Zone does not currently allow any office uses, adding such uses with construction standards could enhance the appeal of an industrial park by providing these services and aesthetic appeal within the park setting.
3. The proposed text amendments are reasonable. Allowing the increase of building height, office uses, and accessory uses with standards within the IP Zone will ensure that the location, scale, and scope of these uses will properly integrate with the character and not adversely affect the surrounding areas.
4. The proposed text amendments will not adversely affect the public health, safety, or welfare.
5. Based on testimony provided during the public hearing held on February 4, 2021.

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 1, 2021

Second Reading: March 15, 2021

Ayes: 6

Nays: 0

Publication Date: March 24, 2021