

**CITY OF FORT MITCHELL
KENTON COUNTY, KENTUCKY
ORDINANCE 2026-05**

AN ORDINANCE OF THE CITY OF FORT MITCHELL, KENTUCKY ACCEPTING THE RECOMMENDATION OF THE KENTON COUNTY PLANNING COMMISSION AND APPROVING TEXT AMENDMENTS TO THE CITY OF FORT MITCHELL, KENTUCKY ZONING ORDINANCE APPLICABLE TO QUALIFIED MANUFACTURED HOMES.

WHEREAS, House Bill 160 was signed into law during the 2025 session of the Kentucky General Assembly, which required local governments to make changes to ordinances and other regulations to allow construction and/or placement of qualified manufactured homes.

WHEREAS, the Kenton County Planning Commission reviewed changes to the zoning ordinances for all Kenton County cities in one action, including for the City of Fort Mitchell; and,

WHEREAS, a public hearing was held before the Kenton County Planning Commission (KCPC) on December 4, 2025; and a record of the hearing is on file at the offices of the Kenton County Planning Commission; wherein KCPC gave a favorable recommendation for amendments to the text of the Fort Mitchell Zoning Ordinance; and,

WHEREAS, the City Council finds that the proposed changes are in compliance with the applicable provisions of the Comprehensive Plan and agrees with the KCPC recommendation to amend the City of Fort Mitchell Zoning Ordinance as indicated herein.

NOW, THEREFORE, be it ordained by the City of Fort Mitchell in Kenton County, Kentucky, as follows:

SECTION I

That the Fort Mitchell Zoning Ordinance be amended to reflect the language in each section set forth in Exhibit A, which is attached hereto and incorporated herein by reference.

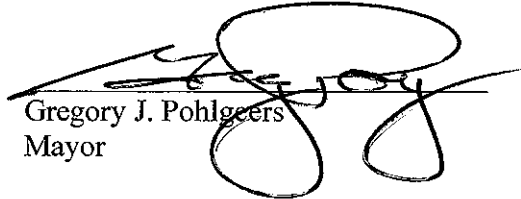
SECTION II

That any ordinances or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed.

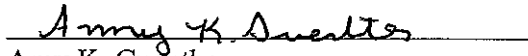
SECTION III

That this ordinance shall take effect and be in full force when passed, published, and recorded according to law. Publication may be in summary form or via posting on the City's website, as permitted by Kentucky law.

Adopted this the 1st day of June, 2026.


Gregory J. Pohlgeers
Mayor

ATTEST:


Amy K. Guenther
City Clerk/Treasurer

FIRST READING: 6/1/2026

SECOND READING: 6/22/2026

PUBLISHED: 6/26/2026

General Attachment Notice:

For ease of viewing, only those portions of the Zoning Ordinance pertaining to the requests within the submitted application have been included within these attachments. The complete zoning code can be viewed online at: www.pdskc.org

ATTACHMENT A

Proposed Text Amendments to the Fort Mitchell Zoning Ordinance
Words to be **deleted** are [lined through] - Words to be **added** are underlined.

FORT MITCHELL ZONING ORDINANCE**ARTICLE 4 USE REGULATIONS & STANDARDS****4.04 Table of Uses**

- A. **General.** The following table lists permitted and conditional uses in each base zoning district. Additional use restrictions may be contained in Section 4.05, Use-Specific Standards, or as part of an Overlay District.
- B. **Districts.** Table 4.1, Permitted and Conditional Uses lists uses for each standard district within the City of Fort Mitchell's zoning jurisdiction. Planned Unit Development and Overlay Districts are not listed in the table. Uses within a Planned Unit Development District are approved through the Development Plan approval process. Uses permitted within an Overlay District are generally regulated by the underlying base district.
- C. **Symbols.**
1. Where the symbol "P" is shown, the use to which it refers is permitted as a "use by right" in the indicated district, provided it complies fully with all applicable Use-Specific Standards included in Section 4.05, Use-Specific Standards.
 2. Where the symbol "C" is shown, the use to which it refers is a conditional use which must be approved by the Board of Adjustment and is subject to any Use-Specific Standards included in Section 4.05, Use-Specific Standards. The Board of Adjustment may also impose additional conditions as part of the conditional use approval per KRS 100.237.
 3. Where the symbol "-" is shown, the use to which it refers is prohibited in the indicated district.
 4. All uses will be hyperlinked to their corresponding definition in Article 14, Definitions.

