

**THE CITY OF PARK HILLS, KENTUCKY  
ORDINANCE NO. 2, 2012**

**AN ORDINANCE AMENDING THE TEXT OF ARTICLE X (ZONES), SECTION 10.8 (NC (NEIGHBORHOOD COMMERCIAL) ZONE), SUBSECTIONS (A) (PERMITTED USES) AND (E) OF THE PARK HILLS ZONING CODE TO DESIGNATE "NURSERY SCHOOL" AS A PERMITTED USE WITHIN THE NEIGHBORHOOD COMMERCIAL ZONE**

WHEREAS, That Article VII (*Definitions*) of the Park Hills Zoning Code defines "Nursery School" as "Any building used for the daytime care or education of preschool age children with or without compensation, and including all accessory buildings and play areas, and shall for the purpose of this Ordinance, be considered a group activity;" and

WHEREAS, That the City Council of The City of Park Hills, Kentucky finds and determines that the general welfare of its residents and the real properties located within its boundaries will be furthered and advanced by amending the text of the Park Hills Zoning Code to include Nursery Schools as a permitted use within the Neighborhood Commercial zone; and

WHEREAS, That the Northern Kentucky Area Planning Commission approved in writing the proposed change to the Neighborhood Commercial zone, with a stated condition, at its regular meeting held March 1, 2012; and

WHEREAS, That City Council fully concurs with the NKAPC's decision and recommendation.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY OF PARK HILLS, KENTUCKY,** as follows:

**Section 1.** That Article X (*Zones*), Section 10.8 (*NC (Neighborhood Commercial) Zone*), Subsection (A) (*Permitted Uses*) of the Park Hills Zoning Code be, and it is, amended as follows:

**SECTION 10.8 NC (NEIGHBORHOOD COMMERCIAL) ZONE**

A. PERMITTED USES:

\* \* \* \* \*

48. Nursery schools.

**Section 2.** That Article X (*Zones*), Section 10.8 (*NC (Neighborhood Commercial) Zone*), Subsection (E) (*Other Development Controls*) of the Park Hills Zoning Code be, and it is, amended as follows:

SECTION 10.8 NC (NEIGHBORHOOD COMMERCIAL) ZONE

\* \* \* \* \*

E. OTHER DEVELOPMENT CONTROLS:

\* \* \* \* \*

- 7. All business activities permitted within this zone shall be conducted within a completely enclosed building with the exception of off-street parking, loading, or unloading areas, and the outdoor play areas of nursery schools.

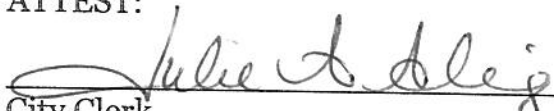
Section 3. That if any provision of this Ordinance is deemed by a court of competent jurisdiction to be unenforceable or unconstitutional, the remaining provisions of this Ordinance shall continue in full force and effect.

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 be effective when passed, published and journalized according to law.

  
Don Catchen, Mayor

ATTEST:

  
City Clerk

First Reading: 2/13/12  
Second Reading: 3/20/12  
Passed: 3/20/12

s:\raw\park hills\ordinances\daycare\amendmenta.doc