

**CITY OF FLORENCE, KENTUCKY
ORDINANCE O-2-22**

AN ORDINANCE RELATING TO THE ADOPTION OF THE FLORENCE, KY MAIN STREET ZONING UPDATE THAT INCLUDES TEXT AND ZONING MAP AMENDMENTS THAT AFFECT ARTICLE 23 OF THE BOONE COUNTY ZONING REGULATIONS AND SECTION 3440.C-FLORENCE MAIN STREET SPECIAL SIGN DISTRICT, AS WELL AS THE ZONING MAP BOUNDARIES FOR THE FLORENCE MAIN STREET DISTRICT WITHIN THE CITY OF FLORENCE, KENTUCKY; AND RECOMMENDING THAT THIS FLORENCE, KY MAIN STREET STUDY UPDATE, INCLUDING ITS TEXT AND MAP AMENDMENTS SET FORTH HEREIN BE ADOPTED AND MADE ENFORCEABLE AS LAND USE REGULATIONS UNDER THE BOONE COUNTY ZONING REGULATIONS, TEXT AND MAP, AS APPLICABLE TO THE CITY OF FLORENCE, KENTUCKY.

WHEREAS, the City of Florence, Kentucky, is a member of the county-wide planning unit that is served by the Boone County Planning Commission established pursuant to Chapter 100 of the Kentucky Revised Statutes for Boone County, Kentucky, and

WHEREAS, the City of Florence, Kentucky, being one of the legislative bodies served by the Boone County Planning Commission, pursuant to the Boone County planning unit established according to Chapter 100 of the Kentucky Revised Statutes, requested that the Boone County Planning Commission evaluate the Florence Main Street Study (“FMS”) and its related Florence Main Street Zoning Study and make appropriate recommendations to change, revise, and amend the Boone County Zoning Regulations (both Text and Map) as applicable to the Florence Main Street area to promote, meet, and satisfy an updated vision and goals of the Main Street area, this requesting being made on December 16, 2020; and

WHEREAS, the Boone County Planning Commission has recommended by Resolution No. R-22-002-A, Exhibit “1”, which is attached hereto and incorporated herein by reference as if fully set out, approval and adoption of the Florence, KY Main Street Zoning Update that

includes text and zoning map amendments that affect Article 23 of the Boone County Zoning Regulations and Section 3440.C-Florence Main Street Special Sign District, as well as the zoning map boundaries for the Florence Main Street District within the City of Florence, Kentucky; and recommended that the Florence, KY Main Street Study Update, including its text and map amendments set forth therein be adopted and made enforceable as land use regulations under the Boone County Zoning Regulations, text and map, as applicable to the City of Florence, Kentucky.

WHEREAS, the recommendation for approval of these text amendments from the Boone County Planning Commission are based upon certain findings attached to, and made part of, that Commission’s Resolution, all of which have been reviewed by the City Council for the City of Florence, Kentucky.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FLORENCE, KENTUCKY, AS FOLLOWS:

SECTION I

That the Staff Report dated December 1, 2021, to consider the 2021 Florence, KY Main Street Study Zoning Update (“FMS Update”), and the Staff PowerPoint Presentation made at the December 1, 2021, Boone County Planning Commission Public Hearing, Exhibit “A” to Resolution No. R-22-002-A, shall be and is hereby adopted and approved as part of the Record to support the 2021 FMS Update, and is incorporated herein by reference as if fully set out.

SECTION II

That the 2021 Florence, KY Main Street Zoning Study Update (“FMS Update”) attached to that Staff Report and presented at the December 1, 2021, Boone County Planning Commission

Public Hearing, Exhibit “B” to Resolution No. R-22-002-A, shall be and is hereby adopted and approved as amendments to the Boone County Zoning Regulations applicable to the City of Florence, Kentucky, for Article 23 and Section 3440.C, and the official Zoning Map as set forth in Appendix A attached to Exhibit “B”, which are incorporated by reference as if fully set out herein, subject to the revisions described in the Technical/Design Review Committee Report, dated January 5, 2022, set forth in Section III herein.

SECTION III

That the Technical/Design Review Committee Report dated January 5, 2022, attached hereto and marked as Exhibit “C” to Resolution No. R-22-002-A, discussed at the public meeting for that Committee on December 15, 2021, shall be and is hereby adopted and approved as revisions to the Florence, Kentucky Main Street Study Zoning Update (“FMS Update”), and its Appendix A regarding Text and Map amendments to the Boone County Zoning Regulations applicable to the City of Florence, Kentucky.

SECTION IV

That the 2021 Florence, KY Main Street Zoning Update (“FMS Update”) is a land use and zoning study that includes a series of amendments that affect Boone County Zoning Regulations, Text, and Zoning Map that comprises approximately 77.6 acres generally bounded by Burlington Pike to the north, Dixie Highway to the south, U.S. 42 to the west, and Turfway Road to the east.

SECTION V

This Ordinance and its recommended Text and Zoning Map amendments to the Boone County Zoning Regulations applicable to the City of Florence, Kentucky, are based on the

Findings of Fact adopted by the Boone County Planning Commission as outlined in the Technical/Design Review Committee Report dated January 5, 2022, that Report being Exhibit “C” to Resolution No. R-22-002-A, attached hereto and incorporated by reference as if fully set out.

SECTION VI

This Ordinance and its Text and Zoning Map amendments to the Boone County Zoning Regulations are intended to promote the Public Health, Safety, and General Welfare of the Planning Unit, to facilitate orderly and harmonious land use development and intensity of land use, and to assist in proper regulation of congestion, circulation of people and commodities, and other legitimate governmental purposes recognized in Chapter 100 of the Kentucky Revised Statutes.

SECTION VII

All other terms, provisions, clauses, parts, sections, subparts, subsections, or portions of the current Zoning Regulation Text and Map as applicable to the City of Florence, Kentucky, shall and do hereby remain in full force and effect.

SECTION VIII

If the approval of this Ordinance or its Text or Zoning Map amendments herein shall be held invalid, in whole or in part, by any court of proper jurisdiction, that invalidity shall not affect the validity of any of the other zoning text regulations, zoning map, comprehensive plan, or other portions, provisions, or terms of any other regulations adopted as zoning or land use regulations as they are severable from this Ordinance, and are intended to have continued full force and effect regardless of any invalidity relating to this particular Ordinance.

SECTION IX

This Ordinance shall be published by posting on the City's internet website.

PASSED AND APPROVED ON FIRST READING THIS 8th DAY OF FEBRUARY, 2022.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED
THIS 1st DAY OF MARCH, 2022.

APPROVED:

/s/ Diane E. Whalen
Diane E. Whalen, Mayor

ATTEST:

/s/ Melissa Kramer
Melissa Kramer, City Clerk