

ORDINANCE NO. 323 (8-16-17)

AN ORDINANCE OF THE CITY OF TAYLOR MILL IN KENTON COUNTY KENTUCKY, AMENDING THE TEXT OF SECTION 10.3 OF THE TAYLOR MILL ZONING ORDINANCE TO ADD EXISTING NEIGHBORHOOD RESTAURANTS AS A PERMITTED USE WITHIN THE R-1C ZONE.

WHEREAS, the City of Taylor Mill has proposed text amendments to the Taylor Mill zoning ordinance numbered 1977-24, as previously amended and re-enacted from time to time, to add existing neighborhood restaurants as a permitted use within the R-1C zone, along with outdoor dining in conjunction with the area subject to area, time and noise restrictions;

WHEREAS, pursuant to the requirements of K.R.S. 100.211, the proposed text amendment was submitted to and reviewed by the Kenton County Planning Commission (KCPC) in proceedings numbered PC1707-0001 thereof; and, after a public hearing on August 5, 2017, the KCPC recommended approval of the proposed amendment;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF TAYLOR MILL IN KENTON COUNTY KENTUCKY, AS FOLLOWS:

Section 1.0 – Zoning Text Amendments

Section 10.3 of Article X of the Taylor Mill zoning ordinance numbered 1977-24, as previously revised and amended from time to time, is hereby again amended to add as a permitted use in the R-1C (Residential One-C) zone, neighborhood family restaurants that existed before this amendment but subject to area, time and noise restrictions, all in conformity with the language in the ATTACHMENT A to this ordinance, which is incorporated herein by reference, with the words, letters and numbers being added indicated by a single solid line beneath them.

Section 2.0 – Provisions Severable

The provisions of this ordinance are severable; and the invalidity of any provision of this ordinance shall not affect the validity of any other provision thereof; and such other provisions shall remain in full force and effect as long as they remain valid in the absence of those provisions determined to be invalid.

Section 3.0 – Conflicting Ordinances Repealed

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 4.0 – Effective Date

This ordinance shall be effective as soon as possible according to law.

Section 5.0 - Publication

This ordinance shall be published in summary pursuant to K.R.S. 83A.060 (9).



DANIEL L. BELL, Mayor

ATTACHMENT A
Proposed Text Amendments to Taylor Mill Zoning Ordinance
Words to be deleted are ~~(lined through)~~ - Words to be added are underlined

SECTION 10.3 R-1C (RESIDENTIAL ONE-C) ZONE

A. PERMITTED USES

1. Single-family residential dwellings (detached)
2. Neighborhood restaurant (with or without a liquor license), that existed before this zoning was enacted. Outdoor dining is permitted provided that such area meets the following minimum requirements:
 - a. Such area shall be designed to clearly identify the limits of the outdoor dining area, which shall not include any drive-thru facility
 - b. Such area shall not exceed twenty-five (25) percent of the maximum seating capacity of the indoor dining area
 - c. Entertainment, music, and sound amplifying systems shall not be permitted within the outdoor dining areas. Televisions are permitted.
 - d. Such areas shall not be permitted to locate within any minimum required front, side, or rear yard, except where a variance has been approved by the Board of Adjustments, unless that structure existed before the R-1C Zone was adopted.
 - e. Outdoor dining areas shall be operated no later than (10:00) o'clock p.m. on Sunday through Thursday inclusive, and no later than eleven (11:00) o'clock p.m. on Friday and Saturday.

ATTACHMENT A

Proposed Text Amendments to Taylor Mill Zoning Ordinance Words to be deleted are [lined through] - Words to be added are underlined

