

**ORDINANCE NO. 2024-O-05**

**AN ORDINANCE AMENDING THE INDEPENDENCE ZONING ORDINANCE BY ALLOWING FENCES IN THE FRONT YARDS OF STANDARD CORNER LOTS AND CREATING NEW DEFINITIONS FOR CORNER LOTS AND REVERSE CORNER LOTS**

**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 to allow fences in the front yards of corner lots;

**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 March 7, 2024, voted to approve the text amendment on the following 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, allowing fences in the front yards of corner lots and creating new definitions for corner and reverse corner lots, on the following bases:

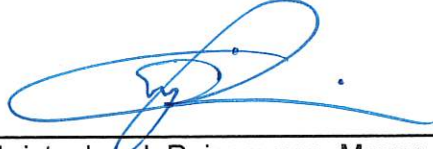
1. The proposed text amendment is appropriate and reasonable. Allowing limited fencing within the front yard of a corner lot helps the landowner to fully utilize their property.
2. The proposed text amendment is consistent with the comprehensive plan which calls for additional flexibility in the regulations to promote a more engaging built environment. Allowing limited fencing in the front yard of a corner lot creates a more engaging built environment.
3. Based on testimony provided during the public hearing held on March 7, 2024.

**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.



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Christopher J. Reinersman, Mayor

ATTEST:



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Gina Rawe, City Clerk

First Reading: April 1, 2024

Second Reading: May 6, 2024

Ayes: 6

Nays: 0

Date of Publication: 05/14/2024