TABLE 4.1 PERMITTED AND CONDITIONAL USES

Use	Residential						Commercial			Emp	Other				Special	Use Specific Standards
	R-LLS	R-CVS	R-CPS	R-M	R-MF	MHP	ROC	CC	HC	BP	MU	MU-2	CO	INST	DC	
RESIDENTIAL																
Accessory Dwelling Unit	P	P	P	P	-	-	-	-	-	-	P	P	-	-	-	4.05, B.1.
Cottage Court	-	-	-	P	P	-	-	-	-	-	-	-	-	-	-	4.05, B.2.
Live/Work Unit	-	-	-	P	-	-	-	-	-	-	P	-	-	-	-	4.05, B.3.

TABLE 4.1 PERMITTED AND CONDITIONAL USES

Use	Residential						Commercial			Emp	Other				Special	Use Specific Standards
	R-LLS	R-CVS	R-CPS	R-M	R-MF	MHP	ROC	CC	HC	BP	MU	MU-2	CO	INST	DC	
Manufactured Home, Qualified	P	P	P	P	-	P	-	-	-	-	-	-	-	-	-	4.05, B.4[1]
Manufactured Home	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	4.05, B.4[5]
Mobile Home	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	4.05, B.5[6]
Multi-family	-	-	-	P	P	-	-	-	-	-	P	P	-	-	-	4.05, B.6[7]
Single-Family, attached	-	-	-	P	P	-	-	-	-	-	P	P	-	-	-	4.05, B.7[8]
Single-Family, detached	P	P	P	P	-	P	P	-	-	-	P	P	-	-	-	
Upper Floor Housing	-	-	-	-	-	-	-	-	-	-	P	P	-	-	P	4.05, B.8[9]
Two-Family	-	P	P	P	P	-	-	-	-	-	P	-	-	-	-	4.05, B.9[10]
Three/Four-Family	-	-	-	P	P	-	-	-	-	-	P	-	-	-	-	4.05, B.10[11]

4.05 Use-Specific Standards**B. Residential, Except Accessory Dwellings****1. Accessory Dwellings** (see Subsection 4.05, J. Accessory Uses and Buildings)**2. Cottage Court**

- i. No more than 10 units may front the same court.
- ii. Each unit must be oriented with a front entry to the court or a public street.
- iii. Dwelling units shall be no more than two stories.
- iv. Dwelling units shall be separated by a minimum of ten feet.
- v. Each dwelling shall have a front porch at least six feet in depth and 100 square feet in area.
- vi. If off-street surface parking spaces are to be used to meet parking requirements, they shall be accessed from an alley or private drive. The off-street parking area shall not abut the court.

3. Live/Work Unit

- i. No more than four people may be engaged in the making, servicing, or selling of goods and services within the non-residential space.
- ii. At least one person associated with the non-residential activity shall reside in the dwelling portion of the unit.
- iii. The dwelling portion of the unit shall be above or behind the non-residential space.

- iv. The non-residential space shall not exceed 50 percent of the gross floor area of the unit.
- v. Live/work units must have a common access for both the residential and non-residential space and be designed in such a way as to prevent separate lease of spaces.
- vi. Any residential dwelling unit using septic tanks shall comply with Section 8.03, E, Water Quality Buffer.

~~4. Manufactured Home, Qualified~~

- ~~a. Must meet the KRS definition for "Qualified manufactured home" (KRS 100.348 (2)(d)).~~
- ~~b. Is compatible, in terms of assessed value, with existing housing located within 1/8 mile radius of the proposed location of the qualified manufacture home immediately adjacent to:~~
 - ~~1. Either side of the proposed site within the same block front; or~~
 - ~~2. Adjacent to the rear; or~~
 - ~~3. Within a one-eighth (1/8) mile radius or less from the proposed location of the qualified manufactured home.~~
- ~~c. In order to determine if a qualified manufactured home is compatible with the existing housing located within 1/8 mile radius of the proposed location of the qualified manufacture home, it must be demonstrated that the qualified manufacture home is consistent with:~~
 - ~~1. Floor living space and setbacks;~~
 - ~~2. Siding and exterior materials;~~
 - ~~3. Roof pitches;~~
 - ~~4. Square footage;~~
 - ~~5. Foundations~~
- ~~d. Any residential and building manufacturing, and residential dwelling units using septic tanks shall comply with Section 8.03, E, Water Quality Buffer.]~~

~~4[5]. Manufactured Home~~

- a. Must meet the KRS definition of "Manufactured home" (KRS 100.348 (2)(c)).
- b. Any residential and building manufacturing, and residential dwelling units using septic tanks shall comply with Section 8.03, E., Water Quality Buffer.
- c. A patio slab of at least 180 square feet conveniently located at the entrance of the manufactured home is required on each lot. The patio slab shall be constructed of an all-weather type material.

