

**THE CITY OF SOUTHGATE
CAMPBELL COUNTY, KENTUCKY
ORDINANCE NO. 26-06**

AN ORDINANCE AMENDING THE TEXT OF THE OFFICIAL ZONING ORDINANCE FOR THE CITY OF SOUTHGATE KENTUCKY RELATED TO VAPE STORES:

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 modify text related to related to vape stores, and tobacco stores; and,

WHEREAS, the Campbell County & Municipal Planning & Zoning Commission held a public hearing on Public Hearing on Tuesday, April 14, 2026 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 (Text amendment additions and renumbering in underline and deletions in ~~strike-out~~):

ELECTRONIC SMOKING DEVICE: Any device that can be used to deliver aerosolized or vaporized nicotine to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen or e-hookah. "Electronic smoking device" includes any component, part, or accessory of such a device, whether or not sold separately, and includes any substance intended to be aerosolized or vaporized during the use of the device. "Electronic smoking device" does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act.

ELECTRONIC SMOKING RETAIL STORE. A business operation with at least 70% of sales dedicated to the sale of electronic smoking devices, accessories, and/or products.

VAPE SHOP: See Electronic Smoking Retail Store.

The revisions within ARTICLE X SECTION 10.9 (GC) GENERAL COMMERCIAL ZONE:

C. CONDITIONAL USES:

1. Electronic Smoking Retail Store with the following conditions
 - a. Shall not be located within twelve hundred (1200) feet of any school, day care center, youth-focused entity or playground

- b. Shall not be located within six hundred (600) feet of another electronic smoking retail store
- c. Shall not allow any unaccompanied minors in the building
- d. Shall not sell alcoholic beverages
- e. Shall not be licensed as a Food Service Establishment
- f. Shall not have an entrance that opens to a common area with other retail establishments
- g. Business shall not be transacted via drive-up window, or drive-through
- h. The hours of operation shall be no earlier than six (6) AM, and no later than ten (10) PM, seven (7) days a week

6 D. AREA AND HEIGHT REGULATIONS: No building shall be erected or structurally altered hereafter except in accordance with the following regulations.

7 E. OTHER DEVELOPMENT CONTROLS:

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, and ARTICLE X SECTION 10.9 (GC) GENERAL COMMERCIAL ZONE be amended as listed above.

Read by title and a summary given on the 3rd day of June, 2026.

Read and adopted after second reading by title and a summary given on the 3rd day of June, 2026.

Dated this 3rd day of June, 2026.

BY:



James Hamberg, Mayor

ATTEST:



Brandi Barton, City Clerk

First reading: 5/20/26

Second reading: 6/3/26

published: 6/11/26