

## **ORDINANCE 08 - 2024**

**AN ORDINANCE OF THE CITY OF FORT WRIGHT, IN KENTON COUNTY, KENTUCKY, REPEALING THE OFFICIAL ZONING ORDINANCE OF THE CITY OF FORT WRIGHT, KENTUCKY, ORDINANCE 290-1983, AND ALL AMENDMENTS THERETO, AS WELL AS ALL ORDINANCES, REGULATIONS, CODES AND/OR ORDERS IN CONFLICT HEREWITH, AND ADOPTING AND APPROVING PURSUANT TO K.R.S. CHAPTER 1-- A NEW ZONING CODE AND ZONING MAP AS THE OFFICIAL ZONING CODE AND ZONING MAP OF THE CITY OF FORT WRIGHT, KENTUCKY.**

**WHEREAS**, pursuant to Ordinance 290-1983 passed on July 6, 1983, the City of Fort Wright adopted an Official Zoning Ordinance of the City of Fort Wright, Kentucky, as thereafter amended; and

**WHEREAS**, the Kenton County Planning Commission initiated an audit of the zoning codes in Kenton County to determine the usefulness of the zoning code in light of nearly forty years of amendments, granted variances, court rulings, and technological advancements; and

**WHEREAS**, it was determined that the new zoning ordinances would better serve the communities in Kenton County, and the Kenton County Planning Commission created a blueprint code and review process called *Zoning for the 21<sup>st</sup> Century*, or Z21; and

**WHEREAS**, the City of Fort Wright submitted an application requesting the Kenton County Planning Commission to review and made recommendations on the proposed new zoning ordinances, which includes new text and a new official zoning map; and

**WHEREAS**, the PDS staff reviewed the application and recommended that the proposed new zoning ordinances be approved; and

**WHEREAS**, the Kenton County Planning Commission, upon reviewing the PDS staff recommendations and after holding a public hearing, gave its recommendation for approval with Findings of Fact; and

**WHEREAS**, the City Council of Fort Wright, Kentucky having reviewed the record compiled by the Kenton County Planning Commission, and agreeing with the recommendations of the Planning Commission, hereby adopts the Planning Commission's Findings of Fact in support of the new zoning ordinance.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY OF FORT WRIGHT, KENTUCKY, AS FOLLOWS:**

### **SECTION I**

That the Official Zoning Ordinance of the City of Fort Wright, Kentucky, Ordinance 290-1983, enacted on July 6, 1983, and all subsequent amendments thereto, is hereby repealed in its entirety.

## SECTION II

That the City of Fort Wright, Kentucky, pursuant to K.R.S. Chapter 100, hereby approves and adopts a new Zoning Ordinance, which includes a new text and a new official zoning map for the City of Fort Wright, and which new Zoning Ordinance shall supersede, amend, and fully restate the prior Zoning Ordinance repealed hereby. The new Zoning Ordinance is attached hereto as Exhibit A and incorporated herein by reference.

## SECTION III

The Official Zoning Ordinance of the City of Fort Wright, Kentucky shall be available for public inspection in the office of the city at 409 Kyles Lane, Fort Wright, Kentucky 41011.

## SECTION IV

Any and all ordinances in conflict with this ordinance shall be, and hereby are, repealed to the extent of said conflict.

## SECTION V

If any provisions of this ordinance or their application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this ordinance are severable.

## SECTION VI

That this ordinance shall become effective upon its passage and shall be published under KRS §83A.060(9) and other applicable law. The ordinance may be published by summary.


Passed by City Council on September 4, 2024.

CITY OF FORT WRIGHT, KENTUCKY

By: 

David Hatter, Mayor

ATTEST:

  
Kerrie Holland, City Clerk

FIRST READING: 8/7/24  
SECOND READING: 9/4/24  
PUBLICATION: 9/12/24





## AFFIDAVIT OF PUBLICATION

See Proof on Next Page

**LINK Reader**  
31 Innovation Aly, Ground Floor  
(859) 878-1669

I, Viet Tran, of lawful age, being duly sworn upon oath depose and say that I am an agent of Column Software, PBC, duly appointed and authorized agent of the Publisher of LINK Reader, a publication that maintains a "notice website" as that phrase is defined in the State of Kentucky (KRS 424.145), that this affidavit is Page 1 of 2 with the full text of the sworn-to notice set forth on the pages that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper or online notice website at <https://linkreader.column.us/search>, as provided by the requirements of KRS 424, in consecutive issues on the following dates:

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**Notice Name:** City of Fort Wright Ordinance 08-2024

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*Viet Tran*

\_\_\_\_\_  
Agent

**VERIFICATION**

State of Pennsylvania  
County of Lancaster

Subscribed and sworn to before me 09/13/2024

*Nicole Burkholder*

\_\_\_\_\_  
Notary Public  
Notarized remotely online using communication technology via Proof.

