

**CITY OF DAYTON, KENTUCKY  
ORDINANCE # 2021#18**

**AN ORDINANCE UPDATING THE OFFICIAL ZONING MAP FOR  
THE CITY OF DAYTON, KENTUCKY, TO EXPAND THE CENTRAL  
BUSINESS DISTRICT ZONE TO INCLUDE PROPERTIES ALONG 6TH  
AVENUE BETWEEN CLAY AND MAIN STREETS, 701 BERRY, AND  
PROPERTIES ON BERRY BETWEEN 5TH AND 6TH AVENUE.**

**WHEREAS**, the City of Dayton has adopted a Zoning Ordinance, Zoning Map, and Subdivision Regulations ("Zoning Regulations") within the City of Dayton, Kentucky ("City"); and

**WHEREAS**, the Dayton Planning & Zoning Commission ("P&Z Commission") serves as the planning unit related to the Zoning Regulations in the City and makes recommendations to the Dayton City Council ("City Council") regarding these regulations; and

**WHEREAS**, the City Council requested that P&Z Commission review and act upon a request to rezone properties along 6th Avenue between Clay and Main Streets, 701 Berry, and properties on Berry between 5<sup>th</sup> and 6<sup>th</sup> Avenue from Residential One JJ ("R-1JJ") to the Central Business District ("CBD") Zone; and

**WHEREAS**, the Dayton Zoning Ordinance Section 17.0 (F) identifies that one half of the area of the adjacent right-of-way and the area continuous to the same zone be of the area being sought shall be included to provide continuity; and

**WHEREAS**, the Dayton Planning & Zoning Commission held a public hearing, pursuant to advertised legal notice in accordance with KRS Chapters 100 and 424, on September 22, 2021, in Dayton, Kentucky; and

**WHEREAS**, at this public hearing and after due consideration of the evidence and testimony presented there, the Planning & Zoning Commission voted in favor of the approval of the requested map amendment to include the subject parcels identified as 701 6th Avenue, 709 6th Avenue, 501 Berry Avenue, 503 Berry Avenue, 505 Berry Avenue, 507 Berry Avenue, 701 Berry Avenue, 802 6th Avenue, 804 6th Avenue, 806 6th Avenue, 808 6th Avenue, 812 6th Avenue, 814 6th Avenue, 818 6th Avenue, 822 6th Avenue, 826 6th Avenue, 828 6th Avenue, 515 Clay Street, 807 6th Avenue, 809 6th Avenue, 813 6th Avenue, 815 6th Avenue, 819 6th Avenue, 821 6th Avenue, 823 6th Avenue, 825 6th Avenue, and adjacent rights-of ways; and,

**WHEREAS**, the Dayton City Council, having reviewed the proposed zoning map amendment, hereby concurs with the recommendation of the Dayton Planning & Zoning Commission to approve this zone change request;

**NOW, THEREFORE, BE IT ORDAINED BY THE DAYTON CITY COUNCIL AS FOLLOWS:**

**Section I**

That the official zoning map for Dayton, Campbell County, Kentucky is hereby amended to rezone the parcels identified as 701 6th Avenue, 709 6th Avenue, 501 Berry Avenue, 503 Berry

Avenue, 505 Berry Avenue, 507 Berry Avenue, 701 Berry Avenue, 802 6th Avenue, 804 6th Avenue, 806 6th Avenue, 808 6th Avenue, 812 6th Avenue, 814 6th Avenue, 818 6th Avenue, 822 6th Avenue, 826 6th Avenue, 828 6th Avenue, 515 Clay Street, 807 6th Avenue, 809 6th Avenue, 813 6th Avenue, 815 6th Avenue, 819 6th Avenue, 821 6th Avenue, 823 6th Avenue, 825 6th Avenue, and adjacent rights-of ways in the City of Dayton from Residential One JJ (R-1JJ) to the Central Business District (CBD) Zone.

## Section II

This ordinance shall be in full force and effect from and after its adoption, approval, and publication as is required by law.

**PASSED** by City Council of the City of Dayton, Campbell County, Kentucky assembled in regular session.

First Reading: Oct. 5, 2021

Second Reading:

MAYOR BEN BAKER

ATTEST:

DONNA LEGER  
CITY CLERK/TREASURER

