
ARTICLE X

ZONES

SECTION 10.0 CO (CONSERVATION) ZONE

A. PERMITTED USES

1. Agricultural uses, but not including the feeding of garbage to animals
2. Publicly owned and/or operated parks and/or recreation areas, including public swimming pools
3. Recreational uses other than those publicly owned and/or operated such as golf courses and country clubs, including commercial swimming pools

B. ACCESSORY USES

1. Customary accessory buildings and uses
2. Fences and walls, as regulated by Article XIII of this ordinance
3. Signs, as regulated by Article XIV of this ordinance

C. CONDITIONAL USES: No building or occupancy permit shall be issued for any of the following, nor shall any of the following uses or any customary accessory buildings or uses be permitted until and unless the location of such use shall have been applied for and approved by the board of adjustment, as set forth in Section 9.14 of this ordinance:

1. Golf driving ranges
2. Riding academies and stables

D. AREA, HEIGHT, YARD, AND SETBACK REGULATIONS: Requirements shall be as determined and approved by the city.

E. OTHER DEVELOPMENT CONTROLS

1. All "Uses Permitted" and "Conditional Uses", permitted in this zone shall require a certificate of approval from the city engineer, certifying his approval of the type of and manner of construction to be built (insuring that such construction shall not cause flood hazard, soil erosion, adverse changes in natural drainage courses, or unnecessary destruction of natural features), which completed certificate shall be submitted to the appropriate officer or board, as required herein, at time of request.
2. Dwelling units are not permitted in this zone.
3. Off-street parking and loading or unloading shall be provided in accordance with Articles XI and XII of this ordinance.

4. No outdoor storage of any material (usable or waste) shall be permitted in this zone, except within enclosed containers.
5. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way, or into any residential zone.
6. Where any yard of any use permitted abuts a residential zone, a minimum yard requirement of one hundred (100) feet for each side screening area and additional setback shall be provided in accordance with Section 9.17 of this ordinance and/or rear yard which abuts said zone shall be provided, ten (10) feet of which shall be maintained by a screening area as regulated by Section 9.17 of this ordinance.
7. No use producing objectionable odors, noise, or dust, shall be permitted within five hundred (500) feet from the boundary of any residential zone.
8. A site plan, as regulated by Section 9.19 of this ordinance, shall be required for any use in this zone.
9. All utilities must be underground in a new subdivision or development when transmission lines are extended or altered.

SECTION 10.1 R-1Bc (RESIDENTIAL ONE-Bc) ZONE**A. PERMITTED USES**

1. Detached single-family dwellings

B. ACCESSORY USES

1. Customary accessory buildings and uses (detached garages are prohibited)
2. Fences and walls, as regulated by Article XIII of this ordinance
3. Home occupations, subject to the restrictions and limitations established in Section 9.11 of this ordinance
4. Signs, as regulated by Article XIV of this ordinance

C. CONDITIONAL USES: No building or occupancy permit shall be issued for any of the following, nor shall any of the following uses or any customary accessory buildings or uses be permitted until and unless the location of such use shall have been applied for and approved by the board of adjustment, as set forth in Section 9.14 of this ordinance:

1. Cemeteries
2. Churches and other buildings for the purpose of religious worship, providing they are located adjacent to an arterial street
3. Fire and police stations, provided they are located adjacent to an arterial street
4. Institutions for higher education, providing they are located adjacent to an arterial street
5. Institutions for human medical care - hospitals, clinic sanitariums, convalescent homes, nursing homes, and homes for the aged, providing they are located adjacent to an arterial street
6. Nursery schools
7. Public and parochial schools
8. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries
9. Recreational uses, other than those publicly owned and/or operated as follows:
 - a. Golf courses;
 - b. Country clubs;
 - c. Semi-public swimming pools;

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- D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES: No buildings shall be erected or structurally altered hereafter, except in accordance with the following regulations:
1. Minimum lot area - Fifteen thousand (15,000) square feet
 2. Minimum lot width at minimum building setback line - One hundred (100) feet
 3. Minimum front yard depth - Fifty (50) feet
 4. Minimum side yard width on each side of lot - Ten (10) feet
 5. Minimum rear yard depth - Fifty (50) feet
 6. Maximum building height - Thirty-five (35) feet or two and one-half (2-1/2) stories
- E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES: No conditional building and/or use shall be erected or structurally altered hereafter, except in accordance with the following regulations:
1. Minimum lot area - Twenty-two thousand five hundred (22,500) square feet
 2. Minimum lot width at building setback line - One hundred fifty (150) feet
 3. Minimum front, side (on each side of lot, and rear yards - Fifty (50) feet
 4. Maximum building height - Thirty-five (35) feet or two and one-half (2-1/2) stories
- F. OTHER DEVELOPMENT CONTROLS
1. Off-street parking and loading or unloading shall be provided in accordance with Articles XI and XII of this ordinance.
 2. No outdoor storage of any material (usable or waste) shall be permitted in this zone, except within enclosed containers.
 3. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way, or into any adjacent property.
 4. Screening areas and additional setbacks shall be provided in accordance with Section 9.17 of this ordinance.
 5. All utilities must be underground in a new subdivision or development when transmission lines are extended or altered.

SECTION 10.2 R-1C (RESIDENTIAL ONE-C) ZONE**A. PERMITTED USES**

1. Detached single-family dwellings

B. ACCESSORY USES

1. Customary accessory buildings and uses (detached garages are prohibited)
2. Fences and walls, as regulated by Article XIII of this ordinance
3. Home occupations, subject to the restrictions and limitations established in Section 9.11 of this ordinance
4. Signs, as regulated by Article XIV of this ordinance

C. CONDITIONAL USES: No building or occupancy permit shall be issued for any of the following, nor shall any of the following uses or customary accessory buildings or uses be permitted until and unless the location of said uses shall have been applied for and approved of by the board of adjustment, as set forth in Section 9.14 of this ordinance:

1. Cemeteries
2. Churches and other buildings for the purpose of religious worship, providing they are located adjacent to an arterial street
3. Fire and police stations, providing they are located adjacent to an arterial street
4. Institutions for higher education, providing they are located adjacent to an arterial street
5. Institutions for human medical care - hospitals, clinic sanitariums, convalescent homes, nursing homes, and homes for the aged, providing they are located adjacent to an arterial street
6. Nursery schools
7. Public and parochial schools
8. Publicly owned and/or operated parks, playgrounds, golf courses, community recreation centers, including swimming pools and libraries
9. Recreational uses other than those publicly owned and/or operated, as follows:
 - a. Golf courses;
 - b. Country clubs;
 - c. Swimming pools;

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES: No buildings shall be erected or structurally altered hereafter, except in accordance with the following regulations:

1. Minimum lot area - Twelve thousand five hundred (12,500) square feet
2. Minimum lot width at minimum building setback line - Eighty (80) feet
3. Minimum front yard depth - Forty-five (45) feet
4. Minimum side yard width on each side of lot - Eight (8) feet
5. Minimum rear yard depth - Fifty (50) feet
6. Maximum building height - Thirty-five (35) feet or two and one-half (2-1/2) stories

E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES: No conditional building and/or use shall be erected or structurally altered hereafter, except in accordance with the following regulations:

1. Minimum lot area - Twenty-two thousand five hundred (22,500) square feet
2. Minimum lot width at minimum building setback line - One hundred fifty (150) feet
3. Minimum front, side (on each side of lot), and rear yards - Fifty (50) feet
4. Maximum building height - Thirty-five (35) feet or two and one-half (2-1/2) stories

F. OTHER DEVELOPMENT CONTROLS

1. Off-street parking and loading or unloading shall be provided in accordance with Articles XI and XII of this ordinance.
2. No outdoor storage of any material (usable or waste) shall be permitted in this zone, except within enclosed containers.
3. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way, or into any adjacent property.
4. Screening areas and additional setbacks shall be provided in accordance with Section 9.17 of this ordinance.
5. All utilities must be underground in a new subdivision or development when transmission lines are extended or altered.

