

**THE CITY OF PARK HILLS, KENTUCKY
ORDINANCE NO. 14, 2013**

AN ORDINANCE: (i) AMENDING THE TEXTS OF ARTICLE X (ZONES), SECTION 10.9 (HC (HIGHWAY COMMERCIAL) ZONE), SUBSECTION (A) (PERMITTED USES) OF THE PARK HILLS ZONING CODE TO DESIGNATE “RENTALS OF AUTOMOBILES AND TRUCKS WEIGHING UP TO 25,999 LBS.” AS PERMITTED USES WITHIN THE HIGHWAY COMMERCIAL ZONE, AND (ii) AMENDING THE TEXT OF SUBSECTION (E)(8) (OTHER DEVELOPMENTAL CONTROLS) BY PROVIDING AN EXCEPTION FOR AUTOMOBILE AND/OR TRUCK RENTAL BUSINESSES.

WHEREAS, an emergency exists due to the opening of a local business depending on the zoning amendment;

WHEREAS, a public hearing was held on this amendment on Tuesday, July 9, 2013 at 6:15 p.m., in the Northern Kentucky Area Planning Commission’s first floor meeting room, 2332 Royal Drive, Fort Mitchell, Kentucky; and a record of that hearing is on file at the offices of the Kenton County Planning Commission, 2332 Royal Drive, Fort Mitchell, Kentucky;

BE IT ORDAINED BY THE CITY OF PARK HILLS, KENTUCKY:

Section 1. That Article X (*Zones*), Section 10.9 (*HC (Highway Commercial) Zone*), Subsection (A) (*Permitted Uses*) of the Park Hills Zoning Code is hereby amended as follows:

SECTION 10.9 HC (HIGHWAY COMMERCIAL ZONE)

A. PERMITTED USES

1. Automotive service and repair.
2. Bank, and other financial institutions including loan, savings, and finance companies, with drive-in windows.
3. Catering.
4. Computer service and repair.
5. Eating and drinking places, including drive-ins and drive thrus.
6. Household and electrical appliances, sales and service.
7. Motor vehicle parts, wholesale and retail sales.
8. Off-street parking lots and/or garages.
9. Police and fire stations.
10. Privately owned and/or operated recreational uses, including but not limited to indoor soccer, cheerleading, and gymnastic facilities.
11. Nursery schools.
12. Storage facilities.
13. Rentals of automobiles and trucks weighing up to 25,999 lbs.

Section 2. That Article X (*Zones*), Section 10.9 (*HC (Highway Commercial) Zone*), Subsection (E) (*OTHER DEVELOPMENTAL CONTROLS*) of the Park Hills Zoning Code is hereby amended as follows:

SECTION 10.9 HC (HIGHWAY COMMERCIAL ZONE)

E. OTHER DEVELOPMENTAL CONTROLS

1. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XIII and XIV of this Ordinance.
2. No outdoor storage of any material (usable or waste) shall be permitted in this zone except within closed containers.
3. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right – of – way, or into any adjacent property.
4. Screening and landscaping shall be provided, as regulated by Section 9.16 of this ordinance. In no case shall the minimum planting strip be required to exceed the minimum setback requirement established for this zone.
5. No use producing objectionable odors, noise, or dusty shall be permitted within five hundred (500) feet from the boundary of any residential zone.
6. A site plan, as regulated by Section 9.18 of this Ordinance shall be required for any use in this zone.
7. Off-street parking and loading and/or unloading areas may be located in front and side yard areas in this zone provided that no off-street parking areas shall be closer than (15) feet to the streets, road, highway, or right – of – way line or boundary line of any adjacent district. This fifteen (15) foot area shall remain open and unobstructed except items specifically permitted in yards in this Ordinance.
8. All Business activities permitted within this zone shall be conducted within a completely enclosed building with the exception of off-street parking, loading and/or unloading areas, providing, however, that temporary parking of vehicles to be repaired or serviced may be allowed if stored within an area completely enclosed on all sides by a fence or wall, as regulated by Article XVI of this Ordinance. Automobile and/or truck rental businesses shall be exempt from complying with this provision, subsection (E)(8), and may permanently park their vehicles within a non-enclosed area of their property.

Section 3. That if any provision of this Ordinance is deemed by a court of competent jurisdiction to be unenforceable or unconstitutional, the remaining provisions of this Ordinance shall continue in full force and effect.

Section 4. That all other ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of the conflict.

Section 5. That this ordinance shall become effective upon its passage and shall be published pursuant to KRS §83A.060(9) and other applicable law.

Section 6. An emergency is hereby declared to exist and the provisions of this Ordinance shall become effective immediately upon its adoption and by a vote of two-thirds (2/3) or more of the legislative body.

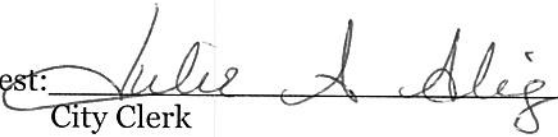
Passed by the City Council this 9th day of December, 2013.

City of Park Hills, Kentucky
A Municipal Corporation of the Fourth Class



Don Catchen, Mayor

Attest:



City Clerk

First Emergency Reading: 12/9/13