

**COMMONWEALTH OF KENTUCKY
COUNTY OF KENTON
ORDINANCE NO. 930.5**

AN ORDINANCE AMENDING ARTICLE VII AND ARTICLE X OF THE OFFICIAL ZONING ORDINANCE OF UNINCORPORATED KENTON COUNTY RELATING TO AGRICULTURAL TOURISM DEFINITIONS AND REGULATIONS WITHIN THE A-1 AND A-2 AGRICULTURAL ZONES

WHEREAS, Kentucky Revised Statutes 100.203 authorizes legislative bodies to provide text for zoning; and

WHEREAS, the Kenton County Fiscal Court through its County Administrator submitted an application requesting that the Kenton County Planning Commission review and make recommendations on proposed text amendments to the Kenton County Zoning Ordinance relating to Agri-Tourism uses, including amending and adding definitions as well as making amendments to the agri-tourism regulations within the A-1 and A-2 Agricultural zones; and

WHEREAS, the Kenton County Planning Commission, after holding a public hearing on the application on December 6, 2022, at 6:15 pm at the Kenton County Government Chambers, 1840 Simon Kenton Way, Covington, Kentucky, voted to on the recommendations presented and took the following actions:

Favorable recommendation on the proposed text amendments to the Kenton County zoning ordinance related to Agri-Tourism uses: (1) Amending the definition of “Agri-Tourism”, and adding definitions for “Agricultural Building” and “Operating Farm”; and (2) Amendments to the Agri-tourism regulations within the A-1 and A-2 Agricultural Zones, including adding a purpose statement, requiring any structure to be an agricultural building, requiring an owner or designee to be on the premises during an event, specifying allowed agri-tourism activities, limiting the capacity of events, and adding time, odor, lighting, noise and dust regulations. The Kenton County Planning Commission based this upon the following:

1. The proposed text amendments are authorized to be included within the text of the zoning ordinance per KRS 100.203 (see Attachments A and B).
2. Adding and amending the definitions is consistent with the purpose of the Definitions Article, which is to add clarity to the terms and concepts within the zoning ordinance and provide consistency in the administration of the zoning ordinance.
3. Amending the agri-tourism regulations in the A-1 and A-2 Zones will help to protect the public health, safety, and welfare of the residents and workers in southern Kenton County. The proposed text amendments will allow agri-tourism uses that support working farms, while avoiding uses that can be incompatible with the rural character of Southern Kenton County.

WHEREAS, the Kenton County Fiscal Court believes, based upon the recommendation of the Kenton County Planning Commission, that it is desirable to adopt the proposed text amendments to Sections VII and X of the Kenton County Zoning Code;

NOW, THEREFORE BE IT ORDAINED BY THE KENTON COUNTY FISCAL COURT, COMMONWEALTH OF KENTUCKY AS FOLLOWS:

Section One

The Kenton County Zoning Ordinance is hereby amended to incorporate the text amendment provisions of the documents that are attached hereto and incorporated herein by reference and identified as Attachment A, amending Section VII of the Kenton County Zoning Ordinance and Attachment B, amending Section X of the Kenton County Zoning Ordinance.

Section Two

That should any section or part of any section or any provision of this Ordinance be declared invalid by a Court of competent jurisdiction, for any reason, such declaration shall not invalidate, or adversely affect, the remainder of this Ordinance.

Section Three

That any provision of any Ordinance in conflict with this Ordinance shall be repealed to the extent of said conflict.

Section Four

That this Ordinance shall take effect and be in full force when passed, published, and recorded according to the law.

Adopted this _____ day of _____, 2023.

1st Reading - _____, 2023.

2nd Reading - _____, 2023

Vote: __, Yes, __ No

By: _____

Kris Knochemann
Kenton County Judge/Executive

Attest:

Fiscal Court Clerk