SECTION 10.3 R-1D (RESIDENTIAL ONE-D) ZONE**A. PERMITTED USES**

1. Detached single-family dwellings

B. ACCESSORY USES

1. Customary accessory buildings and uses (detached garages are prohibited)
2. Fences and walls, as regulated by Article XIII of this ordinance
3. Home occupations, subject to the restrictions and limitations established in Section 9.11 of this ordinance
4. Signs, as regulated by Article XIV of this ordinance

C. CONDITIONAL USES: No building or occupancy permit shall be issued for any of the following, nor shall any of the following uses or customary accessory buildings or uses be permitted until and unless the location of said uses shall have been applied for and approved of by the board of adjustment, as set forth in Section 9.14 of this ordinance:

1. Cemeteries
2. Churches and other buildings for the purpose of religious worship, providing they are located adjacent to an arterial street
3. Fire and police stations, providing they are located adjacent to an arterial street
4. Institutions for higher education, providing they are located adjacent to an arterial street
5. Institutions for human medical care - hospitals, clinic sanitariums, convalescent homes, nursing homes, and homes for the aged, providing they are located adjacent to an arterial street
6. Nursery schools
7. Public and parochial schools
8. Publicly owned and/or operated parks, playgrounds, golf courses, community recreation centers, including swimming pools and libraries
9. Recreational uses other than those publicly owned and/or operated, as follows:
 - a. Golf courses;
 - b. Country clubs;
 - c. Swimming pools;

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES: No buildings shall be erected or structurally altered hereafter, except in accordance with the following regulations:

1. Minimum lot area - Nine thousand (9,000) square feet
2. Minimum lot width at minimum building setback line - Seventy (70) feet
3. Minimum front yard depth - Forty (40) feet
4. Minimum side yard width on each side of lot - Six (6) feet
5. Minimum rear yard depth - Fifty (50) feet
6. Maximum building height - Thirty-five (35) feet or two and one-half (2-1/2) stories

E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES: No conditional building and/or use shall be erected or structurally altered hereafter, except in accordance with the following regulations:

1. Minimum lot area - Twenty-two thousand five hundred (22,500) square feet
2. Minimum lot width at minimum building setback line - One hundred fifty (150) feet
3. Minimum front, side (on each side of lot), and rear yards - Fifty (50) feet
4. Maximum building height - Thirty-five (35) feet or two and one-half (2-1/2) stories

F. OTHER DEVELOPMENT CONTROLS

1. Off-street parking and loading or unloading shall be provided in accordance with Articles XI and XII of this ordinance.
2. No outdoor storage of any material (usable or waste) shall be permitted in this zone, except within enclosed containers.
3. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way, or into any adjacent property.
4. Screening areas and additional setbacks shall be provided in accordance with Section 9.17 of this ordinance.
5. All utilities must be underground in a new subdivision or development when transmission lines are extended or altered.

SECTION 10.4 R-1E (RESIDENTIAL ONE-E) ZONE**A. PERMITTED USES**

1. Detached single-family dwellings

B. ACCESSORY USES

1. Customary accessory buildings and uses (detached garages are prohibited)
2. Fences and walls, as regulated by Article XIII of this ordinance
3. Home occupations, subject to the restrictions and limitations established in Section 9.11 of this ordinance
4. Signs, as regulated by Article XIV of this ordinance

C. CONDITIONAL USES: No building or occupancy permit shall be issued for any of the following, nor shall any of the following uses or customary accessory buildings or uses be permitted until and unless the location of said uses shall have been applied for and approved of by the board of adjustment, as set forth in Section 9.14 of this ordinance:

1. Cemeteries
2. Churches and other buildings for the purpose of religious worship, providing they are located adjacent to an arterial street
3. Fire and police stations, providing they are located adjacent to an arterial street
4. Institutions for higher education, providing they are located adjacent to an arterial street
5. Institutions for human medical care - hospitals, clinic sanitariums, convalescent homes, nursing homes, and homes for the aged, providing they are located adjacent to an arterial street
6. Nursery schools
7. Public and parochial schools
8. Publicly owned and/or operated parks, playgrounds, golf courses, community recreation centers, including swimming pools and libraries
9. Recreational uses other than those publicly owned and/or operated, as follows:
 - a. Golf courses;
 - b. Country clubs;
 - c. Swimming pools;

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES: No buildings shall be erected or structurally altered hereafter, except in accordance with the following regulations:

1. Minimum lot area - Seven thousand five hundred (7,500) square feet
2. Minimum lot width at minimum building setback line - Sixty (60) feet
3. Minimum front yard depth - Thirty-five (35) feet
4. Minimum side yard width on each side of lot - Five (5) feet
5. Minimum rear yard depth - Thirty-five (35) feet
6. Maximum building height - Thirty-five (35) feet or two and one-half (2-1/2) stories

E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES: No conditional building and/or use shall be erected or structurally altered hereafter, except in accordance with the following regulations:

1. Minimum lot area - Twenty-two thousand five hundred (22,500) square feet
2. Minimum lot width at minimum building setback line - One hundred fifty (150) feet
3. Minimum front, side (on each side of lot), and rear yards - Fifty (50) feet
4. Maximum building height - Thirty-five (35) feet or two and one-half (2-1/2) stories

F. OTHER DEVELOPMENT CONTROLS

1. Off-street parking and loading or unloading shall be provided in accordance with Articles XI and XII of this ordinance.
2. No outdoor storage of any material (usable or waste) shall be permitted in this zone, except within enclosed containers.
3. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way, or into any adjacent property.
4. Screening areas and additional setbacks shall be provided in accordance with Section 9.17 of this ordinance.
5. All utilities must be underground in a new subdivision or development when transmission lines are extended or altered.

SECTION 10.5 R-2a (RESIDENTIAL TWO-a) ZONE**A. PERMITTED USES**

1. Two-family dwellings

B. ACCESSORY USES

1. Customary accessory buildings and uses
2. Fences and walls, as regulated by Article XIII of this ordinance
3. Signs, as regulated by Article XIV of this ordinance

C. CONDITIONAL USES: No building or occupancy permit shall be issued for any of the following, nor shall any of the following uses or customary accessory buildings or uses be permitted until and unless the location of said uses shall have been applied for and approved of by the board of adjustment, as set forth in Section 9.14 of this ordinance:

1. Cemeteries
2. Churches and other buildings for the purpose of religious worship, providing they are located adjacent to an arterial street
3. Convalescent homes, nursing homes, and homes for the aged, providing they are located adjacent to an arterial street
4. Nursery schools
5. Publicly owned and/or operated parks and playgrounds

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES: No buildings shall be erected or structurally altered hereafter, except in accordance with the following regulations:

1. Minimum lot area - Twelve thousand five hundred (12,500) square feet for each two (2) dwelling unit building. In the case of this zone, more than one principal building, as defined herein, may be permitted on one lot
2. Minimum lot width at minimum building setback line - One hundred (100) feet
3. Minimum front yard depth - Forty (40) feet
4. Minimum side yard width on each side of lot - Ten (10) feet
5. Minimum rear yard depth - Thirty (30) feet
6. Maximum building height - Two (2) stories or forty (40) feet

E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES: No conditional building and/or use shall be erected or structurally altered hereafter, except in accordance with the following regulations:

Minimum Zoning Lot Requirements Building Requirements

| Conditionally Permitted Uses | Lot Area | Frontage | Set-back | Side Yard | Rear Yard | Minimum Gross Floor Area | Maximum Height | Location Adjacent To Arterial Street Required |
|---|-----------------------|----------|----------|-----------|-----------|--------------------------|----------------|---|
| Cemeteries | - | - | 100' | - | - | - | 35' | No |
| Churches: Other Places Of Worship | 1 acre | 150' | 100' | 30' | 50' | - | - | Yes |
| Convalescent Homes, Nursing Homes, and Homes For The Aged | 1 acre | 150' | 100' | 30' | 50' | 400 Sq. Ft. Per Unit | 25' | Yes |
| Nursery Schools and Day Care Centers | 110 Sq. Ft. Per Child | 150' | 50' | 20' | 50' | 40 Sq. Ft. Per Child | 35' | No |
| Public Parks and Playgrounds | - | - | - | - | - | - | - | Yes |

F. OTHER DEVELOPMENT CONTROLS

1. Off-street parking and loading or unloading shall be provided in accordance with Articles XI and XII of this ordinance.
2. No outdoor storage of any material (usable or waste) shall be permitted in this zone, except within enclosed containers.
3. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way, or into any adjacent property.
4. Where any yard of any use permitted in this zone abuts property in a single-family residential zone, a ten (10) foot wide screening area, as regulated by Section 9.17 of this ordinance, shall be required.
5. A site plan, as regulated by Section 9.19 of this ordinance, shall be required for any use permitted in this zone, except when development is proposed under the Planned Unit Development regulations, as regulated by Section 10.7 of this ordinance.
6. All utilities must be underground in a new subdivision or development when transmission lines are extended or altered.

