

**THE CITY OF SOUTHGATE
CAMPBELL COUNTY, KENTUCKY**

ORDINANCE NO. 25-01

AN ORDINANCE AMENDING THE TEXT OF THE OFFICIAL ZONING ORDINANCE FOR THE CITY OF SOUTHGATE KENTUCKY RELATED TO ACCESSORY DWELLING UNITS:

WHEREAS, the City of Southgate has adopted an Official Zoning Ordinance known as CHAPTER 154: ZONING CODE: 154.01 ADOPTION BY REFERENCE; within the City Code of Ordinances; and,

WHEREAS, the Campbell County & Municipal Planning & Zoning Commission serves as the planning unit related to this Zoning Ordinance; and

WHEREAS, the Campbell County & Municipal Planning & Zoning Commission was requested to review and act upon an application by the City of Southgate to review and add text related to Accessory Dwelling Units; and,

WHEREAS, the Campbell County & Municipal Planning & Zoning Commission held a public hearing on Tuesday, November 12, 2024 to review said proposed text to amend and after due consideration of the evidence and testimony presented, the Commission voted to recommend to the City of Southgate City Council that said text revisions within

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTHGATE, KENTUCKY, AS FOLLOWS:

The addition of definitions to ARTICLE VII, SECTION 7.0 DEFINITIONS:

DWELLING UNIT, ACCESSORY (ADU): An accessory residential dwelling unit that provides independent living facilities from a primary dwelling unit but resides on the same parcel as the primary dwelling unit.

The revisions the residential zones within ARTICLE X

SECTION 10.1 R-1E RESIDENTIAL ONE-E ZONE:

C. **CONDITIONAL USES:** The following uses or any customary accessory buildings or uses subject to the approval of the Board of Adjustment as set forth in Section 9.14 and 18.7 of this ordinance.

12. Accessory Dwelling (ADU) unit with the following conditions:

- a. One (1) ADU, either attached or detached is permitted per single family dwelling per lot.
- b. The ADU shall be subordinate in area, extent, and purpose, to the primary dwelling unit;
- c. Maximum ADU Size: 800 square feet or 30 percent of the gross floor area of the principal structure, whichever is greater.
- d. Location Requirements:

- c. Maximum ADU Size: 800 square feet or 30 percent of the gross floor area of the principal structure, whichever is greater.
- d. Location Requirements:
 - i. For an attached ADU, the yard or setback requirements of the principal structure shall be met. The attached ADU shall be located either to the side or rear yard of the principal structure.
 - ii. For a detached ADU, the yard or setback requirements of an accessory structure shall be met. The detached ADU shall be located either to the side or rear yard of the principal structure.
- e. ADU Access:
 - i. For an attached ADU, an exterior staircase used to access a second story or higher ADU shall not be located on the front façade of the structure.
 - ii. For a detached ADU, the exterior pedestrian entrance to the ADU shall be located facing the principal structure or side yard.
- f. Maximum Height:
 - i. For an attached ADU, the maximum height shall not exceed the height of the principal structure.
 - ii. For a detached ADU, the maximum height shall not exceed the maximum height permitted for an accessory structure in accordance with this section. The maximum height shall not exceed the height of the principal structure.
- g. The ADU may not be used for a home-based business.
- h. The ADU may not be held out to the public or used as a short or long-term rental.
- i. The primary dwelling unit and the ADU must share the same driveway encroachment.
- j. Off-street parking shall meet the requirements of Article XI of this Ordinance and one (1) paved parking pad or one (1) garage parking space shall be provided for the ADU.
- k. The owner of the property shall reside within either the principal or the accessory dwelling unit.

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES AND CONDITIONALLY APPROVED ACCESSORY DWELLING UNITS:

E. AREA AND HEIGHT REGULATIONS FOR ALL OTHER CONDITIONALLY PERMITTED USES:

F. OTHER DEVELOPMENT CONTROLS:

- 4. Where any yard of any conditional use permitted in this zone, except an accessory dwelling unit, abuts property in a single-family zone, a ten (10) foot wide screening area as regulated by Section 9.17 of this ordinance shall be required.

SECTION 10.3 R-1G RESIDENTIAL ONE-G ZONE:

- C. **CONDITIONAL USES:** The following uses or any customary accessory buildings or uses subject to the approval of the Board of Adjustment as set forth in Section 9.14 and 18.7 of this ordinance.

