

ORDINANCE NO. 2021-O-07

AN ORDINANCE ANNEXING CERTAIN UNINCORPORATED TERRITORIES WITHIN THE COUNTY OF KENTON, KENTUCKY AND CONTIGUOUS TO THE PRESENT BOUNDARY LINES OF THE CITY OF INDEPENDENCE, KENTUCKY, AND DEFINING BY METES AND BOUNDS THE TERRITORY ANNEXED; DESIGNATING THE ZONING CLASSIFICATION OF THE PROPERTY TO BE ANNEXED TO INDUSTRIAL PARK, AFTER COMPLIANCE WITH THE PROVISIONS OF KRS 100.209, AT THE TIME THE ANNEXATION OF THE PROPERTY IS FINAL

WHEREAS, Kentucky Revised Statute 81A.410 authorizes and delegates city legislative bodies the authority to annex territories; and

WHEREAS, Kentucky Revised Statute 81A.412 provides the manner in which said annexation should be accomplished through the consent of the property owner; and

WHEREAS, the property owner, by way of an annexation agreement, has provided written consent to the annexation, through the execution of the Annexation Agreement attached as Exhibit C (the "Agreement"); and

WHEREAS, the property herein described is adjacent to and contiguous to the city's boundaries; and

WHEREAS, the City of Independence, Kentucky (the "City") through compliance with the provisions of KRS 100.209 may designate the zoning classification of the property to be annexed; and

WHEREAS, the City is willing to annex the property, subject to the terms of the Agreement; and

WHEREAS, by reason of population density, commercial, industrial, institutional or governmental use of land, or subdivision of land, said property is urban in character or suitable for urban purposes without unreasonable delay; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF INDEPENDENCE, KENTUCKY:

SECTION I

A. That the City of Independence, Kentucky, does hereby and herewith annex to its present boundaries and include the same within the territorial limits of the City of Independence, Kenton County, Kentucky, the following described unincorporated land and area, located in the County of Kenton, Commonwealth of Kentucky, a 100-acre plus parcel located at 861 E. Mt. Zion Road, Independence, Kentucky, PIDN 018-00-00-003.00 (the "Property"), and is more particularly described as follows:

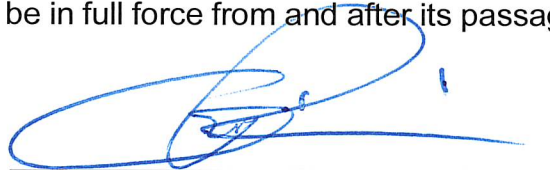
SEE ATTACHED EXHIBIT "A", Legal Description, and EXHIBIT "B", Plat of the property being annexed.

B. That the Property at the time it is annexed into the City shall have a zoning classification of Industrial Park ("IP") in accordance with the City's Zoning Map and Zoning Ordinance, and in accordance with the terms of the Agreement; and that prior to the adoption of this Ordinance the City has submitted an application to the Kenton County Planning Commission in accordance with the provisions of KRS 100.209 to conduct the required public hearing and processes to have the Property zoned as IP, in accordance with the terms of the Agreement, including the Concept Plan and Development Condition attached as exhibits to the Agreement.

C. That the City hereby approves the zoning classification of the Property to IP, and approves the Concept Plan and Development Condition related the development of the Property as attached to the Agreement.

SECTION II

That this ordinance shall take effect and be in full force from and after its passage, publication and recording, according to law.



Christopher J. Reinersman, Mayor

ATTEST:



Gina Gabbard, City Clerk

First Reading: January 11, 2021

Second Reading: April 5, 2021

Ayes: 6

Nays: 0

Publication Date: 04/14/2021