SECTION 10.6 R-2b (RESIDENTIAL TWO-b) ZONE

- A. **PURPOSE:** The purposes of this zone are to: promote flexibility in design and permit planned diversification in the relationships between the location and types of uses and structures; promote the advantages of modern large scale site planning for community development through the efficient use of land, facilitating a more economic arrangement of buildings, circulation systems, land uses, and utilities; preserve, to the greatest extent possible, existing landscape features and amenities, and to utilize such features in an harmonious fashion; provide for more usable and suitably located recreation facilities, and other public and common facilities, than would otherwise be provided under conventional land development procedures, but always with the intention of furthering the public health, safety, and general welfare.
- B. **APPLICATION AND PROCESSING:** The purpose of these procedures is to permit an initial review of and a public hearing upon the proposal by the Planning Commission at an early opportunity, while the details of the plan remain flexible. Applications shall be processed as follows:
1. **Preliminary Development Plan -** Except as provided for in Section 17.0, I., of this ordinance, applications for a map amendment to zone an area R-2b shall be accompanied by a Preliminary Development Plan, as regulated by Section 10.7, D., of this ordinance, along with supporting information/documentation pertaining to each of the criteria items identified in Subsection M., below. If an area, however, is currently zoned R-2b, the submission of the Preliminary Development Plan, for review by the planning commission and the legislative body, shall not be required until the area is proposed to be developed. Development shall include the demolition, erection, physical expansion, or change of use of any structure. Development shall not include the normal maintenance (e.g., cleaning, painting, etc.) of any structure.
 - a. The planning commission shall hold a public hearing on the proposed application in accordance with the requirements of KRS Chapter 424, and review said application with regard to its compliance with the stated purposes of the R-2b Zone, the required elements of the Preliminary Development Plan, and other applicable requirements of this section. Upon holding such hearing, the planning commission shall make one of the following recommendations to the legislative body: approval, approval with conditions, or disapproval. The planning commission shall submit, along with their recommendations, a copy of the Preliminary Development Plan and the bases for their recommendation.

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- b. The legislative body shall, within ninety (90) days after receiving the recommendations of the planning commission, review said recommendations and take action to approve or disapprove said application. Such action may incorporate any conditions imposed by the planning commission. However, should the legislative body take action to impose different conditions than were reviewed and considered by the planning commission, then said conditions shall be resubmitted to the planning commission for further review and recommendation, in accordance with Subsection B., 1., a., above.

Approval of the R-2b Zone shall require that development be in conformance with the approved Preliminary Development Plan.

The legislative body shall forward a copy of the approved Preliminary Development Plan to the planning commission, or its duly authorized representative, for further processing, in accordance with the requirements for Final Development Plan and Record Plat.

2. Final Development Plan and Record Plat - A Final Development Plan and Record Plat shall be developed in conformance with the approved Preliminary Development Plan and in accordance with the requirements of Section 10.7, F. of this ordinance, and submitted to the planning commission, or its duly authorized representative, for its review and approval. Except for the manner of submission and processing, the subdivision regulations may be waived, where applicable, and the requirements of Section 10.7, F. of this ordinance shall be substituted therefore. Those requirements not specifically waived by the planning commission shall conform with the subdivision regulations.
 - a. The planning commission, or its duly authorized representative, shall review the submitted Final Development Plan with regard to its compliance with the required elements of Section 10.7, F. of this ordinance, other applicable elements of this ordinance, other applicable regulations, and its conformity with the approved Preliminary Development Plan. Minor adjustments from the approved Preliminary Development Plan may be permitted, provided that the adjustments do not affect the spatial relationship of structures, change land uses, increase overall density, significantly alter circulation patterns (vehicular and pedestrian), decrease the amount and/or usability of open space or recreation areas, or conflict with other applicable requirements of this ordinance.

Upon approval of the Final Development Plan, by the planning commission, or its duly authorized representative, a copy of said plan shall be forwarded to the zoning administrator, who shall grant permits only in accordance with the approved Final Development Plan and other regulations, as may be required by this ordinance.

- b. Upon approval of the Final Development Plan, the planning commission, or its duly authorized representative, shall review the submitted Record Plat, if applicable, with regard to its compliance with the required elements of the subdivision regulations, and its conformance with the approved Final Development Plan.

Upon approval of the Record Plat, by the planning commission, or its duly authorized representative, copies of said plat, certified by the planning commission, and suitable for recording, shall be forwarded to the office of the County Clerk to be recorded.

C. RESIDENTIAL USES AND DENSITIES:

1. All types of residential housing units may be permitted within a R-2b Zone, including but not limited to, single - family, two - family, and multi - family residential units.
2. The maximum density of the R-2b Zone shall be 6.0 dwelling units per net acre. This density shall be applied to the total project area excluding that land devoted to nonresidential uses and streets (public and private).

D. ACCESSORY USES

1. Customary accessory buildings and uses
2. Fences and walls, as regulated by Article XIII of this ordinance
3. Signs, as regulated by Article XIV of this ordinance

E. PUBLIC AND SEMI - PUBLIC USES: Public and semi - public structures and uses may be permitted in the R-2b Zone. These uses shall be delineated on the Preliminary Development Plan and may include the following:

1. Child care centers
2. Community centers
3. Country clubs
4. Fire or police stations
5. Open space/recreation areas
6. Parochial, private, and public schools

F. AREA REQUIREMENTS

1. No R-2b Zone shall be permitted on less than twenty - five (25) acres of land. However, an area of less than twenty - five (25) acres may be zoned R-2b, provided it is adjacent to an area with an existing approved Preliminary Development Plan and is currently zoned R-2b.
2. The minimum area for submission of a Preliminary Development Plan, within an existing R-2b Zone, shall be not less than five (5) acres. However, a Preliminary Development Plan may be submitted for an area of less than five (5) acres, provided it is adjacent to an area with an existing approved Preliminary Development Plan and is in agreement with all other requirements of the R-2b Zone.

G. HEIGHT, YARD, AND SETBACK REQUIREMENTS: Requirements may be as approved in the plan and as otherwise allowed or required in this ordinance.

No residential buildings shall be erected or structurally altered hereafter, except in accordance with the following regulations:

1. Minimum lot area - Fifteen thousand (15,000) square feet for single-family residences; five thousand (5,000) square feet shall be provided for every dwelling unit thereafter in the same building. In the case of this zone, more than one principal building, as defined herein, may be permitted on one lot.
2. Minimum lot width at minimum building setback line - One hundred (100) feet.
3. Minimum front yard depth - Forty (40) feet.
4. Minimum side yard width -

Detached single-family dwelling units: Total: Twenty (20) feet; One Side: Eight (8) feet.
All other dwelling units: Fifteen (15) feet.
5. Minimum rear yard depth - Thirty (30) feet.
6. Maximum building height - Three (3) stories or forty (40) feet.

No public or semi - public building and/or use shall be erected or structurally altered hereafter except in accordance with the following regulations:

Minimum Zoning Lot Requirements Building Requirements

| Conditionally Permitted Uses | Lot Area | Front-age | Set-back | Side Yard | Rear Yard | Minimum Gross Floor Area | Maximum Height | Location Adjacent To Arterial Street Required |
|---------------------------------------|-----------------------|-----------|----------|-----------|-----------|--------------------------|----------------|---|
| Child Care Centers | 110 Sq. Ft. Per Child | 150' | 50' | 20' | 50' | 70 Sq. Ft. Per Child | 35' | No |
| Community Centers | 1 acre | 150' | 50' | 30' | 50' | - | 35' | No |
| Fire/Police Stations | 1 acre | 150' | 100' | 30' | 50' | - | 35' | Yes |
| Public, Private, or Parochial Schools | 10 acres | 150' | 100' | 75' | 200' | 80 Sq. Ft. Per Child | 35' | No |

- H. **OFF - STREET PARKING AND LOADING AND/OR UNLOADING:** Off - street parking and, when applicable, loading and/or unloading facilities, shall be provided in accordance with Articles XI and XII of this ordinance.
- I. **FENCES, WALLS, AND SIGNS:** The location, height, and type of all fences, walls, and signs, may be as approved in the plan and as otherwise allowed or required in this ordinance.
- J. **EROSION AND SEDIMENTATION CONTROL:** Effective erosion and sedimentation controls shall be planned and applied in accordance with Section 9.7 of this ordinance.
- K. **COMMON OPEN SPACE/RECREATION AREA:**
 - 1. At least twenty percent (20%) of the total acreage of the proposed R-2b Zone shall be retained as common open space/recreation area, and dedicated to a public and/or private entity for operation and maintenance. Such open space/recreation areas shall be physically situated so as to be readily accessible, available to, and usable by all activities within the zone. Common open space/recreation areas shall be that part of the total project exclusive of buildings, streets, parking areas, single - family residential lots, commercial areas, and access drives.
 - 2. Ownership of this common open space either shall be transferred to a legally established Homeowner's Association or be dedicated to the City of Crestview Hills for use as a public park. The proper legal document necessary for such transfer or dedication shall be prepared by the owner/developer(s) of the tract of land, and approved by the Crestview Hills City Council.