SECTION 10.4 R-1Gh RESIDENTIAL ONE-Gh ZONE:

C. **CONDITIONAL USES:** The following uses or any customary accessory buildings or uses subject to the approval of the Board of Adjustment as set forth in Section 9.14 and 18.7 of this ordinance.

12. Accessory Dwelling (ADU) unit with the following conditions:

- a. One (1) ADU, either attached or detached is permitted per single family dwelling per lot.
- b. The ADU shall be subordinate in area, extent, and purpose, to the primary dwelling unit;
- c. Maximum ADU Size: 800 square feet or 30 percent of the gross floor area of the principal structure, whichever is greater.
- d. Location Requirements:
 - i. For an attached ADU, the yard or setback requirements of the principal structure shall be met. The attached ADU shall be located either to the side or rear yard of the principal structure.
 - ii. For a detached ADU, the yard or setback requirements of an accessory structure shall be met. The detached ADU shall be located either to the side or rear yard of the principal structure.
- e. ADU Access:
 - i. For an attached ADU, an exterior staircase used to access a second story or higher ADU shall not be located on the front façade of the structure.
 - ii. For a detached ADU, the exterior pedestrian entrance to the ADU shall be located facing the principal structure or side yard.
- f. Maximum Height:
 - i. For an attached ADU, the maximum height shall not exceed the height of the principal structure.
 - ii. For a detached ADU, the maximum height shall not exceed the maximum height permitted for an accessory structure in accordance with this section. The maximum height shall not exceed the height of the principal structure.
- g. The ADU may not be used for a home-based business.
- h. The ADU may not be held out to the public or used as a short or long-term rental.
- i. The primary dwelling unit and the ADU must share the same driveway encroachment.
- j. Off-street parking shall meet the requirements of Article XI of this Ordinance and one (1) paved parking pad or one (1) garage parking space shall be provided for the ADU.
- k. The owner of the property shall reside within either the principal or the accessory dwelling unit.

D. **AREA AND HEIGHT REGULATIONS FOR PERMITTED USES AND CONDITIONALLY APPROVED ACCESSORY DWELLING UNITS:**

E. **AREA AND HEIGHT REGULATIONS FOR ALL OTHER CONDITIONALLY PERMITTED USES:**

F. **OTHER DEVELOPMENT CONTROLS:**

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F. OTHER DEVELOPMENT CONTROLS:

4. Where any yard of any conditional use permitted in this zone, except an accessory dwelling unit, abuts property in a single-family zone, a ten (10) foot wide screening area as regulated by Section 9.17 of this ordinance shall be required.

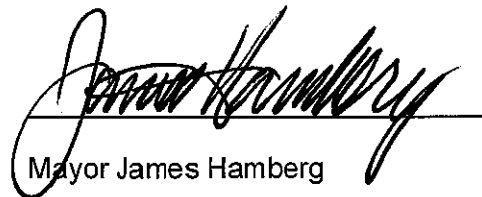
WHEREAS, the City Council, of the City of Southgate Kentucky, having reviewed the proposed zoning text amendments, hereby concurs in the recommendation of the Campbell County & Municipal Planning & Zoning Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL, OF THE CITY OF SOUTHGATE KENTUCKY, CAMPBELL COUNTY, COMMONWEALTH OF KENTUCKY, AS FOLLOWS:

That the Official Zoning Ordinance for the City of Southgate, Kentucky, for ARTICLE VII, SECTION 7.0 – DEFINITIONS, ARTICLE X, SECTION 10.1 RESIDENTIAL ONE – E (R-1E) ZONE, ARTICLE X, SECTION 10.2 RESIDENTIAL ONE – F (R-1F) ZONE, ARTICLE X, SECTION 10.3 RESIDENTIAL ONE – G (R-1G) ZONE, ARTICLE X, SECTION 10.4 RESIDENTIAL ONE – GH (R-1GH) ZONE and ARTICLE X, SECTION 10.5 RESIDENTIAL ONE – H (R-1H) ZONE be amended as listed above.

Read and adopted after second reading by title and a summary given on the 5th day of February, 2025.

Adopted this 5th day of February, 2025


Mayor James Hamberg

ATTEST: Brandi Barton

Brandi Barton, City Clerk

First Reading: 1/22/25
Second Reading: 2/5/25