

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

**AN ORDINANCE AMENDING THE ERLANGER ZONING ORDINANCE
ADDING “TATTOO PARLORS” AS A CONDITIONAL USE WITHIN THE NC
(NEIGHBORHOOD COMMERCIAL) ZONE**

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 “Tattoo Parlors” as a conditionally permitted use within the NC (Neighborhood Commercial) zone; and

WHEREAS, the Planning Development Services (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 “Tattoo Parlors” as a conditionally permitted use within the NC (Neighborhood Commercial) zone, to the Erlanger Zoning Ordinance, on the following bases:

(1) The proposed text amendment is authorized to be included within the City’s zoning ordinance per Kentucky Revised Statute (KRS) 100.203(1).

(2) The proposed text amendment is consistent with the purpose of the NC Zone. The purpose of the NC Zone is to provide retail business or service establishments supplying commodities and performing services primarily oriented towards serving the day-to-day needs of residents from the surrounding neighborhood.

(3) The proposed text amendment is reasonable. Tattoo Parlors are similar in scale, and intensity as other current uses within the NC 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 residing in or moving through the area. The conditional use process will ensure that any proposed use would be subjected to further review and consideration by the Board of Adjustment on a case-by-case basis, ensuring that the use is not detrimental to the surrounding uses and neighborhoods.

(5) Based on the testimony presented at the public hearing on January 10, 2019.

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 _____ day of _____, 2019.

1st Reading - _____, 2019

2nd Reading - _____, 2019

Vote: _____, Yes _____, No

City of Erlanger,
Kenton County, Kentucky

By: _____

Jessica Fette
Mayor

Attest:

Sherry Hoffman
Clerk