~~5[6]. Mobile Home~~

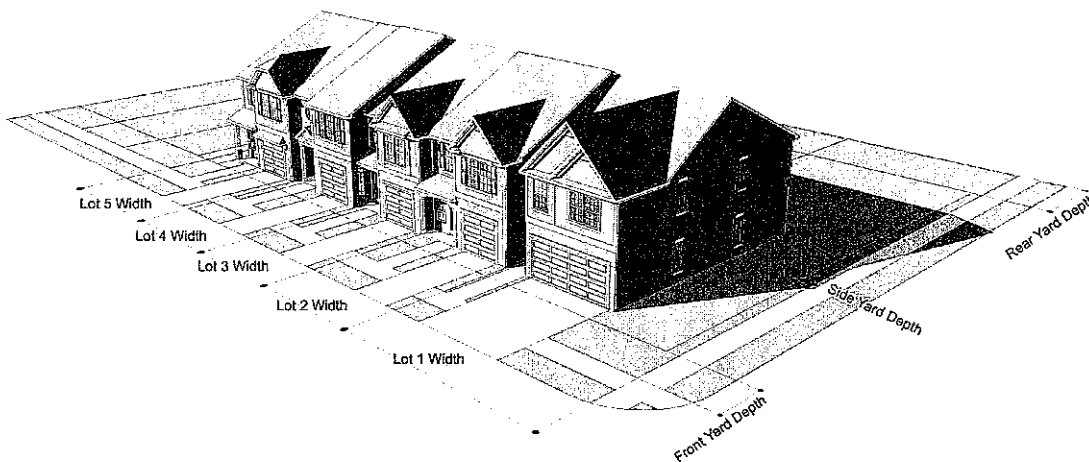
- a. Must have been manufactured prior to June 15, 1976.
- b. Must be transportable in one or more sections.
- c. Must be eight feet or more in width, 40 feet or more in length, or when erected on site, 320 square feet or greater in area.
- d. Must be built on a permanent chassis and designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein.
- e. Mobile homes must be installed in accordance with KRS 227.570 by a Kentucky certified installer.
- f. Any residential and building manufacturing, and residential dwelling units using septic tanks shall comply with Section 8.03, E, Water Quality Buffer.
- g. A patio slab of at least 180 square feet conveniently located at the entrance is required on each lot. The patio slab shall be constructed of an all-weather type material.

~~6[7]. Multi-Family~~

- a. If a property owner puts locks on each bedroom door in a single-family home with the intention of subleasing bedrooms as units, that single-family home shall be considered a multi-family residence.
- b. Except in the MU-2 districts, the location of detached garages, carports, and surface parking lots shall comply with Section 10.02, Location of Parking.
- c. Except in the MU-2 districts, parking garages containing more than 50 spaces shall comply with Section 7.07, 2., d., Parking Garages - Landscaping.
- d. Except in the MU-2 districts, a building shall not be located closer than 20 feet to any other building.
- e. Walkways shall connect all buildings to each other, parking areas, amenity areas, and existing public sidewalks adjacent to the development.
- f. All sides of a building shall display a similar level of architectural features and materials.

7[8]. Single-Family, attached

- a. Each dwelling unit shall be located on its own lot or established as a condominium created under KRS Chapter 381.



- ii. No more than two adjacent dwelling units may have the same front facade setback. Variations in front facade setback shall be a minimum of three feet.
- iii. No more than eight dwelling units may be attached in one structure.
- iv. Any residential dwelling units using septic tanks shall comply with Section 8.03, E., Water Quality Buffers.