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- L. SCREENING: Shall be as approved in the plan.
- M. CRITERIA: Evaluation of the proposed development plan shall be based upon the following criteria:
1. Agreement with the various elements of the Kenton County Comprehensive Plan and where applicable, any Officially adopted Neighborhood Concept Plan by the planning commission or the legislative body, or other adopted plan.
 2. Extent to which the proposed development plan is consistent with the purpose of the R-2b Zone.
 3. Adequacy of the proposed site, considering such factors as the sufficiency of the size of the site to comply with the established criteria, the configuration of the site, and the extent to which the site is formed by logical boundaries (based on topography, natural features, streets, relationship of adjacent uses, etc.).
 4. Nature and extent of the proposed uses in relation to the unique characteristics of the site; the current or anticipated need for such use(s) and the specific size and locale of the market area from which the specific uses of the site will draw or serve.
 5. Extent to which the proposed design, as indicated in the Preliminary Development Plan, is compatible and coordinated with existing and/or proposed development contiguous to the site. Compatibility and coordination with existing and/or proposed development shall be reviewed in terms of intensity of land use type in relation to the general character of the surrounding areas, including coordination of vehicular and pedestrian circulation; the scale (e.g., height and mass of structures) of the proposed development; location of open spaces and size of setbacks; provisions of screening areas or utilization of natural features; the transition of land use types based on the proposed design; and the impact of the proposed development on adjacent uses, such as noise, visual impact, hours of operation, traffic circulation, etc.
 6. Amount of traffic that would be generated by the proposed operation and the ability of the existing highway system to adequately handle said traffic. Where deficiencies exist, proposed traffic improvements that would correct such deficiencies may be considered.
 7. Extent to which the design of the internal street system provides for the efficient and safe movement of traffic within and adjacent to the site.
 8. Extent to which all necessary public utilities and facilities are available to service the development including police and fire protection, water and sewer services, and other services normally provided within the area. Where deficiencies exist, improvements that would correct such deficiencies may be considered.

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- N. AMENDMENTS: Any amendments to plans shall be made in accordance with the procedure required by Subsection B., subject to the same limitations and requirements as those under which such plans were originally approved.
- O. EXPIRATION: Development plans within the R-2b Zone shall be subject to the time constraints, as noted below. Upon expiration of said time period, and any extensions thereto, the legislative body may initiate a request for a public hearing by the planning commission, in accordance with the requirements of KRS Chapter 100, for the purpose of determining whether said R-2b Zone should revert to its original zoning designation. A public hearing may be initiated if either of the following conditions apply:
1. Final Development Plan has not been approved by the planning commission, or its duly authorized representative, within a period of twenty-four (24) consecutive months from the date of the approved Preliminary Development Plan and map amendment by the legislative body; provided that an extension may be permitted upon approval of the legislative body, or their duly authorized representative, if sufficient proof can be demonstrated that prevailing conditions have not changed appreciably to render the approved Preliminary Development Plan obsolete.
 2. Substantial construction has not been initiated within a period of twelve (12) consecutive months from the date of approval of the Final Development Plan by the planning commission, or its duly authorized representative, provided that an extension may be permitted upon approval of the legislative body, or its duly authorized representative, if sufficient proof can be demonstrated that the construction was delayed due to circumstances beyond the applicant's control, and that prevailing conditions have not changed appreciably to render the approved Final Development Plan obsolete. The amount of construction constituting initiating substantial construction shall be as approved in the approved Final Development Plan.
- P. OTHER DEVELOPMENT CONTROLS
1. No outdoor storage of any material (usable or waste) shall be permitted in this zone except within enclosed containers.
 2. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right - of - way or into any adjacent property.
 3. All utilities must be underground in a new subdivision or development when transmission lines are extended or altered.

SECTION 10.7 R-PUD (RESIDENTIAL PLANNED UNIT DEVELOPMENT) ZONE

- A. **PURPOSE AND INTENT:** The R-PUD Residential PUD Zone is intended to provide alternative, voluntary zoning procedures for residential development and housing. The R-PUD Zone shall be used only when a relatively large land holding under unified ownership is planned and developed as a unit in accordance with an approved overall Preliminary Development Plan and subsequent Final Development Plan(s) for each section of the total land holding. The planning and development of the Planned Unit Development shall be carried out in such a manner as to have minimum adverse effect on the natural features and environment of the planned unit tract and its surrounding areas. Planned Unit Development typically features varied setback lines, dwelling types, and "cluster" type site planning, whereby provisions for maximum overall "gross" density are established to encourage imaginative land planning and efficient use of the land and to permit creation of usable and suitably located common open space for a higher level of amenity within the PUD.
- B. **USES/DENSITIES PERMITTED, CONDITIONAL USES, AND REQUIRED OPEN SPACE:**
1. **Uses Permitted:**
 - a. Detached single-family dwellings
 - b. Multiple-family dwellings and attached single-family dwellings, provided that no more than twenty-five (25) percent of the total PUD land holding shall be utilized for this type of housing
 - c. Publicly owned and operated parks and playgrounds
 2. **Densities Permitted:** There shall be permitted a maximum gross density of 4.5 dwelling units per acre. The zoning lots for single-family dwellings shall not be less than seven thousand five hundred (7,500) square feet and the zoning lots for multiple-family dwellings shall be not less than sixteen thousand (16,000) square feet.
 3. **Conditional Uses:** No building or occupancy permit shall be issued for any of the following, nor shall any of the following uses or any customary accessory buildings or uses be permitted until and unless the location of said uses shall have been applied for and approved of by the board of adjustment, as set forth in Section 9.14 of this ordinance:
 - a. Churches, other religious places of worship
 - b. Institutions for human medical care - convalescent homes, nursing homes, and homes for the aged
 - c. Municipal buildings
 - d. Nursery schools

- e. Public and parochial schools
4. Required Common Open Space: There shall be reserved, within the tract to be developed on a planned unit basis, a minimum land area ranging from fifteen (15) percent to twenty-five (25) percent of the entire tract depending upon the location and character of the land to be set aside as open space. This common open space shall not consist of isolated or fragmented pieces of land which would serve no useful purpose. Included in this common open space may be such uses as: pedestrian walkways, park land, open areas, drainage ways, swimming pools, club houses, tennis courts, and other land of essentially open character, exclusive of off-street parking areas.

Ownership of this common open space either shall be transferred to a legally established Homeowner's Association or be dedicated to the city of Crestview Hills for use as a public park. The proper legal document necessary for such transfer or dedication shall be prepared by the owner/developer(s) of the tract of land, and approved by the Crestview Hills City Council.

5. Accessory Uses Permitted
- a. Fences and walls, as regulated by Article XIII
 - b. Home occupations, subject to the restrictions and limitations established in Section 9.11
 - c. Signs, as regulated by Article XIV
- C. APPLICATION AND PROCESSING: The purpose of these procedures is to permit an initial review of and a public hearing upon the proposal by the planning commission at an early opportunity, while the details of the plan remain flexible and before the applicant has invested a large sum of money in the engineering and architectural services needed to provide the detail necessary for final plat and plan approval. Application for the Planned Unit development Zone shall be processed as follows:
- 1. An application for approval of the Preliminary Development Plan for a R-PUD Area and an application for an R-PUD Zone change, where applicable, may only be filed by a person having an interest in the property to be included in the planned unit. The PUD applications shall be filed in the name or names of the recorded owner or owners of property included in the development. However, the R-PUD application(s) may be filed by holder(s) of an equitable interest in such property.
 - 2. Preapplication Conference: The applicant shall be required to meet with the zoning administrator, planning commission, and the Crestview Hills

City Council prior to submitting the R-PUD Preliminary Development Plan for review and approval. The purpose of this preapplication conference shall be to familiarize the applicant with all the necessary steps, all applicable rules and regulations and to pre-review the applicant's thinking and concepts with the appropriate city officials. The applicant shall present a general outline of his approach to the R-PUD and the city officials shall give to the applicant an initial reaction which is not legally binding but which is advisory in character.

3. The planning commission shall hold a public hearing on the proposed application (preliminary development plan and, where applicable, the zoning map amendment) in accordance with the requirements of KRS Chapter 424, and review said application with regard to its compliance with the state purposes of the R-PUD Zone, the required elements of the Preliminary Development Plan, and other applicable requirements of this section. Upon holding such hearing, the planning commission shall make one of the following recommendations to the city council: approval, approval with conditions, or disapproval. The planning commission shall submit, along with their recommendations, a copy of the Preliminary Development Plan and the bases for their recommendation.
4. The city council shall, within forty-five (45) days after receiving the recommendations of the planning commission, review said recommendations and take action to approve or disapprove said R-PUD application (preliminary development plan, and where applicable, the zoning map amendment). Such action may incorporate any conditions imposed by the planning commission. However, should the city council take action to impose different conditions than were reviewed and considered by the planning commission, then said conditions shall be resubmitted to the planning commission for further review and recommendation, in accordance with Subsection C., 3., above. Approval of the R-PUD Zone shall require that development be in conformance with the approved preliminary development plan.

