

ORDINANCE NO. 1, 2022

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARK HILLS, KENTUCKY AMENDING ARTICLE VII-DEFINITIONS, SECTION 7 AND ARTICLE X-ZONES, SECTIONS 10.1 THRU 10.7 OF THE OFFICIAL ZONING CODE REGARDING FAMILY CHILD-CARE HOMES TO CREATE A DEFINITION THEREOF AND TO INCLUDE SUCH AS A CONDITIONAL USE WITHIN ALL RESIDENTIAL ZONES WITHIN THE CITY

WHEREAS, the Kenton County Planning Commission (PDS) submitted an application requesting proposed text amendments to the City of Park Hills official Zoning Code to add Family Child Care Homes as a conditional use in all residential zones of the City and to include a definition thereof within, all for compliance with Senate Bill 148 and KRS Chapter 199; and,

WHEREAS, PDS, upon application for the text amendments, held a public hearing upon such request, after giving notice as required by KRS Chapter 424, on February 3, 2022, Number PC2201-0005; and,

WHEREAS, PDS reviewed the application and voted to approve the request and made recommendation to the Council of the City of Park Hills, Kentucky to approve the requested text amendments; and,

WHEREAS, the Council of the City of Park Hills, Kentucky agreeing with the recommendation of PDS,

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

SECTION I

That Article VII-Definitions, Section 7 and Article X,-Zones, Sections 10.1 thru 10.7. of the Official Zoning Code of the City of Park Hills, Kentucky, adopted and incorporated by reference in Section 150.01 of the Code of Ordinances, shall be and are hereby amended to read as set forth in Attachment A which is made a part hereof:

SECTION II

That this Ordinance shall be signed by the Mayor, attested to by the City Clerk, recorded, published and effective upon publication.

PASSED: First reading: March 14, 2022

PASSED: Second reading: April 11, 2022

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KATHY ZEMBRODT, MAYOR

ATTEST:

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JULIE ALIG  
City Clerk

ATTACHMENT A

ARTICLE VII – DEFINITIONS

SECTION 7.0 WORDS AND PHRASES:

FAMILY CHILD-CARE HOME: Family child-care home means a private home that is the primary residence of an individual who provides full or part-time care day or night for six (6) or fewer children who are not the children, siblings, stepchildren, grandchildren, nieces, nephews, or children in legal custody of the provider.

ARTICLE X – ZONES

SECTION 10.1 R-1C (SINGLE - FAMILY RESIDENTIAL - ONE C) ZONE

C. CONDITIONAL USES: No building or occupancy permit shall be issued for any of the following, nor shall any of the following uses or any customary accessory buildings or uses be permitted until and unless the location of said use shall have been applied for and approved of by the Board of Adjustment, as set forth in SECTION 9.13:

1. Cemeteries.
2. Churches and other buildings for the purpose of religious worship, provided they are located adjacent to an arterial street.
3. Institutions for higher education, provided they are located adjacent to an arterial street.
4. Institutions for human medical care - hospitals, clinic sanitariums, convalescent homes, nursing homes, homes for the aged, provided they are located adjacent to an arterial street.
5. Nursery school.
6. Police and fire stations, provided they are located adjacent to an arterial street.
7. Public and parochial schools.
8. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including libraries.
9. Recreational uses other than those publicly owned and/or operated, as follows:
  - a. Golf courses.
  - b. Country clubs.
10. Family child-care homes
  - a. Family child-care homes shall be subject to the area and height regulations for permitted uses

SECTION 10.2 R-1D (SINGLE - FAMILY RESIDENTIAL - ONE D) ZONE

C. CONDITIONAL USES: No building or occupancy permit shall be issued for any of the following, nor shall any of the following uses or any customary accessory buildings or uses be permitted until and unless the location of said use shall have been applied for and approved of by the Board of Adjustment, as set forth in SECTION 9.13:

1. Cemeteries.
2. Churches and other buildings for the purpose of religious worship, provided they are located adjacent to an arterial street.
3. Institutions for higher education, provided they are located adjacent to an arterial street.
4. Institutions for human medical care - hospitals, clinic sanitariums, convalescent homes, nursing homes, homes for the aged, provided they are located adjacent to an arterial street.
5. Nursery school.
6. Police and fire stations, provided they are located adjacent to an arterial street.
7. Public and parochial schools.
8. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including libraries.
9. Recreational uses other than those publicly owned and/or operated, as follows:
  - a. Golf courses.
  - b. Country clubs.
10. Family child-care homes
  - a. Family child-care homes shall be subject to the area and height regulations for permitted uses

#### **SECTION 10.3 R-1E (SINGLE - FAMILY RESIDENTIAL - ONE E) ZONE**

C. **CONDITIONAL USES:** No building or occupancy permit shall be issued for any of the following, nor shall any of the following uses or any customary accessory buildings or uses be permitted until and unless the location of said use shall have been applied for and approved of by the Board of Adjustment, as set forth in SECTION 9.13:

1. Cemeteries.
2. Churches and other buildings for the purpose of religious worship, provided they are located adjacent to an arterial street.
3. Institutions for higher education, provided they are located adjacent to an arterial street.
4. Institutions for human medical care - hospitals, clinic sanitariums, convalescent homes, nursing homes, homes for the aged, provided they are located adjacent to an arterial street.
5. Nursery school.
6. Police and fire stations, provided they are located adjacent to an arterial street.
7. Public and parochial schools.
8. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including libraries.
9. Recreational uses other than those publicly owned and/or operated, as follows:
  - a. Golf courses.
  - b. Country clubs.
10. Family child-care homes
  - a. Family child-care homes shall be subject to the area and height regulations for permitted uses

#### **SECTION 10.4 R-1EE (SINGLE AND TWO - FAMILY RESIDENTIAL - ONE EE) ZONE**

C. **CONDITIONAL USES:** No building or occupancy permit shall be issued for any of the following, nor shall any of the following uses or any customary accessory buildings or uses be permitted until and unless the location of said use shall have been applied for and approved of by the Board of Adjustment, as set forth in SECTION 9.13:

1. Cemeteries.

2. Churches and other buildings for the purpose of religious worship, provided they are located adjacent to an arterial street.
3. Institutions for higher education, provided they are located adjacent to an arterial street.
4. Institutions for human medical care - hospitals, clinic sanitariums, convalescent homes, nursing homes, homes for the aged, provided they are located adjacent to an arterial street.
5. Nursery school.
6. Police and fire stations, provided they are located adjacent to an arterial street.
7. Public and parochial schools.
8. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including libraries.
9. Recreational uses other than those publicly owned and/or operated, as follows:
  - a. Golf courses.
  - b. Country clubs.
10. Family child-care homes
  - a. Family child-care homes shall be subject to the area and height regulations for permitted uses

#### **SECTION 10.5 R-1FF (SINGLE AND TWO - FAMILY RESIDENTIAL - ONE FF) ZONE**

C. **CONDITIONAL USES:** No building or occupancy permit shall be issued for any of the following, nor shall any of the following uses or any customary accessory buildings or uses be permitted until and unless the location of said use shall have been applied for and approved of by the Board of Adjustment, as set forth in SECTION 9.13:

1. Cemeteries.
2. Churches and other buildings for the purpose of religious worship, provided they are located adjacent to an arterial street.
3. Institutions for higher education, provided they are located adjacent to an arterial street.
4. Institutions for human medical care - hospitals, clinic sanitariums, convalescent homes, nursing homes, homes for the aged, provided they are located adjacent to an arterial street.
5. Nursery school.
6. Police and fire stations, provided they are located adjacent to an arterial street.
7. Public and parochial schools.
8. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including libraries.
9. Recreational uses other than those publicly owned and/or operated, as follows:
  - a. Golf courses.
  - b. Country clubs.
10. Family child-care homes
  - a. Family child-care homes shall be subject to the area and height regulations for permitted uses

#### **SECTION 10.6 R-2 (MULTI - FAMILY RESIDENTIAL - TWO) ZONE**

C. **CONDITIONAL USES:** No building or occupancy permit shall be issued for any of the following, nor shall any of the following uses or any customary accessory buildings or uses be permitted until and unless the location of said use shall have been applied for and approved of by the Board of Adjustment, as set forth in SECTION 9.13:

1. Cemeteries.
2. Churches and other buildings for the purpose of religious worship, provided they are

- located adjacent to an arterial street.
- 3. Institutions for higher education, provided they are located adjacent to an arterial street.
- 4. Institutions for human medical care - hospitals, clinic sanitariums, convalescent homes, nursing homes, homes for the aged, provided they are located adjacent to an arterial street.
- 5. Nursery school.
- 6. Police and fire stations, provided they are located adjacent to an arterial street.
- 7. Public and parochial schools.
- 8. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including libraries.
- 9. Recreational uses other than those publicly owned and/or operated, as follows:
  - a. Golf courses.
  - b. Country clubs.
- 10. Family child-care homes
  - a. Family child-care homes shall be subject to the area and height regulations for permitted uses

### **SECTION 10.7 R-3 (MULTI - FAMILY RESIDENTIAL - THREE) ZONE**

C. **CONDITIONAL USES:** No building or occupancy permit shall be issued for any of the following, nor shall any of the following uses or any customary accessory buildings or uses be permitted until and unless the location of said use shall have been applied for and approved of by the Board of Adjustment, as set forth in SECTION 9.13:

- 1. Cemeteries.
- 2. Churches and other buildings for the purpose of religious worship, provided they are located adjacent to an arterial street.
- 3. Institutions for higher education, provided they are located adjacent to an arterial street.
- 4. Institutions for human medical care - hospitals, clinic sanitariums, convalescent homes, nursing homes, homes for the aged, provided they are located adjacent to an arterial street.
- 5. Nursery school.
- 6. Police and fire stations, provided they are located adjacent to an arterial street.
- 7. Public and parochial schools.
- 8. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including libraries.
- 9. Recreational uses other than those publicly owned and/or operated, as follows:
  - a. Golf courses.
  - b. Country clubs.
- 10. Family child-care homes
  - a. Family child-care homes shall be subject to the area and height regulations for permitted uses