Commonwealth of Pennsylvania - Notary Seal  
Nicole Burkholder, Notary Public  
Lancaster County  
My commission expires March 30, 2027  
Commission Number 1342120

ORDINANCE 08-2024

AN ORDINANCE OF THE CITY OF FORT WRIGHT, IN KENTON COUNTY, KENTUCKY, REPEALING THE OFFICIAL ZONING ORDINANCE OF THE CITY OF FORT WRIGHT, KENTUCKY, ORDINANCE, AMENDMENTS, AND ALL AMENDMENTS THEREBY, AS WELL AS ALL ORDINANCES, REGULATIONS, CODES AND ORDERS IN CONFLICT HERETO, AND ADOPTING AND APPROVING PURSUANT TO K.S. CHAPTER 10-A NEW ZONING CODE AND ZONING MAP AS THE OFFICIAL ZONING CODE AND ZONING MAP OF THE CITY OF FORT WRIGHT, KENTUCKY.

WHEREAS, pursuant to Ordinance 08-2024 passed on July 9, 2024, the City of Fort Wright adopted an Official Zoning Ordinance of the City of Fort Wright, Kentucky, as thereafter amended; and

WHEREAS, the Kenton County Planning Commission retained in full the zoning code in Kenton County to determine the wisdom of the zoning code in light of many forty years of amendments, general variances, court orders, and technological advancements; and

WHEREAS, it was determined that the new zoning ordinance would better serve the community in Kenton County, and the Kenton County Planning Commission created a 10-point code and review process called Zoning for the 21st Century, or ZC21; and

WHEREAS, the City of Fort Wright submitted an application requesting the Kenton County Planning Commission to review and make recommendations on the proposed new zoning ordinance, which includes new text and a new official zoning map; and

WHEREAS, the City of Fort Wright submitted the application and requested that the proposed new zoning ordinance be approved; and

WHEREAS, the Kenton County Planning Commission, upon reviewing the ZC21 and recommendations and after holding a public hearing, gave its recommendation for approval to the Board of City Commissioners; and

WHEREAS, the City Council of Fort Wright, Kentucky, having received the report compiled by the Kenton County Planning Commission, and agreeing with the recommendations of the Planning Commission, hereby adopts the Planning Commission's findings of fact in support of the new zoning ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF FORT WRIGHT, KENTUCKY, AS FOLLOWS:

SECTION I

That the Official Zoning Ordinance of the City of Fort Wright, Kentucky, Ordinance 08-2024, enacted on July 9, 2024, and all subsequent amendments thereto, is hereby repealed in its entirety.

SECTION II

That the City of Fort Wright, Kentucky, pursuant to K.S. Chapter 10-A, hereby approves and adopts a new Zoning Ordinance, which includes a new text and a new official zoning map for the City of Fort Wright, and which new Zoning Ordinance shall supersede, amend, and fully replace the prior Zoning Ordinance enacted hereto. The new Zoning Ordinance is attached hereto as EXHIBIT A and is hereby adopted in its entirety.

SECTION III

The Official Zoning Ordinance of the City of Fort Wright, Kentucky, shall be available for public inspection in the office of the City of Fort Wright, Kentucky, at the City of Fort Wright, Kentucky.

SECTION IV

All and all ordinances in conflict with this ordinance shall be, and hereby are, repealed to the extent of such conflict.

SECTION V

If any provision of this ordinance or their application is deemed invalid by a court of law, the provisions of this ordinance shall remain in full force and effect, and the invalidity of any provision shall not affect the validity of the remaining provisions of this ordinance and, to the extent, the provisions of this ordinance are severable.

SECTION VI

That this and every other ordinance or resolution of the City of Fort Wright, Kentucky, shall be published in the City of Fort Wright, Kentucky, and other applicable law. The ordinance shall be published in the City of Fort Wright, Kentucky.

Enacted by the City Council on September 4, 2024.

CITY OF FORT WRIGHT, KENTUCKY  
ATTEST:  
[Signature]  
CITY CLERK

ATTEST:  
[Signature]  
CITY CLERK  
FIRST READING: 9/17/24  
SECOND READING: 9/17/24  
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