

CITY OF HIGHLAND HEIGHTS, KENTUCKY  
ORDINANCE NO. 05-2021

AN ORDINANCE AMENDING THE TEXT OF  
ORDINANCE NO. 16-83 COMMONLY REFERRED  
TO AS THE CITY OF HIGHLAND HEIGHTS ZONING  
ORDINANCE SECTION 10.17 PO (PROFESSIONAL  
OFFICE BUILDING) ZONE.

WHEREAS, the Highland Heights Planning Commission held a public hearing on July 13, 2021, to consider amending the text of the City's zoning ordinance, and

WHEREAS, said public hearing was held pursuant to KRS 100.207 and 100.211, with all conditions prerequisite thereto being met; and;

WHEREAS, the Highland Heights Planning Commission decided to recommend to the City Council to amend the text of the City's zoning ordinance, and;

WHEREAS, the Highland Heights City Council decided to amend the Zoning Ordinance after reviewing the minutes of the public hearing and the staffs' recommendation.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF HIGHLAND HEIGHTS, KENTUCKY:

Section I

That Ordinance 16-83 the Highland Heights Zoning Ordinance is amended as follows:

SECTION 10.17 PO (PROFESSIONAL OFFICE BUILDING) ZONE:

A. USES PERMITTED:

1. Animal clinics and veterinary services, excluding outside runs and boarding
2. Banks and other financial institutions, including loan, savings, credit union, and finance companies, and including drive-through teller services
3. Clinics -medical or dental offices
4. Computer store -service
5. Florists, excluding greenhouses
6. Massage therapist clinic
7. Offices
7. Off-street parking lots and/or garages
8. Opticians
9. Police and fire Stations
10. Post offices and store-front packaging services excluding outside activity
11. Prescription pharmacy
12. Business and personal credit, title, and collection services
13. Security brokers, investment services

- 14. Insurance agents, title, and broker services
- 15. Real estate services, developer, and builder offices excluding outside storage
- 16. Photographic studio, blueprinting, duplicating, and information transfer services
- 17. Direct mail and advertising services
- 18. News agencies
- 19. Employment Services
- 20. Finance, business, and management consulting services and associations
- 21. Media production, publishing, and distribution services
- 22. Legal, engineering, architectural, accounting, auditing services
- 23. Education and scientific research labs
- 24. Charitable and social services administration services but not retail of items
- 25. Professional membership, labor, and civic associations
- 26. Media and communications excluding exterior towers and similar structures
- 27. Management and administration offices for commercial and retail businesses
- 28. Business colleges and trade schools excluding outside equipment training
- 29. Indoor recreation facilities such as racquetball, pickleball, arcades, virtual games, fitness clubs, self-defense, dance, yoga
- 30. Retail sale and repair of office supplies and equipment
- 31. Shoe repair, shoe shining, hat cleaning, garment repair services
- 32. Dry Cleaning and Tailor shop. (drop off and pick up only, not self-service)
- 33. Design studios, including interior decorators
- 34. Hardware stores with interior display and storage only
- 35. Insurance carriers, agents, and claims adjusting services
- 36. Radio, TV, watch, clock, jewelry repair services
- 37. Travel arranging and tickets, event or promotional booking
- 38. Libraries and museums
- 39. Art, music, and dance schools
- 40. Art and craft galleries and similar exhibit space

B. ACCESSORY USES:

- 1. Customary accessory buildings and uses
- 2. Fences and Walls as regulated by Article 11 of this ordinance
- 3. Signs as regulated by Article 14 of this ordinance
- 4. Uses as listed below as a convenience to the occupants thereof, their patients, clients, or customers provided that the accessory uses shall not exceed fifteen (15) percent of the gross floor area of each permitted use in the building. The total of all accessory uses shall not exceed forty-five (45) percent:
  - a. Barber shop
  - b. Beauty shop
  - c. Coffee shops or refreshment stands
  - d. Eating establishments and taverns
  - e. Medical or dental laboratory
  - f. News and confectionary stands