The city council shall forward a copy of the approved plan to the planning commission for further processing in accordance with the requirements for the final development plan and record plat.

Zoning Map Amendment - Upon approval of the R-PUD Zone, where applicable, the official zoning map shall be amended for the area as shown on the approved preliminary development plan.

5. A final development plan and record plat shall be developed in conformance with the approved preliminary development plan and in accordance with the requirements of Section 10.7, F., and submitted to

the planning commission for its review and approval. Except for the manner of submission and processing, the subdivision regulations may be waived, where applicable, and the requirements of Section 10.7, F. shall be substituted therefore. Those requirements not specifically waived by the planning commission shall conform with the subdivision regulations.

- a. The planning commission shall review the submitted final development plan with regard to its compliance with the required elements of Section 10.7, F. for final development plans, other applicable elements of this ordinance, and other applicable regulations, and its conformity with the approved preliminary development plan. The planning commission, in approving the Final development Plan, may authorize minor adjustments from the approved preliminary development plan, provided that the adjustments do not: affect the spatial relationship of structures, change land uses, increase overall density, alter circulation patterns (vehicular and pedestrian), or decrease the amount and/or usability of open space or recreation areas, or affect other applicable requirements of this ordinance.
- b. Upon approval of the Final development Plan, the planning commission shall review the submitted record plat with regard to its compliance with the required elements of Section 10.7, F., for record plats, the applicable requirements of the subdivision regulations, and its conformance with the approved Final development Plan.

Upon planning commission approval of the record plat, copies of said plat, certified by the planning commission, and suitable for recording, shall be forwarded by the planning commission to the office of the county clerk to be recorded.

- D. PRELIMINARY DEVELOPMENT PLAN REQUIREMENTS: A preliminary development plan shall be submitted, identifying and providing the following:
1. An aerial photograph of the subject property.
 2. A plan(s) of the subject property, drawn to a scale of not greater than one (1) inch equals one hundred (100) feet, showing:
 - a. The total area in the project.
 - b. The present zoning of the subject property and all adjacent properties.

- c. All public and private right-of-way and easement lines located on or adjacent to the subject property which are proposed to be continued, created, enlarged, relocated, or abandoned.
- d. Existing and proposed topography with a maximum of five (5) foot contour intervals. Where existing ground is on a slope of less than two (2) percent, the plan shall show either one (1) foot contours or spot elevations where necessary, but not more than fifty (50) feet apart in all directions.
- e. The location and height of every existing and proposed building on the subject property, including existing and proposed residential uses by housing type, and commercial and public uses by type and function.
- f. All walks, malls, parking areas, water bodies, open areas, recreational areas, including swimming pools, golf courses, tennis courts, playgrounds, etc.
- g. Types of surfacing proposed on off-street parking and driveway areas.
- h. Location of all proposed streets, highways, and alleys, with approximate dimensions of pavement and right-of-way widths and relationship to the city's official thoroughfare plan.
- i. All existing and proposed utility lines indicating, where applicable, pipe sizes and types.
- j. Accessibility to essential public facilities and services, such as fire protection, schools, recreation.
- k. Identification of the soil types on the subject property, indicating soil problems and proposed methods of handling said soil problems.
- l. A preliminary schedule of development, including the staging and phasing of:
 - (1) Residential areas, in order of priority, by type of dwelling unit.
 - (2) Streets, utilities, and other public facility improvements, in order of priority.
 - (3) Dedication of land to public use or set aside for common ownership with a preliminary statement indicating how maintenance of the latter will be handled.

E. PRELIMINARY DEVELOPMENT PLAN CONDITIONS FOR APPROVAL AND ADMINISTRATIVE PROCEDURES: Upon receipt of the report of the planning commission, the city council shall study and review the proposed R-PUD application and Preliminary Development Plan on the basis of: (1) that all requirements have been satisfied; and (2) finding that the following specific conditions are fully met:

1. That the PUD Zone and/or the preliminary development plan is in conformance with the comprehensive plan for Crestview Hills, Kentucky.
2. That each individual stage or successive stage of development shall not exceed the maximum density allowed for the Planned Unit Development land holding as a whole, except that in construing the density of the development, each completed stage of development shall be considered.
3. That the use(s) proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under other zones.
4. That the areas proposed shall be used only for the permitted uses and the usual accessory uses such as garages, storage spaces, parks, recreation sites, open spaces, and community purposes, including churches and schools.
5. That the interval streets and major and minor thoroughfares that are proposed shall properly interconnect with the surrounding existing major and minor thoroughfares, as designated in the Official Thoroughfare Plan of Crestview Hills, Kentucky.
6. That, when applicable, the R-PUD proposed Zone shall be so located with respect to major highways and thoroughfares within the city as to provide direct access to said zone without creating excessive traffic volumes along minor streets in adjacent residential neighborhoods.
7. That the minimum common open space area(s) has been designated and shall be duly transferred to a legally established Homeowner's Association, or has been dedicated to, and accepted by, the city of Crestview Hills, as herein provided.
8. That the Preliminary Development Plan is consistent with the intent and purpose of this ordinance, to promote public health, public safety, and general welfare of the residents of Crestview Hills.
9. Administrative Procedures: Approval of the preliminary development plan and, where applicable, the zoning map amendment, shall require a favorable vote of the majority of the membership of the city council. Approval of the preliminary development plan shall be limited to the general acceptability of the land uses proposed, proposed general density levels, and their interrelationship, and shall not be construed to endorse precise location of uses, configuration of parcels, or engineering feasibility which are to be determined in the subsequent preparation of the final development plan(s). In taking action, the city council may deny the R-

PUD Preliminary Development Plan or may recommend approval of said plan, subject to specified modifications.

10. At the time of approving and R-PUD development, the city council shall make appropriate arrangements with the owner developer(s) which will ensure the accomplishment of the public improvements and reservation of common open space as shown on the approved preliminary development plan.
11. Time Limits and Extensions: After a period of two (2) years, the approval of a preliminary development plan is subject to another review by the planning commission unless a Subdivision Final Plat has been recorded in the office of the Kenton County Recorder within that two (2) year period.

F. FINAL DEVELOPMENT -- PLAN AND RECORD PLAT REQUIREMENTS: The Final Development Plan and Record Plat shall conform to the following requirements:

1. Final development Plan Requirements: Plan(s) of the subject property drawn to a scale of not smaller than one (1) inch equals one hundred (100) feet, that identifies and provides the following information:
 - a. The existing and proposed finished topography of the subject property shown by contours with intervals not to exceed five (5) feet. Where conditions exist that may require more detailed information on the proposed topography, contours with intervals of less than five (5) feet may be required by the planning commission;
 - b. All housing units on the subject property:
 - (1) Detached housing - Location, arrangement, and number of all lots, including lot dimensions and setbacks, and maximum height of buildings;
 - (2) Attached housing - Location, height, and arrangement of all buildings, indicating the number of units in each building, and, where applicable, location, arrangement, and dimensions of all lots;
 - c. Location, height, arrangement, and identification of all nonresidential buildings and uses on the subject property and, where applicable, location and arrangement of all lots with lot dimensions;

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- d. Location and arrangement of all common open space areas, and recreational facilities, including lot dimensions. Methods of ownership and operation and maintenance of such lands shall be identified;
 - e. Landscaping features, including identification of planting areas and the location, type, and height of walls and fences;
 - f. Location of signs indicating their orientation and size and height;
 - g. All utility lines and easements:
 - (1) Water distribution systems, including line sizes, width of easements, type of pipe, location of hydrants and valves, and other appurtenances;
 - (2) Sanitary sewer system, including pipe sizes, width of easements, gradients, type of pipes, invert elevations, location and type of manholes, the location, type, size of all lift or pumping stations, capacity, and process of any necessary treatment facilities, and other appurtenances;
 - (3) Storm sewer and natural drainage system, including pipe and culvert sizes, gradients, location of open drainage courses, width of easements, location and size of inlets and catch basins, location and size of retention and/or sedimentation basins, and data indicating the quantity of storm water entering the subject property naturally from areas outside the property, the quantity of flow at each pickup point (inlet), the quantity of storm water generated by development of the subject area, and the quantity of storm water to be discharged at various points to areas outside the subject property;
 - (4) Other utilities (e.g., electric, telephone, etc.) including the type of service and the width of easements;
 - h. Location of all off-street parking, loading and/or unloading, and driveway areas, including typical cross sections, the type of surfacing, dimensions, and the number and arrangement of off-street parking and loading and/or unloading spaces;
 - i. Circulation System:

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- (1) Pedestrian walkways, including alignment, grades, type of surfacing, and width;
 - (2) Streets, including alignment, grades, type of surfacing, width of pavement and right-of-way, geometric details, and typical cross sections;
- j. Provisions for control of erosion, hillside slippage and sedimentation, indicating the temporary and permanent control practices and measures which will be implemented during all phases of clearing, grading, and construction;
- k. A schedule of development, including the staging and phasing of:
- (1) Residential area, in order of priority, by type of dwelling unit;
 - (2) Streets, utilities, and other public facility improvements, in order of priority;
 - (3) Dedication of land to public use or set aside for common ownership; and
 - (4) Non-residential buildings and uses, in order of priority.

