

**COMMONWEALTH OF KENTUCKY  
COUNTY OF KENTON  
CITY OF ERLANGER  
ORDINANCE NO. 2546**

**AN ORDINANCE AMENDING THE ERLANGER ZONING ORDINANCE AMENDING THE USE SPECIFIC STANDARDS FOR BREWERY, DISTILLERY, WINERY BY: (1) PERMITTING A BAR OR A DRINKING PLACE IN BREWERIES, DISTILLERIES AND WINERIES PROVIDED THEY ARE LESS THAN 50 PERCENT OF THE TOTAL SQUARE FOOTAGE, AND (2) MAKING SUCH USES SUBJECT TO THE USE SPECIFIC STANDARDS FOR BAR OR DRINKING PLACE**

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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 Emi Randall, Director of Economic Development/Assistant City Administrator to the use specific standards for Brewery, Distillery, Winery by: (1) permitting a bar or a drinking place in breweries, distilleries and wineries provided they are less than 50 percent of the total square footage, and (2) making such uses subject to the use specific standards for Bar or Drinking Place; 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); and

**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 making the use specific standards for Brewery, Distillery, Winery by: (1) permitting a bar or a drinking place in breweries, distilleries and wineries provided they are less than 50 percent of the total square footage, and (2) making such uses subject to the use specific standards for Bar or Drinking Place.

**ARTICLE IV – USE REGULATIONS AND STANDARDS**

**SECTION 4.05 USE SPECIFIC STANDARDS**

**C. Commercial**

**6. Brewery, Distillery, Winery**

a. A bar or drinking place is permitted in breweries, distilleries and wineries provided they are less than 50 percent of the total square footage. If the bar portion of the brewery occupies greater than 50 percent of the serving area, the use shall be considered a Bar or Drinking Place and shall be subject to the conditions of Section 4.05, C., 5., Bar or Drinking Place.

b. Breweries, distilleries, or wineries which include a bar or drinking place are subject to the conditions of Section 4.05, C., 5., Bar or Drinking Place

~~a.~~ c. Breweries, distilleries, or wineries which include a restaurant are subject to the conditions of Section 4.05, C., 22., Restaurant, with or without Drive-in or Drive-Through.

b. d. Breweries, distilleries, or wineries with event facilities are subject to the conditions of Section 4.05, D., 5., Meeting, Banquet, or Conference Facility.

**SUPPORTING INFORMATION/BASES FOR KCPC RECOMMENDATION:**

- 1 The proposed text amendments are a reasonable addition to the use specific standards for Breweries, Distilleries, Wineries. It is logical that these uses may include a Bar or Drinking Place.
2. The proposed text amendments are consistent with the use specific standards for Breweries, Distilleries, Wineries which ties other associated uses to their corresponding use specific standards.
3. Based on testimony provided during the public hearing held on August 4, 2022.

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

**Adopted this 6th day of September, 2022.**

1<sup>st</sup> Reading - August 16, 2022

2<sup>nd</sup> Reading - September 6, 2022

Vote: 8 Yes, 3 No

City of Erlanger,  
Kenton County, Kentucky

By:

Jessica Fette  
Mayor

Attest:

Sherry Hoffman  
City Clerk