A SUMMARY OF CITY OF LONDON ORDINANCE NO. 2016-04 ENTITLED DEVELOPMENT ORDINANCE FOR THE CITY OF LONDON, KENTUCKY.

This Summary is prepared pursuant to KRS 83A.060(4).

The following is intended to be a summary of Ordinance No. 2016-04 as herein above stated. This summary is prepared by Larry G. Bryson, the attorney for the City of London, Kentucky, who is authorized to practice law in the Commonwealth of Kentucky and who further states that this document is a true and correct summary of Ordinance No. 2016-04.

The general purpose of this ordinance is to regulate the use of land and structures, and their development within the City of London, all for the purpose of protecting the public health, safety, and general welfare of the Citizens of London. In this Ordinance, the City formally adopts the Comprehensive Plan which serves as the general guide for future development.

The Planning Commission and the Board of Zoning Adjustment each consist of five (5) members, all of whom are required to be residents of the City of London. Upon adoption of this ordinance the Mayor of the City of London will appoint members to the Planning Commission and the Board of Zoning Adjustment. Future appointments are to be made in keeping with these requirements. Removals from either the Board or Commission may be made for inefficiency, neglect of duty, malfeasance or conflict of interest.

Both the Commission and the Board have the legal authority to employ planners and other persons and payments are authorized, although each are required to be self-supporting. Members of both the Commission, the Board, the recording secretary and building inspector are authorized to be paid. Both the Commission and Board have subpoena powers. The powers and duties of both the Commission and Board are set out completely in the full text of the Ordinance. The Commission is authorized to:

- Prepare a comprehensive plan.
- Review and amend the comprehensive plan as necessary.
- Review all proposed amendments to this ordinance and make recommendations to the City Council.
- File certificates of land use restriction where a Conditional Use Permit has not been exercised <u>within the time limit set</u> by the board, <u>or within one year</u> if no specific time limit has been set, such Conditional Use Permit shall revert to its original designation, unless there has been a public hearing.

- Review all Conditional Use Requests.
- Review all requests for amending zoning map and text regulation (Zone Changes or Text Amendments)
- Review all subdivision developments with the City of London.

The Board of Adjustment is authorized to hear and decide applications for conditional use permits and variances. The procedures for each are outlined in the Ordinance as well as notice requirements, the review process, role of the Administrative Official and factors considered in granting each. Where a Conditional Use Permit has not been exercised within the time limit set by the board, or within one year if no specific time limit has been set, such Conditional Use Permit will revert to its original designation, unless there has been a public hearing granting otherwise.

Appeal procedures from decisions of both the Commission and the Board are outlined in the full text of the Ordinance.

Within the districts established by this ordinance and the prior Ordinances, there existed lots, structures, and uses of lands and structures which were lawful before the property was annexed into the City or before this ordinance was passed or amended, but which would be prohibited, regulated, or restricted under the forms of this ordinance or future amendments. It is the intent of this ordinance to permit these non-conforming uses to continue, but not to allow their expansion, enlargement, or extension.

The Codes Enforcement Office is responsible for the review/revision and adoption of the Comprehensive Plan, and its implementation through the use of this ordinance. In addition to overseeing the use of land and structures, and the subdivision and development of land, this office enforces the various codes that pertain to structural development. The Codes Enforcement Office is the recipient of all applications that are described in this ordinance. An Administrative Official administers and enforces this ordinance and is given specific duties and responsibilities in the Ordinance.

Building Permits requirements, fees, charges and expenses are established in the Ordinance.

Classifications of Uses and uses allowed are outlined in the Ordinance. The manner of amending this Ordinance is described in the ordinance. Zoning Districts are described in the Ordinance; they are

1. Residential
2. Business (Commercial)
3. Industrial
4. (MP) Mobile Home Park
5. Planned Development District
6. Governmental Districts

Parking lots and improvements, landscape requirements, signs (on and off premises), and telecommunication facilities and the requirements for each are outlined in the Ordinance, as well as the enforcement procedures.

Flood Damage and prevention and planning, Special Flood Hazard Areas, flood insurance, floodplain management and certification and enforcement, violation and notices are addressed in the ordinance and definitions related thereto. The Building Inspector is authorized to administer the Plan.

Dumpster enclosures and Knox box requirements are addressed in the Ordinance. Replacement and interpretation of the official zoning map are outlined in the Ordinance.

Land division and development, subdivisions, and improvements with authority to the London Planning Commission are particularly addressed in the Ordinance.

Design and Development standards for streets, blocks, lots, utilities, recreation areas, other public facilities, and hazardous areas including land subject to flooding within the City of London is addressed particularly in the Ordinance. Drainage and Erosion controls are specifically addressed.

Landscape Requirements within the City of London that will improve the aesthetic and functional quality of new development and minimize the friction between different urban land uses is addressed in the Ordinance.

Public Utilities/Facilities and the administration of these regulation by the Planning Commission or city officials with regard to new development and the adopted community plans for utility systems is particularly addressed in the Ordinance. Sanitary sewage treatment service, storm water drainage, water supply system, and fire hydrant bonding are specifically addressed.

The schedule of fees, charges, ad expenses with regard to the collection procedure for building permits, certificates of occupancy, appeals, and other items is addressed in the Ordinance.

Development of structures and code references are outlined in the Ordinance. This includes the procedures for obtaining a building permit.

The Ordinance addresses complaints and penalties. This Ordinance adopts present Zoning Classifications that were established by the London-Laurel County Joint Zoning and Planning Commission.

Any Ordinances or parts of Ordinances in conflict with this Ordinance are repealed and this Ordinance is effective on publication.

This Summary is certified as a true and accurate summary of Ordinance No.2016-04 by Larry G. Bryson, City Attorney for the City of London.

LARRY G. BRYSON
ATTORNEY FOR THE CITY OF LONDON