

**CITY OF FLORENCE, KENTUCKY  
ORDINANCE O-13-2025**

**AN ORDINANCE RELATING TO THE ADOPTION AND APPROVAL OF TEXT AMENDMENTS TO THE BOONE COUNTY ZONING REGULATIONS TEXT AS APPLICABLE TO THE CITY OF FLORENCE, KENTUCKY, THESE TEXT AMENDMENTS BEING CONSIDERED FOR ENACTMENT TO REGULATE AND DEFINE SOLAR ENERGY SYSTEMS AND BATTERY STORAGE FACILITIES AND IDENTIFY ZONING DISTRICTS WHERE SUCH USES ARE ALLOWED AS AUTHORIZED USES. THESE TEXT AMENDMENTS BEING TO ARTICLE 40, SECTION 4000; ARTICLE 5, SECTION 505.1; ARTICLE 5, SECTION 505.2; ARTICLE 5, SECTION 505.3; ARTICLE 5, SECTION 505.4; ARTICLE 5, SECTION 505.5; ARTICLE 31, SECTION 3117; AND ARTICLE 31, SECTION 3118.**

**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 Boone County Planning Commission has studied various Zoning Ordinance provisions to define solar energy systems and battery storage facilities and to identify zoning districts where such uses are allowed as authorized uses, thereby resulting in proposed text amendments to various Articles set forth in the Boone County zoning text regulations, and

**WHEREAS**, a Staff Report was presented at a Public Hearing conducted November 6, 2024, recommending amendments to various Articles of the Boone County Zoning Text Regulations, and

**WHEREAS**, the Boone County Planning Commission has recommended approval of these text amendments by Resolution No. R-24-036-A, as specifically set forth in Exhibit “1”, which is attached hereto and incorporated herein by reference as if fully set out, and

**WHEREAS**, the City of Florence Zone Change Committee has met and reviewed the Boone County Planning Commission recommendation. The Zone Change Committee has, after reviewing the record, submitted its Committee Report with modifications, as set forth in the attached Exhibit “2”.

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

**SECTION I**

Requirements of Chapter 100 of the Kentucky Revised Statutes having been followed, the text amendments to the Boone County Zoning Regulations text as proposed by the Boone

County Planning Commission Technical/Design Review Board shall be and are hereby adopted and approved, subject to the modifications set forth in the City of Florence Zone Change Committee Report, and become part of the Boone County Zoning Regulations text as applicable to the City of Florence, Kentucky. Text amendments adopted and approved herein are attached hereto, marked as Exhibit “2” and incorporated herein by reference as if fully set out.

## **SECTION II**

Adoption of these text amendments to the Boone County Zoning Regulations text are based upon the City of Florence Zone Change Committee Report attached and marked as Exhibit “2”. More particularly, the City of Florence, Kentucky, and its City Council hereby adopt the determination of the City of Florence Zone Change Committee Report, that the text amendments comprising Exhibit “2” are in agreement with the Boone County Comprehensive Plan, and are consistent with the Boone County Zoning Map as applicable to the City of Florence, Kentucky. Text amendments to the current Boone County Zoning Regulations being adopted herein by the City of Florence, Kentucky, and its City Council are hereby declared severable with regard to the other parts, sections, subsections, clauses and provisions of either this Ordinance or the remaining portions of the Boone County Zoning Regulations, text and zoning map, previously adopted by the City of Florence, Kentucky, through its City Council. If a Court having jurisdiction invalidates any part, section, subsection, clause or provision of this Ordinance or the text amendments adopted herein, then all other parts, sections, subsections, clauses or provisions of the Boone County Zoning Regulations, text and zoning map, previously adopted by the City of Florence, Kentucky, and its legislative body shall remain in full force and effect as they are severable.

### **SECTION III**

If the text amendments to the Boone County Zoning Regulations being adopted herein, or any portion thereof, are invalidated in whole or in part by a Court having competent jurisdiction, then any property or properties that may become invalidly zoned by such action shall not become unzoned or unregulated property. Instead, the zoning regulations, text and map, applicable to that property or properties shall be those zoning regulations in effect most recently prior to the text amendments, or any portion thereof, adopted herein being held invalid.

### **SECTION IV**

Except for the text amendments adopted herein by the City of Florence, Kentucky, and its legislative body (Exhibit “2”), all other portions and provisions of the Boone County Zoning Regulations, text and map, previously adopted by the City of Florence, Kentucky, and its City Council as its legislative body are unaffected by this Ordinance and shall remain in full force and effect as previously enacted.

### **SECTION V**

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

PASSED AND APPROVED ON FIRST READING THIS 10<sup>th</sup> DAY OF JUNE, 2025.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 17<sup>th</sup> DAY OF JUNE, 2025.

**APPROVED:**

/s/ Julie M. Aubuchon  
Julie M. Aubuchon, Mayor

**ATTEST:**

/s/ Melissa Kramer  
Melissa Kramer, City Clerk