

TO: Kenton County Planning Commission Members

FROM: Andy Videkovich, AICP
Director of Planning

RE: Staff Recommendations for the December 04, 2025, Public Hearing

DATE: November 21, 2025

PDS submits the attached report and recommendation for your review prior to the **scheduled December 04, 2025**, public hearing. This information relates to the following agenda item:

FILE: PC-25-0012-TX

APPLICANT: Kenton County Planning Commission per Brian Dunham, Chair

REQUEST: Proposed text amendments to the Bromley, Covington, Crescent Springs, Crestview Hills, Edgewood, Elsmere, Erlanger, Fairview, Fort Mitchell, Fort Wright, Independence, Kenton Vale, Lakeside Park, Ludlow, Park Hills, Ryland Heights, Taylor Mill, Villa Hills, and Kenton County zoning ordinances: (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.

Staff will be prepared to address your comments and/or questions regarding the project during the public hearing. If you need additional information or clarification prior to that time, don't hesitate to contact me.

Text Amendment

File No: PC-25-0012-TX

Applicant: Kenton County Planning
Commission

Project Manager: Andy Videkovich, AICP,
Director of Planning

GENERAL CASE INFORMATION

1. **Request:** Proposed text amendments to the Bromley, Covington, Crescent Springs, Crestview Hills, Edgewood, Elsmere, Erlanger, Fairview, Fort Mitchell, Fort Wright, Independence, Kenton Vale, Lakeside Park, Ludlow, Park Hills, Ryland Heights, Taylor Mill, Villa Hills, and Kenton County zoning ordinances: (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.

HISTORY & BACKGROUND

1. During the 2025 legislative session, the Kentucky General Assembly passed Kentucky House Bill 160. This bill amends KRS 100.348 to prohibit a local government from adopting or enforcing zoning regulations that treat qualified manufactured homes differently from single-family homes; allows only regulations of certain architectural features of qualified manufactured homes and require that those same standards be applied to single family homes; permit placement of qualified manufactured homes with smaller dimensions if a larger qualified manufactured home could not be situated on the lot; and adds noncodified statement of the intent of the General Assembly. This bill was signed by the Governor on April 1, 2025, and has an effective date of July 1, 2026.
2. As a result of the changes to KRS 100.348, amendments are required to every zoning ordinance in Kenton County. In anticipation of this, PDS staff discussed the issue with the Kenton County Mayors' Group and City/County Administrators' Group. In addition to this, PDS staff corresponded with jurisdictions and presented at Council meetings when requested. Drafts of the proposed zoning ordinance changes were also prepared and sent to each jurisdiction for review.
3. On November 6, 2025, the KCPC authorized this text amendment application on behalf of all the jurisdictions in Kenton County.

PETITION REVIEW

1. A copy of the approved HB 160 is attached as Attachment A.
2. Copies of each jurisdictions' text can be found on the KCPC's Now Pending website:
<https://kcpcky.org/meetings/now-pending/>

3. The following updates are proposed. Because zoning regulations vary locally, not all of these changes will apply in every community.
 - a. **Update the Definition of Detached Single-Family Dwelling**
 - i. Amend to include Qualified Manufactured Homes. They will then be permitted wherever single-family homes are permitted, subject to the same setbacks, height limits, and architectural standards.
 - b. **Update the Definition of Qualified Manufactured Home**
 - i. Revise to match the definition in KRS 100 for consistency with state law.
 - c. **Remove Qualified Manufactured Homes as a Separate Use**
 - i. Delete from permitted use tables and off-street parking tables, since they will be classified as single-family dwellings.
 - d. **Remove Separate Compatibility and Application Standards**
 - i. Any standards or application requirements applying only to qualified manufactured homes must be deleted. Jurisdictions may retain compatibility standards if they apply equally to all single-family homes.

STATE STATUTE

1. Kentucky Revised Statute (KRS) 100.203 (1) states the allowable content of zoning regulations which cities and counties may enact.

STAFF RECOMMENDATION: Favorable recommendation on the proposed text amendments to the Kenton County zoning ordinances to implement updates necessary to comply with KRS 100.348 (effective July 1, 2026)

SUPPORTING INFORMATION/BASES FOR STAFF RECOMMENDATION

1. 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.

1 AN ACT relating to manufactured housing.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 100.348 is amended to read as follows:

4 (1) The Kentucky General Assembly hereby recognizes and affirms that the protection
5 of property values is a legitimate issue to local governments and the enactment of
6 regulations designed to protect property values is a proper exercise of local
7 government legislative power. ***At the same time, the Kentucky General Assembly***
8 ***hereby recognizes and affirms that while local governments have legitimate***
9 ***authority to enact reasonable zoning regulations, the provision of quality,***
10 ***affordable housing through qualified manufactured homes serves an essential***
11 ***public purpose.***

12 (2) As used in this section, unless the context requires otherwise:

13 (a) "Compatibility standards" means standards that have been enacted by a local
14 government under the authority of this section for the purpose of protecting
15 and preserving the monetary value of real property located within the local
16 government's jurisdiction;