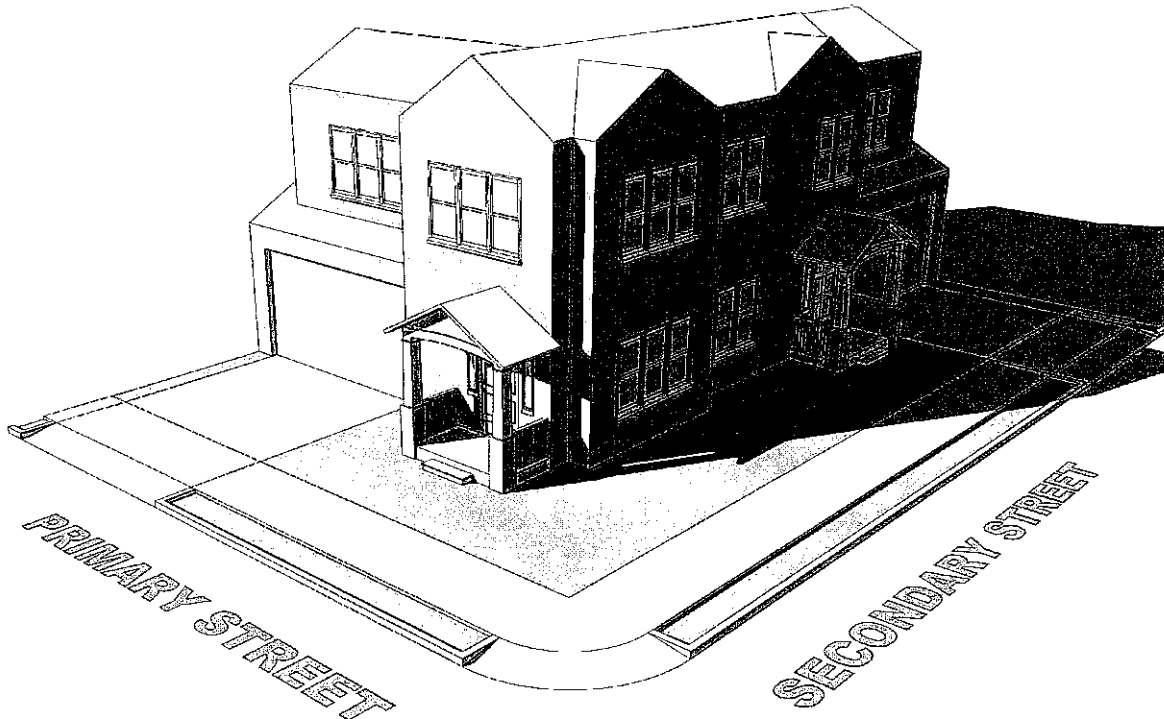
8[9]. Upper Floor Housing

- a. Outside staircases to units on upper floors are permitted provided they are not visible from a public street. This does not apply to emergency fire escapes required by the building code.
- b. Any residential dwelling units using septic tanks shall comply with Section 8.03, E., Water Quality Buffers.

9[10]. Two-Family

- i. Each unit shall have an entrance oriented to a public street frontage or share a common entry oriented to a public street frontage.

- ii. Each dwelling in a duplex, located on a corner or double frontage lot, shall front a separate street whenever practicable, except where access is restricted or where the City determines that access to an adjacent street is not desirable.



- iii. Outside staircases to units on upper floors are permitted provided they are not visible from the public street. This does not apply to emergency fire escapes required by the building code.
- iv. Any residential dwelling units using septic tanks shall comply with Section 8.03, E., Water Quality Buffers.

10[11]. Three/Four-Family

- i. The primary entrance of each dwelling unit shall be oriented to a public street frontage. Individual units may share a common entry oriented to a public street frontage.
- ii. Outside staircases to units on upper floors are permitted provided they are not visible from a public street. This does not apply to emergency fire escapes required by the building code.

ARTICLE 10 PARKING & LOADING STANDARDS

10.05 Off-Street Parking Requirements

- A. The number of off-street parking spaces required within PUD districts shall be approved through the Development Plan Process.
- B. The following table lists the parking requirements for all other zoning districts:

TABLE 10.1 - REQUIRED OFF-STREET PARKING

USE	PARKING REQUIREMENT
RESIDENTIAL	
{Manufactured Home, Qualified	In addition to any provided garage spaces, 2 per unit if on-street parking is provided or 4 per unit if no on-street parking is provided}

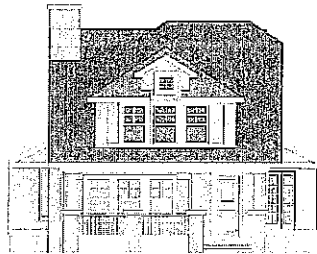
ARTICLE 14 DEFINITIONS

14.02 Definitions

Except for Flood Protection Development Standards (Section 8.04) and Sexually Oriented Businesses (Article 9), the words, phrases and terms used within this ordinance shall be interpreted as stated in this Article. Except as specifically defined herein, all words and phrases used in this Zoning Ordinance shall have their customary meaning as defined in a standard, common dictionary. The definitions for Flood Protection Development Standards (Section 8.04) are in Section 14.03. The definitions for Sexually Oriented Businesses (Article 9) are in Section 14.04.

D

Dwelling, Single-Family, Detached – A dwelling standing by itself and containing only one dwelling unit, separate from other dwellings by open space, but shall not include mobile homes and manufactured homes. This definition includes Manufactured Homes, Qualified.



