

**COMMONWEALTH OF KENTUCKY  
COUNTY OF KENTON  
CITY OF ERLANGER  
ORDINANCE NO. 2460**

**AN ORDINANCE AMENDING THE ERLANGER ZONING ORDINANCE  
ADDING “CHILD-CARE CENTERS”  
WITHIN THE NSC (NEIGHBORHOOD SHOPPING CENTER) ZONE**

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**WHEREAS**, a request for a text amendment to the Erlanger Zoning Ordinance was submitted to the Kenton County Planning Commission by the City of Erlanger, to add “Child-Care Centers” as a permitted use within the NSC (Neighborhood Shopping Center) zone; and

**WHEREAS**, the PDS staff reviewed the application and recommended that the proposed text amendment be approved; and

**WHEREAS**, the Kenton County Planning Commission, upon reviewing the PDS staff recommendations and after holding a public hearing, voted to approve the text amendment on the basis that the text amendment is allowed to be included within the text of the zoning ordinance, as authorized by Kentucky Revised Statute (KRS) 100.203(1).

**NOW THEREFORE, BE IT ORDAINED BY THE CITY OF ERLANGER,  
COUNTY OF KENTON, COMMONWEALTH OF KENTUCKY:**

**Section I**

That the Erlanger City Council hereby approves said text amendment, attached hereto as Exhibit “A” and incorporated reference herein, adding “Child-Care Centers” as a permitted use within the NSC (Neighborhood Shopping Center) zone, to the Erlanger Zoning Ordinance, on the following bases:

(1) The proposed text amendment, adding “Child-Care Centers” as a permitted use within the NSC (Neighborhood Shopping Center) zone is allowed to be included within the text of the zoning ordinance, as authorized by the Kentucky Revised Statute (KRS) 100.203(1).

(2) The proposed text amendment is consistent with the intent of the NSC Zone. Child-care centers will provide a service which is oriented towards serving the needs of the adjacent neighborhood.

(3) The proposed text amendment is reasonable. Child care centers are similar in size, scale, and scope to other permitted uses within the NSC Zone.

(4) The proposed text amendment will not have an adverse effect on the public health, safety, or welfare and will not be injurious to the public. Child care centers are permitted in other commercial zones and conditionally permitted in residential zones.

(5) The proposed text amendment allowing outdoor play areas associated with child care centers is appropriate. Outdoor play areas are a common activity associated with child care centers.

(6) Based on testimony provided during the public hearing held on November 2, 2017.

## **Section II**

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 III**

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

**Adopted this 2nd day of January, 2018.**

1<sup>st</sup> Reading - December 5, 2017

2<sup>nd</sup> Reading - January 2, 2018

Vote: 11 Yes, 0 No

City of Erlanger,  
Kenton County, Kentucky

By: \_\_\_\_\_  
Tyson Hermes  
Mayor

Attest:

\_\_\_\_\_  
Sherry Hoffman  
Clerk