5. Eating and drinking places as an accessory use are permitted to locate outside an office building within a free-standing building, provided all of the following conditions and other applicable sections of this ordinance are met:
  - a. The total development, including principal and accessory uses, comprises a minimum building site of three (3) acres;
  - b. A pedestrian and vehicular circulation plan, in accordance with Section 12.0. L. of this ordinance is submitted and approved by the Zoning Administrator. Said plan shall provide for the safe movement of vehicular and pedestrian traffic to and from within the site;
  - c. Such an accessory use shall be developed only in conjunction with a principally permitted use (except off-street parking lots and/or acres) and shall not exceed twenty-five percent (25%) of the gross floor area of the permitted use(s);
  - d. Signs are provided in accordance with the requirements of Section 1.7, as it applies to the General Commercial Zone;
  - e. Where such an accessory use is abutting a residential zone, a minimum yard requirement of fifty (50) feet for each side and/or rear yard which abuts said zone shall be provided, ten (10) feet of which shall be maintained by a screening area as regulated by Section 9.17 of this ordinance.

6. Single-family dwelling unit, provided the building is designed for such use.

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 building or uses be permitted until and unless the location of said use have been applied for and approved by the Board of Adjustment as set forth in Section 9.14 of this ordinance.

1. Barber Shop and Beauty Salon
2. Consignment shop
3. Drug Store
4. Dr. CleEl: Ring amt Tailer shep (included in Permitted Uses)
5. Interior cleomter sflclie and design serviees (included in Permitted Uses)
4. Medical and Dental Laboratory of a scale more than Accessory Use listed above
5. Day Care Center, Pet Day Care as defined in these regulations
8. Phetegr&J3hy Stl:lclie (included in Permitted Uses)
6. Window cleaning, disinfection, exterminating and similar building services

D. AREA AND HEIGHT REGULATIONS:

1. Minimum Lot Area - Fifteen thousand (15,000) square feet
2. Minimum Lot Width at Building Setback Line - One hundred (100) feet
3. Minimum Front Yard Depth - Thirty (30) feet
4. Minimum Side Yard Width - Fifteen (15) feet
5. Minimum Rear Yard Depth - Twenty-five (25) feet
6. Maximum Building Height - No building shall exceed forty (40) feet or three (3) stories in height unless such building is set back from the street right-of-way line a distance of not

less than one-half (1/2) its height and is set back from all other property lines a distance of fifteen (15) feet from side yard and twenty-five (25) feet from rear yard, plus two (2) feet on each side and rear yards for each foot of height in excess of forty (40) feet. In addition to the above requirements any such building shall provide a pad to support a fire truck within twenty (20) feet of said building

E. OTHER DEVELOPMENT CONTROLS:

1. Off-street parking and loading and/or unloading shall be provided in accordance with Articles 12 and 13 of this ordinance.
2. No outdoor storage of any material (usable or waste) shall be permitted in this zone except within enclosed 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 areas and additional setbacks shall be provided in accordance with Section 9.17 of this ordinance
5. A Site Development plan, as regulated by ARTICLE 15 of this ordinance shall be required for any use in this zone
6. No use producing objectionable odors, noise, or dust shall be permitted within five hundred (500) feet from any building of any residential zone
7. All business activities permitted within this zone shall be conducted within a completely enclosed building with the exception of off-street parking and loading and/or unloading areas or unloading areas.

Section II

That this Ordinance shall be signed by the Mayor, attested by the City Clerk/Treasurer, recorded and published. Same shall be in effect at the earliest time provided by law.

First reading of this 7th day of September, 2021.

Passed on 2nd reading of this 16<sup>th</sup> day of September, 2021.

  
\_\_\_\_\_  
MAYOR GREGORY V. MEYERS

ATTEST:

  
\_\_\_\_\_  
JEANNE PETTIT  
CITY CLERK/TREASURER

Ord21.5