M

Manufactured Home, Qualified – ~~[As defined by KRS 100.348 (2)(d)].~~ A manufactured home that meets all of the following criteria:

1. Is manufactured on a date not to exceed five years prior to the date of installation and has all parts that operate only during transport removed;
2. Is affixed to a permanent foundation and is connected to the appropriate facilities and is installed in compliance with KRS 227.570;
3. Has a width of at least 20 feet at its smallest width measurement or is two stories in height and oriented on the lot or parcel so that its main entrance door faces the street; and
4. Has a minimum total living area of 900 square feet;
5. A manufactured home that does not meet the minimum width of 20 feet or minimum total living area of 900 square feet may be treated as a qualified manufactured home for purposes of this definition if:
 - (a) The setback requirements or lot dimensions would not reasonably accommodate a home meeting these minimum dimensions;
 - (b) The home is the maximum width and square footage that could reasonably fit on the lot while complying with all applicable setback requirements and other zoning regulations; and
 - (c) The home otherwise meets all other requirements of a qualified manufactured home under this definition.

KCPC

 | Kenton County
Planning
Commission

December 9, 2025

EDWIN KING – CITY ADMINISTRATOR
CITY OF FORT MITCHELL
2355 DIXIE HIGHWAY
FORT MITCHELL KY 41051

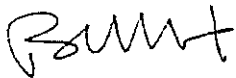
Dear Mr. King,

NUMBER: PC-25-0012-TX

Attached please find a copy of this Commission's action from its meeting on December 04, 2025 regarding text amendments to make necessary revisions for Qualified Manufactured Homes to ensure your zoning ordinance is in compliance with Kentucky House Bill 160. Copies of this action have been sent to those persons or agencies which may be affected by this matter.

Please notify Andy Videkovich, Director of Planning, of the meeting time and date when this item is placed on your agenda. Once your legislative body acts on these text amendments, please provide our staff at PDS with a copy of your executed ordinance. For questions regarding our action or to request PDS staff representation at your meeting, please contact Andy Videkovich, AICP, Director of Planning at PDS 859.331.8980 or avidekovich@pdskc.org.

Thank you.



Brian Dunham
Chair

attachment

KENTON COUNTY PLANNING COMMISSION
STATEMENT OF ACTION AND RECOMMENDATION

NUMBER: PC-25-0012-TX

WHEREAS

The Kenton County Planning Commission per Brian Dunham, Chair, HAS SUBMITTED AN APPLICATION REQUESTING THE KENTON COUNTY PLANNING COMMISSION TO REVIEW AND MAKE RECOMMENDATIONS ON: Proposed text amendments to the Fort Mitchell zoning ordinance: (1) amending the definition of Qualified Manufactured Homes, (2) amending the definition of Single-Family Detached Dwelling to include Qualified Manufactured Homes, (3) removing Qualified Manufactured Homes as a separate use, (4) removing use specific standards for Qualified Manufactured Homes and (5) making any other necessary revisions for compliance with Kentucky House Bill 160; AND

WHEREAS

A PUBLIC HEARING WAS HELD ON THIS APPLICATION ON THURSDAY, DECEMBER 4, 2025, AT 6:15 P.M. IN THE KENTON CHAMBERS; LOCATED AT 1840 SIMON KENTON WAY, COVINGTON, KENTUCKY; AND A RECORD OF THAT HEARING IS ON FILE AT THE OFFICES OF THE KENTON COUNTY PLANNING COMMISSION, 1840 SIMON KENTON WAY, COVINGTON, KENTUCKY.

NOW, THEREFORE,

THE KENTON COUNTY PLANNING COMMISSION SUBMITS THE FOLLOWING RECOMMENDATIONS, ALONG WITH SUPPORTING INFORMATION AND COMPREHENSIVE PLAN DOCUMENTATION:

KCPC RECOMMENDATION – FORT MITCHELL ZONING ORDINANCE:

Favorable recommendation on the proposed text amendments to the Fort Mitchell zoning ordinance to implement updates necessary to comply with KRS 100.348 (effective July 1, 2026).

COMPREHENSIVE PLAN DOCUMENTATION:

- Date of Adoption by the Kenton County Planning Commission: September 5, 2024.

SUPPORTING INFORMATION/BASES FOR KCPC RECOMMENDATION:

1. The proposed text amendments are authorized to be included within the text of the Fort Mitchell Zoning Ordinance per KRS 100.203 (1) (See Attachment A).
2. The proposed text amendments are necessary in order to comply with changes to KRS 100.348, which were adopted by the Kentucky General Assembly during the 2025 legislative session.
3. Based on testimony provided during the public hearing held on December 4, 2025.

BRIAN DUNHAM, CHAIR
KENTON COUNTY PLANNING COMMISSION