17 (b) "Local government" means a city, county, urban-county government, charter
18 county government, ***unified local government,*** or consolidated local
19 government that is engaged in planning and zoning under KRS Chapter 100;

20 (c) "Manufactured home" means a single-family residential dwelling constructed
21 after June 15, 1976, in accordance with the National Manufactured Home
22 Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et
23 seq., as amended, and designed to be used as a single-family residential
24 dwelling with or without permanent foundation when connected to the
25 required utilities, and which includes the plumbing, heating, air conditioning,
26 and electrical systems contained therein;

27 (d) "Qualified manufactured home" means a manufactured home that meets all of

the following criteria:

1. Is manufactured on a date not to exceed five (5) years prior to the date of installation and has all parts that operate only during transport removed~~[or after July 15, 2002];~~
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 twenty (20) feet at its smallest width measurement or is two (2) 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 nine hundred (900) square feet; and~~]~~
5. ~~Is not located in a manufactured home land lease community; and]~~

(e) "Permanent foundation" means a system of supports that is:

1. Capable of transferring, without failure, into soil or bedrock, the maximum design load imposed by or upon the structure and complies with KRS 227.570;
2. Constructed with materials that are compatible with surrounding residential structures so long as the materials do not compromise the structural engineering of the home in conflict with KRS 227.570~~[of concrete];~~ and
3. Placed at a depth below grade adequate to prevent frost damage, in accordance with the manufacturer's installation requirements and KRS 227.570.

(3) Except as provided in subsection (4) of this section, a local government shall not adopt or enforce any zoning regulation, ordinance, or other requirement that:

- (a) Excludes qualified manufactured homes from any residential zone where single-family residences are permitted;
- (b) Discriminates against qualified manufactured homes; or

1 (c) Imposes foundation requirements on manufactured homes that:

2 1. Conflict with the structural engineering of the homes;

3 2. Conflict with KRS 227.570; or

4 3. Require more than one (1) type of permanent foundation system.

5 ~~(4)(3)~~ Any local government may adopt and enforce, as a part of its zoning
6 regulations, compatibility standards governing the placement of qualified
7 manufactured homes in residential zones within the local government's jurisdiction.
8 Compatibility standards shall be adopted, amended, and enforced in the same
9 manner as other zoning regulations and shall be in addition to any zoning
10 regulations that are generally applicable to single-family residences. Any
11 architectural compatibility standards applied to qualified manufactured homes
12 must be equivalent to, and not more stringent than, those standards applied to
13 other single-family residential structures in the same zone. The compatibility
14 standards shall be designed to ensure that when a qualified manufactured home is
15 placed in a residential zone it is compatible, in terms of assessed value, with
16 existing housing located with a one-eighth (1/8) mile or less radius from the
17 proposed location of the qualified manufactured home. The compatibility standards
18 adopted by a local government shall be limited~~[relate]~~ to the following architectural
19 features that have a significant impact on the overall assessed value of the
20 structure~~[, including, for example, but not limited to features such as]:~~

21 (a) Roof pitch;

22 (b) Square footage of livable space;

23 (c) Type and quality of exterior finishing materials;

24 (d) Foundation skirting;~~[and]~~

25 (e) Existence and type of attached structures; and

26 (f) Setback restrictions, lot dimensions, and orientation of the home on the lot,
27 so long as they are no stricter than those for site-built homes within the

1 same zone.

2 (5) A manufactured home that does not meet the minimum width of twenty (20) feet
3 or minimum total living area of nine hundred (900) square feet needed to be
4 considered a qualified manufactured home under subsection (2)(d) of this section
5 may be treated as a qualified manufactured home for purposes of subsections (3)
6 and (4) of this section if:

7 (a) The setback requirements or lot dimensions would not reasonably
8 accommodate a home meeting these minimum dimensions;

9 (b) The home is the maximum width and square footage that could reasonably
10 fit on the lot while complying with all applicable setback requirements and
11 other zoning regulations; and

12 (c) The home otherwise meets all other requirements of a qualified
13 manufactured home under this section.

14 ~~(6)~~~~(4)~~ ~~[Nothing in]~~This section shall **not** be construed to affect, modify, or abolish
15 restrictions contained in recorded deeds, covenants, or developers' subdivision
16 restrictions.

17 ~~(7)~~~~(5)~~ ~~[Nothing in]~~This section shall **not** be construed as limiting in any way the
18 authority of local governments to adopt regulations designed to protect historic
19 properties or historic districts.

20 (8) Any zoning regulation, ordinance, or requirement that violates this section is void
21 and unenforceable.

22 (9) Cities located in a county containing a consolidated local government that do not
23 have the authority to adopt zoning regulations as set out in KRS 100.137(3), may
24 enact compatibility standards pursuant to subsection (4) of this section that are in
25 lieu of standards adopted by the consolidated local government.

26 ➔Section 2. This Act takes effect July 1, 2026.