

**CITY OF HIGHLAND HEIGHTS, KENTUCKY
ORDINANCE NO. 12-2023**

**AN ORDINANCE AMENDING CHAPTER 152 OF THE
HIGHLAND HEIGHTS CODE OF ORDINANCES COMMONLY
REFERRED TO AS THE CITY OF HIGHLAND HEIGHTS
ZONING ORDINANCE.**

This ordinance amends Chapter 152 of the City of Highland Heights Code of Ordinance (Zoning Ordinance) by updating various sections as follows:

Article 8 – Amends Section 8.0 to add INST - INSTITUTIONAL ZONE to the listing of zones in the Zoning Ordinance.

Article 11 – Amends Section 11.3 to clarify that fence and wall requirements are applicable to any property zoned as INST.

Article 14 – Amends Article 14 to clarify that the sign regulations are applicable to any property zone as INST.

Article 10 – Amends Article 10 to create Section 10.23 and create the INSTITUTIONAL ZONE (INST). This section clarifies which uses are permitted in this zone; which uses are considered to be an accessory or conditional use; the area and height regulations; and other developmental controls.

I, Michelle K. Eviston, an attorney licensed to practice law in the Commonwealth of Kentucky, acting as attorney for the City of Highland Heights, Kentucky, do hereby certify that this summary was prepared by me at the direction of the Council of the City of Highland Heights, and that said summary is a true and accurate summary of the contents of the ordinance.



MICHELLE K. EVISTON

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**NOW, THEREFORE BE IT ORDAINED BY THE CITY OF HIGHLAND HEIGHTS,
CAMPBELL COUNTY, KENTUCKY AS FOLLOWS:**

Section I

That a regular planning and zoning meeting was held to hear proposed text amendments to the City's Zoning Ordinance.

Section II

That following the public hearing on this matter the City's Planning and Zoning Commission recommended to the city council that the zoning ordinance be amended as so attached and incorporated herein.

Section III

That the amendments are attached hereto and so incorporated into the City's Code of Ordinances.

Section IV

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.

PASSED by City Council of the City of Highland Heights, Campbell County, Kentucky assembled in regular session.

First Reading: December 5, 2023
Second Reading: January 16, 2024


MAYOR GREGORY MEYERS

ATTEST:


JEANNE PETTIT
CITY CLERK/TREASURER

ARTICLE 8

ESTABLISHMENT OF ZONES

SECTION 8.0 ZONES: For the purpose of this ordinance, the city is divided into the following zones:

R RECREATION ZONE;
R-RE RESIDENTIAL RURAL ESTATE AND AGRICULTURE ZONE;
R-1B RESIDENTIAL ONE B ZONE;
R-1C RESIDENTIAL ONE C ZONE;
R-1D RESIDENTIAL ONE D ZONE;
R-1E RESIDENTIAL ONE E ZONE;
R-1EF RESIDENTIAL ONE EF ZONE;
R-1F RESIDENTIAL ONE F ZONE;
R-1G RESIDENTIAL ONE G ZONE;
R-1H RESIDENTIAL ONE H ZONE;
R-2 RESIDENTIAL TWO ZONE;
R-3 RESIDENTIAL THREE ZONE;
PUD PLANNED UNIT DEVELOPMENT OVERLAY ZONE;
SC SHOPPING CENTER ZONE;
GC GENERAL COMMERCIAL ZONE;
PO PROFESSIONAL OFFICE ZONE;
LSC LIMITED SERVICE COMMERCIAL ZONE;
I INDUSTRIAL ZONE;
MLU MIXED LAND USE ZONE;
ROD REDEVELOPMENT OVERLAY DISTRICT ZONE;
INST INSTITUTIONAL ZONE.

ARTICLE 11

FENCES, WALLS, AND OBSTRUCTION TO VIEW REGULATIONS

SECTION 11.3 RESIDENTIAL ZONES:

- A. Fences and/or walls within the residential zone shall conform to the following requirements:
1. The requirements for the Residential (R) [and Institutional \(INST\)](#) Zones for residential uses only: Fences, walls, and hedges are not permitted within the front yard setbacks and corner side yard setbacks.
 2. This sub-section not currently used.
 3. For all nonresidential uses conditionally permitted in any residential zone herein, the requirements are as follows:
 - a. Fences, walls, and hedges are not permitted within the front yard setbacks and corner side yard setbacks.
 - b. Classes 1, 2, 3, 4, 5, or 6 fences and/or walls may be erected in side or rear yards up to a maximum height of eighty-four (84) inches; provided, however for the following exceptions:
 - (1) General purpose recreational areas may be enclosed with fences or walls of class 1, 2, 3, 4, 5, 6, or 7 up a maximum height of ninety- six (96) inches
 - (2) Class 2 fences (or a combination of 3 and 7) may be erected to enclose tennis courts or as backstops for baseball and/or softball fields up to a maximum height of one hundred forty-four (144) inches
 - (3) In the case of corner lots, as governed by Section 11.0, fences of class 2 or 3 only may be erected as regulated by the applicable provisions of this section

ARTICLE 14

SIGN REGULATIONS

- A. Commercial/Retail building/use: Including all retail zones (except SC-Shopping Center), and including the GC, INST., LSC, MLU, PUD, and ROD District:
1. Permitted Signs:
 - a. Freestanding Monument signs: Class 7, Pole-mounted signs Class 8 as specified in each zone
 - b. Building-mounted sign: Class 5, or Class 6
 - c. Window Advertising signs: Class 2
 - d. Parking and Directional Signs, Class 3
 - e. Sandwich board signs: Class 1 for MLU and ROD zoning districts
- B. Office Building/use: In all PO, INST., MLU, ROD or Commercial retail zones, and Conditional Uses in Residential Zones:
1. Permitted signs:
 - a. Freestanding signs: Class 8
 - b. Building sign: Class 5 or Class 6, relating to office building use
 - c. Window Advertising signs: Class 2
 - d. Parking and Directional Signs, Class 3

ARTICLE 10

ZONING DISTRICTS

SECTION 10.23 INSTITUTIONAL ZONE (INST)

PURPOSE: The purpose of this article is to provide a specific classification for a variety of public facilities to promote the proper location of these uses and ensure their long-term continuity and compatibility with adjacent land uses.

A. USES PERMITTED:

1. Churches and other buildings for the purpose of religious worship.
2. Dormitories, fraternity and sorority houses, when associated with a permitted use located in this zone.
3. Educational and medical related research facilities.
4. Institutions for higher education.
5. Public and parochial schools.
6. Vocational, trade schools, or other specialized educational facilities.
7. Institutions for human medical care - hospitals, clinics, sanitariums, convalescent homes, and nursing homes.
8. Governmental buildings.
9. Libraries, museums, auditoriums, exhibition halls, and other public or assembly areas.
10. Botanical gardens, arboretums, nature preserves, wildlife sanctuaries, and other natural exhibitions.
11. Historic sites, structures, monuments, and other exhibits available for public viewing.

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 provided in conjunction with a permitted use, primarily as a convenience to its occupants, its customers, patients, and employees, and located within the same building as the permitted use:
 - a. Restaurant or Cafeteria
 - b. Book store
 - c. Gift Shop
 - d. Florist
 - e. Medical & educational supply store
 - f. Pharmacy
 - g. Childcare facilities

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 such use shall have been applied for and approved by the Board of Adjustment as set forth in Section 9.14 of this ordinance.

1. Dwelling unit(s) for the owner/operator, resident manager, residential staff or employees when the primary use involves an on-site work force.
2. Stadiums and arenas

D. AREA AND HEIGHT REGULATIONS:

1. Minimum Lot Area – 2 acres
2. Minimum Lot Width at Building Setback Line (excluding flag lots) – 100 feet
3. Minimum Front Yard Depth – Fifty (50) feet
4. Minimum Side Yard Depth – Fifty (50) feet
5. Minimum Rear Yard Depth – Fifty(50) feet
6. Maximum Building Height – Fifty (50) feet; Thirty-five (35) feet if within 70 feet of a residential structure.
7. Maximum Lot Coverage – Fifty percent for structures. In the case of this zone, more than one principal building, as defined herein, may be permitted on one lot.

E. OTHER DEVELOPMENT CONTROLS:

1. Off street parking and loading shall be provided in accordance with Articles 5 and 6.
2. No outdoor storage of any objectionable material (useable 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. No building shall be erected, or structurally altered, nor shall any grading take place on any lot or parcel in the Institutional Zone until a site plan layout has been submitted and approved.
5. A minimum of 20% of the total acreage of each site for a permitted use shall be set aside for open space use, exclusive of streets, parking areas, and buildings.