The aforementioned information required may be combined in any suitable and convenient manner so long as the data required is clearly indicated.

2. **RECORD PLAT REQUIREMENTS:** The applicant shall submit a Record Plat, in conformance with the approved Final Development Plan. If the Record Plat is submitted in sections, an index shall be developed showing the entire plan area. The particular number of the section, and the relationship of each adjoining section shall be clearly shown by a small key map on each section submitted. The Record Plat shall conform to the applicable requirements of the subdivision regulations, unless specifically waived by the planning commission.
- G. **AREA REQUIREMENTS:** No R-PUD Zone shall be permitted on less than fifty (50) acres of land. However, development of a smaller tract adjacent to an existing R-PUD Zone, may be permitted, when approved by the planning commission, if the proposed development conforms to and extends the original development as if the new area had been a part of the original development.
- H. **HEIGHT, YARD, AND SETBACK REGULATIONS:** Requirements shall be as approved in the Final Development Plan, subject to the following:

1. No single-family residence shall exceed two and one-half (2-1/2) stories or thirty-five (35) feet in height.
2. There shall be a minimum buffer area of thirty-five (35) feet where the R-PUD Zone is adjacent to any other "R" District. Setbacks for buildings shall be as designated on the Final development Plan(s).

a. Where setbacks for individual lots are not included in an approved Final Development Plan, the following standards shall apply as minimum:

| | | | |
|------|----------------------------|------------|-------------------|
| (1) | Single-Family structures - | lot width | Seventy (70) feet |
| | | front yard | Thirty (30) feet |
| | | side yard | Six (6) feet |
| | | rear yard | Fifty (50) feet |
| | | | |
| (2) | Accessory buildings - | front yard | Not Allowed |
| | | side yard | Six (6) feet |
| | | rear yard | Ten (10) feet |

3. No conditional building and/or use shall be erected or structurally altered hereafter, except in accordance with the following regulations:

Minimum Zoning Lot Requirements Building Requirements

| Conditionally Permitted Uses | Lot Area | Front-age | Set-back | Side Yard | Rear Yard | Minimum Gross Floor Area | Maximum Height | Location Adjacent To Arterial Street Required |
|---|-----------------------|-----------|----------|-----------|-----------|--------------------------|----------------|---|
| Churches: Other Places of Worship | 1 acre | 150' | 100' | 30' | 50' | - | 35' | Yes |
| Convalescent Homes, Nursing Homes, and Homes For The Aged | 1 acre | 150' | 100' | 30' | 50' | 400 Sq. Ft. Per Unit | 25' | Yes |
| Public and Parochial Schools | 10 acres | 150' | 150' | 75' | 200' | 80 Sq. Ft. Per Child | 35' | No |
| Nursery Schools and Day Care Centers | 110 Sq. Ft. Per Child | 150' | 50' | 20' | 50' | 40 Sq. Ft. Per Child | 35' | No |
| Municipal Building | 1 acre | 150' | 100' | 30' | 50' | - | 35' | Yes |

- I. **OFF-STREET PARKING AND LOADING AND/OR UNLOADING:** Off-street parking and, when applicable, loading and/or unloading facilities shall be provided in accordance with Articles XI and XII of this ordinance.

- J. FENCES, WALLS, AND SIGNS: The location, height, and type of all fences, walls, and signs shall be as approved in the plan.
- K. AMENDMENTS: Any amendments to plans may be made in accordance with the procedure required by this ordinance, subject to the same limitations and requirements as those under which such plans were originally approved.
- L. EXPIRATION: As a condition to the zone change, where applicable, substantial construction shall have been initiated within twelve (12) consecutive months following the date of approval of the final development plan, provided that an extension may be permitted upon approval of the city, if sufficient proof can be demonstrated that the construction was delayed due to circumstances beyond the applicant's control. For the purposes of this ordinance, substantial construction shall be defined as the amount of construction to be completed as set forth in, and approved as part of, the phasing of the final development plan. At the expiration of said permit and extension, if any, a public hearing shall be initiated by the city, or its authorized representative, and held by the planning commission, according to the requirements of KRS 100, for the purpose of determining whether said zone change should revert to its original zoning designation.
- M. OTHER DEVELOPMENT CONTROLS:
 - 1. All utilities must be underground in a new subdivision or development when transmission lines are extended or altered.

SECTION 10.8 SC (SHOPPING CENTER) ZONE**A. USES PERMITTED:** The following retail and service businesses:

1. Advertising agencies
2. Antique shops
3. Apparel shop
4. Art supplies
5. Bakery and bakery goods store, provided the products are sold exclusively on the premises
6. Banks and other financial institutions, including savings, loan, and finance companies with drive-in windows
7. Barber shops
8. Beauty shops
9. Book, stationery, or gift shop
10. Bus shelters
11. Business, secretarial, medical, and computer schools
12. Camera and photographic supplies
13. Candy store, soda fountain, ice cream store, excluding drive-ins
14. Carpet and rug stores
15. Clinics - medical or dental
16. Delicatessen
17. Department store, excluding discount department stores
18. Drug store
19. Dry cleaning store
20. Eating and drinking places, without drive-in or drive-thru facilities
21. Employment agencies
22. Florist shop
23. Food store and supermarkets
24. Furniture store
25. Garden supplies
26. Glass, china, or pottery store
27. Haberdashery
28. Hardware store
29. Health clinics and health spas
30. Hobby shop
31. Household and electrical appliance store, including incidental repair
32. Interior decorating studio
33. Jewelry store, including repair
34. Laboratories - medical and dental
35. Leather goods and luggage store
36. Library
37. Locksmith shop
38. Music, musical instruments, and records, including incidental repair
39. Office appliances and supplies

40. Off-street parking lots and/or garages
41. Offices
42. Opticians and optical goods
43. Package liquor and wine store, without drive-in or drive-thru facilities
44. Paint and wallpaper store
45. Pet shop, excluding boarding and outside runs
46. Police and fire stations
47. Post office
48. Radio and television store, including repair
49. Shoe store and shoe repair
50. Sporting goods
51. Studios for professional work or teaching of any form of fine arts, photography, music, drama, or dance
52. Tailor shop
53. Theaters, excluding drive-ins
54. Toy stores
55. Travel Bureaus
56. Variety store, including notions and "five and ten" stores

B. ACCESSORY USES

1. Customary accessory uses
2. Fences and walls, as regulated by Article XIII of this ordinance
3. The location, size, height, and type of all signs shall be in accordance with Article XIV of this ordinance or as approved in the development plan

C. CONDITIONAL USES: No building or occupancy permit shall be issued for any of the following, nor shall any of the following uses or any customary accessory buildings or uses be permitted until and unless the location of said uses shall have been applied for and approved of by the board of adjustment, as et forth in Section 9.15 of this ordinance:

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

1. Minimum building site area - Five (5) acres (In the case of this zone, more than one principal building, as defined herein, may be permitted to be constructed within the minimum building site area)
2. Minimum front yard depth – Ninety (90) feet.
3. Minimum side and rear yard requirements - Thirty-five (35) feet.
4. Maximum building height - Thirty (30) feet. The maximum height for buildings may be increased up to forty-five (45) feet, provided that for each additional foot over thirty (30) feet, an additional foot shall be required for all side and rear yards, as required in Subsection D., 1., 3.

E. OTHER DEVELOPMENT CONTROLS

1. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII of this ordinance.
2. No outdoor storage of any material (usable or waste) shall be permitted in this zone except within enclosed containers.
3. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way, or into any residential zone.
4. A site plan, as regulated by Section 9.19 of this ordinance, shall be required for any use permitted in this zone. Such site plan shall include the layout of the entire area of the proposed shopping center and shall take into consideration good shopping center design (i.e., internal and external good pedestrian and vehicular access) and functional relationship of uses within the shopping center.
5. All utilities must be underground in a new subdivision or development when transmission lines are extended or altered.
6. Screening and landscaping shall be provided as regulated by Section 9.17 of this ordinance. In no case shall the minimum planting strip be required to exceed the minimum setback requirements established for this zone.
7. Off-street parking is permitted as follows:
 - a. To a minimum of twenty (20) feet from property lines along major streets (collector and arterial).
 - b. To a minimum of ten (10) feet from property lines along interstate highways.
 - c. To a minimum of seventy (70) feet from property lines immediately adjacent to a residential zone.