SECTION 10.3 R-1C (RESIDENTIAL ONE-C) ZONE

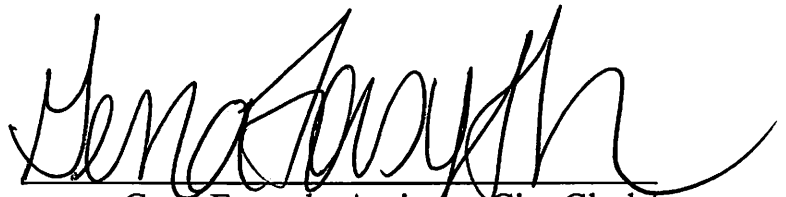
A. PERMITTED USES

1. Single-family residential dwellings (detached)
2. Neighborhood restaurant (with or without a liquor license), that existed before this zoning was enacted. Outdoor dining is permitted provided that such area meets the following minimum requirements:
 - a. Such area shall be designed to clearly identify the limits of the outdoor dining area, which shall not include any drive-thru facility
 - b. Such area shall not exceed twenty-five (25) percent of the maximum seating capacity of the indoor dining area
 - c. Entertainment, music, and sound amplifying systems shall not be permitted within the outdoor dining areas. Televisions are permitted.
 - d. Such areas shall not be permitted to locate within any minimum required front, side, or rear yard, except where a variance has been approved by the Board of Adjustments, unless that neighborhood restaurant business use existed before the R-1C Zone was adopted.
 - e. Outdoor dining areas shall be operated no later than (10:00) o'clock p.m. on Sunday through Thursday inclusive, and no later than eleven (11:00) o'clock p.m. on Friday and Saturday.
 - f. Outdoor dining areas shall be operated no later than (10:00) o'clock p.m. on Sunday through Thursday inclusive, and no later than eleven (11:00) o'clock p.m. on Friday and Saturday.

Certification

The undersigned, Gena M. Forsyth, Assistant City Clerk/Special Events Coordinator of City of Taylor Mill, in Kenton County, Kentucky, hereby certified as follows:

1. The foregoing Ordinance No. 323 (8-16-17) was introduced in writing and read to the City Commission of the City of Taylor Mill at regular or special meetings thereof on the 9th day of August, 2017, and the 16th day of August, 2017, at which quorums were present; and said Ordinance was enacted by the City Commission of the City of Taylor Mill upon the affirmative vote of at least a majority of a quorum thereof, at the meeting thereof on the 16th day of August, 2017, with the vote of each member of the City Commission entered upon the official record of such meeting; and
2. After the passage and adoption of the foregoing Ordinance by the City Commission of the City of Taylor Mill, it was submitted to the Mayor of the City of Taylor Mill who approved said Ordinance by affixing his signature thereto within ten (10) days after the submission thereof to him; and
3. The foregoing Ordinance was published on the 21st day of August, 2017, in the Kentucky Enquirer, a newspaper qualified therefore, pursuant to the provisions of K.R.S. Chapter 424.



Gena Forsyth, Assistant City Clerk/
Special Events Coordinator

ENQUIRER MEDIA

PART OF THE USA TODAY NETWORK

Advertiser:

TAYLOR MILL CITY OF
5225 TAYLOR MILL RD

TAYLOR MILL KY 41015

AFFIDAVIT OF PUBLICATION

Newspaper: CIN-EN Kentucky Enquirer

LEGAL NOTICE
ATTACHED

State of Wisconsin

RE: Order # 0002353484

Account #: CIN-619651

Total Cost of the Ad: \$145.58

Last Run Date: 08/21/2017

I, *M. Felty*

of the The Enquirer, a newspaper printed in Cincinnati, Ohio and published in Cincinnati, in said County and State, and of general circulation in said county, and as to the Kentucky Enquirer published in Ft. Mitchell, Kenton County, Kentucky, who being duly sworn, depose and saith that the advertisement of which the annexed is a true copy, has been published in the said newspaper times, once in each issue as follows:

08/21/17

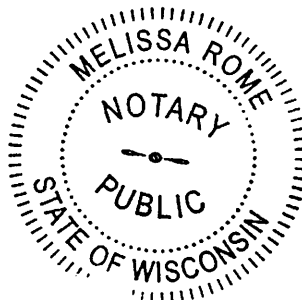
Subscribed and sworn to before me this 22th day of August, 2017

M. Rome
Notary Public

Cincinnati Enquirer

Kentucky Enquirer

Cincinnati.Com



LEGAL NOTICE

TAYLOR MILL ORDINANCE NO. 323 (8-16-17)

TITLE

AN ORDINANCE OF THE CITY OF TAYLOR MILL IN KENTON COUNTY KENTUCKY, AMENDING THE TEXT OF SECTION 10.3 OF THE TAYLOR MILL ZONING ORDINANCE TO ADD EXISTING NEIGHBORHOOD RESTAURANTS AS A PERMITTED USE WITHIN THE R-1C ZONE.

NARRATIVE

Taylor Mill Ordinance No. 323 (8-16-17) was enacted on August 16, 2017; and it is an ordinance that adds existing neighborhood restaurants as a permitted use within the R-1C zone, along with outdoor dining in conjunction with the area subject to area, time and noise restrictions.

TAXES OR FEES

No section of Taylor Mill Ordinance No. 323 (8-16-17) imposes any tax or fee.
KY, Aug 21, '17 #2353484