SECTION 10.9 PO-1 (LOW RISE OFFICE PARK) ZONE

- A. STATEMENT OF INTENT: The intent of this office park district is to create an area that will accommodate a wide variety of office uses (administrative, business, professional) in a campus setting that is relatively open in character. This area should be compatible with the Thomas More College campus and should provide land area for certain offices related to the St. Elizabeth Medical Center and/or to Thomas More College, or for certain offices requiring good general accessibility to the region.
- B. USES PERMITTED
1. Administrative offices, including public and semi-public, civic, educational, religious, or charitable organizations
 2. Banks and other financial institutions, including savings, loan, and finance companies
 3. Business offices provided that no retail trade is conducted with the general public and no stock of goods is maintained on the premises for sale to customers
 4. Libraries and museums
 5. Medical and dental clinics
 6. Medical laboratories
 7. Professional offices including offices for doctors, dentists, optometrists, opticians, lawyers, accountants, architects, engineers, planners, landscape architects, surveyors, insurance agents, advertising agencies
 8. Radio and television broadcasting studios
 9. Regional and metropolitan area headquarters offices
 10. Research and development laboratories
- C. ACCESSORY USES
1. Customary accessory buildings and uses
 2. Fences and walls, as regulated by Article XIII of this ordinance
 3. Signs, as regulated by Article XIV of this ordinance
 4. Uses as listed below, as a convenience to the occupants thereof, their patients, clients, or customers, providing that the accessory uses shall not exceed fifteen (15) percent of the gross floor area of the permitted uses in the building:
 - a. Barber shop
 - b. Beauty shop
 - c. Coffee shop or refreshment stand
 - d. Eating and drinking places, excluding drive-ins
 - e. Medical supplies establishments
 - f. News and confectionery stands

- g. Prescription pharmacy

D. AREA AND HEIGHT REGULATIONS

1. Minimum building site area - Three (3) acres. (In the case of this zone, more than one principal building, as defined herein, may be permitted to be constructed within the minimum building site area).
2. Minimum front yard depth - Fifty (50) feet.
3. Minimum side yard width - Thirty (30) feet.
4. Minimum rear yard depth - Forty (40) feet.
5. Maximum building height - Forty (40) feet or three (3) stories.
6. Maximum lot coverage - Thirty (30) percent of lot area.

E. OPEN SPACE AND LANDSCAPING

1. At least thirty (30) percent of the total building site shall be preserved in open space and not be used for building or parking purposes.
2. Any developed part of the office park land holding not used for structures, streets, parking and loading/unloading areas, shall be landscaped or otherwise approved, or if approved by the city, left in its natural state.

F. OTHER DEVELOPMENT CONTROLS

1. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way, or into any adjacent property.
2. Screening and landscaping shall be provided as regulated by Section 9.17 of this ordinance. In no case shall the minimum planting strip be required to exceed the minimum setback requirements established for this zone.
3. A Conceptual Circulation Plan shall be required for any use permitted in this zone. Such Conceptual Circulation Plan shall include the layout of the entire area of the office park complex and shall take into consideration good design including internal and external pedestrian and vehicular access, and functional relationship of uses within the office park.
4. No use producing objectionable odors, noise, or dust, shall be permitted within five hundred (500) feet from the boundary of any residential zone.
5. All business activities permitted within this zone shall be conducted within a completely enclosed building, with the exception of off-street parking and loading and/or unloading areas.
6. No outdoor storage of any material (usable or waste) shall be permitted in this zone except within enclosed containers.
7. Off-street parking may be permitted to extend into the minimum side and rear yards except when adjacent to residential zones and in the case of corner lots which must maintain minimum setback lines along the street frontage.

8. A site plan, as regulated by Section 9.19 of this ordinance, shall be required for any use permitted in this zone.
9. All utilities must be underground in a new subdivision or development when transmission lines are extended or altered.

SECTION 10.10 PO-2 (HIGH RISE OFFICE PARK) ZONE

- A. STATEMENT OF INTENT: The intent of this office park district is to create an area that will accommodate a wide variety of office uses (administrative, business, professional) in a campus setting that is relatively open in character. This area should be compatible with the Thomas More College campus and should provide land area for certain offices related to the St. Elizabeth Medical Center and/or to Thomas More College, or for certain offices requiring good general accessibility to the region.
- B. USES PERMITTED
1. Administrative offices, including public and semi-public, civic, educational, religious, or charitable organizations
 2. Banks and other financial institutions, including savings, loan, and finance companies
 3. Business offices provided that no retail trade is conducted with the general public and no stock of goods is maintained on the premises for sale to customers
 4. Libraries and museums
 5. Medical and dental clinics
 6. Medical laboratories
 7. Professional offices including offices for doctors, dentists, optometrists, opticians, lawyers, accountants, architects, engineers, planners, landscape architects, surveyors, insurance agents, advertising agencies
 8. Radio and television broadcasting studios
 9. Regional and metropolitan area headquarters offices
 10. Research and development laboratories
- C. ACCESSORY USES
1. Customary accessory buildings and uses
 2. Fences and walls, as regulated by Article XIII of this ordinance
 3. Signs, as regulated by Article XIV of this ordinance
 4. Uses as listed below, as a convenience to the occupants thereof, their patients, clients, or customers, providing that the accessory uses shall not exceed fifteen (15) percent of the gross floor area of the permitted uses in the building:
 - a. Barber shop
 - b. Beauty shop
 - c. Coffee shop or refreshment stand
 - d. Eating and drinking places, excluding drive-ins
 - e. Medical supplies establishments
 - f. News and confectionery stands

- g. Prescription pharmacy

D. AREA AND HEIGHT REGULATIONS

1. Minimum building site area - Three (3) acres. (In the case of this zone, more than one principal building, as defined herein, may be permitted to be constructed within the minimum building site area).
2. Minimum front yard depth - Fifty (50) feet.
3. Minimum side yard width - Thirty (30) feet.
4. Minimum rear yard depth - Forty (40) feet.
5. Maximum building height - Eighty (80) feet or eight (8) stories.
6. Maximum lot coverage - Thirty (30) percent of lot area.

E. OPEN SPACE AND LANDSCAPING

1. At least thirty (30) percent of the total building site shall be preserved in open space and not be used for building or parking purposes.
2. Any developed part of the office park land holding not used for structures, streets, parking and loading/unloading areas, shall be landscaped or otherwise approved, or if approved by the city, left in its natural state.

F. OTHER DEVELOPMENT CONTROLS

1. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way, or into any adjacent property.
2. Screening and landscaping shall be provided as regulated by Section 9.17 of this ordinance. In no case shall the minimum planting strip be required to exceed the minimum setback requirements established for this zone.
3. A Conceptual Circulation Plan shall be required for any use permitted in this zone. Such Conceptual Circulation Plan shall include the layout of the entire area of the office park complex and shall take into consideration good design including internal and external pedestrian and vehicular access, and functional relationship of uses within the office park.
4. No use producing objectionable odors, noise, or dust, shall be permitted within five hundred (500) feet from the boundary of any residential zone.
5. All business activities permitted within this zone shall be conducted within a completely enclosed building, with the exception of off-street parking and loading and/or unloading areas.
6. No outdoor storage of any material (usable or waste) shall be permitted in this zone except within enclosed containers.
7. Off-street parking may be permitted to extend into the minimum side and rear yards except when adjacent to residential zones and in the case of corner lots which must maintain minimum setback lines along the street frontage.

8. A site plan, as regulated by Section 9.19 of this ordinance, shall be required for any use permitted in this zone.
9. All utilities must be underground in a new subdivision or development when transmission lines are extended or altered.

SECTION 10.11 HLC (HISTORICAL COMMERCIAL) ZONE

- A. **PURPOSE:** The purpose of the Historical Commercial (HLC) Zone is to preserve a building(s) in the city which has an exceptional historical character and significance to the city; and to provide for a reasonable use of said building(s) which would help to preserve the building(s) and would not be detrimental to its historical character.
- B. **USES PERMITTED**
1. Branch bank, with drive-up windows
 2. Offices
 3. Residential condominiums
- C. **ACCESSORY USES**
1. Customary accessory buildings and uses
 2. Fences and walls, as regulated by Article XIII of this ordinance
 3. Signs, as regulated by Article XIV of this ordinance
- D. **CONDITIONAL USES:** No building or occupancy permit shall be issued for any of the following nor shall any of the following uses be permitted until and unless the location of said uses shall have been approved by the Board of Adjustment, as set forth in Section 9.14 of this ordinance.
1. Studios for the following:
 - a. Art studio
 - b. Interior design showrooms
 2. Standards for studios: In order to provide compatible uses in the HLC district, the following standards are set forth:
 - a. No processes and/or equipment shall be used or goods sold which are objectionable by reason of odor, dust, smoke, fumes, noise, and vibration
 - b. Hours of operation shall be limited to 9 am to 9 pm
 - c. There shall be no warehousing of merchandise
 - d. Any use must preserve the historic characteristics of the district
- E. **AREA, BUILDING, AND HEIGHT REGULATIONS**
1. No HLC Zone shall be permitted on less than six (6) acres of land. The minimum building site shall also be six (6) acres.

2. Development within the HLC Zone shall perpetuate and include the use of the existing historical building(s). Expansion of the historic building(s) and construction of additional buildings may be permitted, provided that said additional buildings reflect the architectural character of and are compatible with the existing historic building(s). All structural alterations and additional structures shall conform to the following:
 - a. Minimum depth from arterial streets, as defined herein, shall be ninety (90) feet from the right-of-way.
 - b. Minimum depth from collector and local streets, as defined herein, forty-five (45) feet.
 - c. Minimum depth from interstate highways, as defined herein, and ramps thereto, five (5) feet.
 - d. Maximum building height - Two (2) stories, not to exceed thirty-five (35) feet, measured to midpoint of gable.
 - e. Pavement for parking shall not be located closer than ten (10) feet of any right-of-way of an arterial street, collector street, or local street, as defined herein, and, irrespective of the foregoing, parking shall not be located in any area of the building site where prohibited by the legislative body.
 - f. Evaluation of a proposed development plan shall be based upon its agreement with the various elements of the Kenton County Comprehensive Plan.
3. In the case of this zone, more than one principal building, as defined herein, may be constructed on one lot.

F. OTHER DEVELOPMENT CONTROLS

1. Off-street parking and loading or unloading shall be provided in accordance with Article XI and XII of this ordinance.
2. All parking areas shall be effectively screened on each side adjoining or fronting on any property situated in a zone containing single-family residential buildings, by a landscaped earthen berm or by other means approved by the legislative body.
3. A site plan, as regulated by Section 9.19 of this ordinance, shall be required for any use permitted in this zone.
4. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way, or into any adjacent property.

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5. Any part of the total building site not used for structures, streets, parking, and loading/unloading areas, shall be landscaped in accordance with Section 9.17 of this ordinance, or if approved by the city, left in its natural state.
 6. Fences and walls will be regulated by Article XIII of this ordinance.
 7. Signs will be regulated by Article XIV of this ordinance.
 8. All utilities must be underground in a new subdivision or development when transmission lines are extended or altered.
- G. DENSITY: Areas within an HLC Zone may be developed to a density that does not detract from or diminish the significance of the historic building(s), but in no event shall the density exceed that required to comply with the "open space" requirement of Section G., below.
- H. OPEN SPACE AND LANDSCAPING
1. At least forty (40) percent of the total building site of an HLC Zone shall be "open space". "Open space" is defined to exclude building structure, parking spaces, black top or concrete except sidewalks.
 2. Any part of the total building site not used for structures, streets, parking and loading/unloading areas, shall be landscaped as approved by the legislative body and in accordance with the landscaping shown on the approved development plans and in accordance with Section 9.17 of this ordinance.
 3. Screening and landscaping shall be provided as regulated by Section 9.17 of this ordinance. In no case shall the minimum planting strip be required to exceed the minimum setback requirements established for this zone.
- I. PROCEDURE
1. Before a parcel of land can be developed within an HLC Zone or rezoned to an HLC Zone, the developer must submit a Stage I Plan of the proposed development in accord with Paragraph I., below of this section.
 2. The Stage I Plan must be reviewed by the local planning commission (at this time, the Kenton County and Municipal Planning and Zoning Commission). The planning commission will approve, approve with conditions, or disapprove the Stage I Plan. The planning commission will transmit its decision to the legislative body. A majority of the entire membership of the legislative body shall be required to override the recommendation of disapproval by the planning commission.

3. Should the legislative body take action to impose different conditions than were reviewed and considered by the planning commission, then said conditions shall be resubmitted to the planning commission for further review and recommendation.
4. After receiving the recommendation of the planning unit, the legislative body will review the Stage I Plan and then vote to approve or disapprove the Stage I Plan.
5. Minor revisions to the Stage I Plan may be approved by the legislative body without prior review by the planning commission.
6. After approval of the Stage I Plan, the developer must submit a Stage II Plan to the legislative body for review. The Stage II Plan must be done in accord with Paragraph J., below of this section.
7. The Stage II Plan must conform to the concepts and general layout of the approved Stage I Plan and the requirements of this ordinance.
8. The Stage II Plan must include the total HLC Zone, or at least the minimum building site area of six (6) acres.
9. No site development work may be commenced until the legislative body has approved the Stage II Development Plan.
10. A developer may waive the requirements of submitting a Stage I Plan and elect to submit the Stage II Plan for review, so long as the Stage II Plan contains all the information required of both a Stage I and Stage II Plan.

J. PLAN REQUIREMENTS - STAGE I

STAGE I -- PLAN REQUIREMENTS: Stage I Plan shall identify and provide the following information:

1. Plan(s) of the subject property, drawn to a scale not smaller than one (1) inch equals one hundred (100) feet showing:
 - a. The total area in the project;
 - b. The present zoning of the subject property and all adjacent properties;
 - c. All public and private rights-of-way and easement lines located on or adjacent to the subject property which are proposed to be continued, created, enlarged, relocated, or abandoned;

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- d. Existing topography, and approximate delineation of any topographical changes shown by contour with intervals not to exceed five (5) feet;
 - e. Delineation of all existing and proposed buildings in the project with a statement indicating:
 - (1) The average density per acre of the total project, setbacks, and the height and exterior dimensions of each building;
 - (2) The number of stories, including basement area, and the gross floor area of each building;
 - (3) Open space -- The amount of area proposed for open space and identification of trees and unique natural features to be retained.
 - f. Delineation of all proposed waste receptacle sites.
 - g. Location of proposed pedestrian walkways, identifying approximate dimensions;
 - h. Location of proposed streets, identifying approximate dimensions of pavement, right-of-way widths, and grades;
 - i. The location of landscape areas, screening, lighting, buffering, walls, fences, and signs;
 - j. Location of all existing and proposed electric and telephone lines, water, sanitary sewer, and storm drainage lines, indicating approximate pipe sizes;
 - k. The number and approximate location of parking spaces;
 - l. Identification of the soil types and geologic formations on the subject property, indicating anticipated problems and proposed methods of handling said problems;
 - m. Other information that the legislative body may determine necessary for description and/or to insure proper integration of the proposed project into the surrounding area;
 - n. A schedule of development, including the staging and phasing of:

- (1) Streets, utilities, and other public facility improvements, in order of priority;
 - (2) Dedication of land to public use or set aside for common ownership; and
 - (3) Buildings and uses, in order of priority.
2. The Stage I Plan must include the following information in a narrative form that will be considered an integral part of the Stage I Plan:
- a. A history of the historic building(s) on the site;
 - b. A description of the architectural features, both exterior and interior, of the historic building(s);
 - c. Statement of intended uses of the historic building(s) and the proposal for maintaining the historic integrity of the interior and exterior of the historic structure(s);
 - d. A description of the materials to be used in altering the historic building(s) and in constructing additional buildings in order to insure the compatibility of all renovation and construction of the existing historic building(s);
 - e. A description of all other measures that will be implemented by the owner/developer(s) to insure that the development will be compatible with the surrounding neighborhood; and
 - f. A description of the significant architectural and environmental features of the surrounding neighborhood.

K. PLAN REQUIREMENTS - STAGE II

The Stage II Plan shall conform to the following requirements:

Plan(s) of the subject property drawn to a scale of not smaller than one (1) inch equals one hundred (100) feet, that identifies and provides the following information:

- a. The existing and proposed finished topography of the subject property shown by contours with intervals not to exceed five (5) feet.

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- b. Location, height, arrangement, and identification of all buildings and uses on the subject property and, where applicable, location and arrangement of all lots with lot dimensions.
 - c. Elevations of all sides of each building, identifying and delineating all exterior materials and architectural features. The legislative body may require that the renderings be made in color and shown in three dimensions.
 - d. Location and arrangement of all common open space areas, and recreational facilities, including lot dimensions. Methods of ownership and operation and maintenance of such lands shall be identified.
 - e. Landscaping features, including identification of planting areas and the location, type, and height of walls and fences.
 - f. Location of signs indicating their orientation, size, and height. Types and locations of all exterior lighting.
 - g. All utility lines and easements, including:
 - (1) Water distribution systems, including line sizes, width of easements, type of pipe, location of hydrants and valves, and other appurtenances;
 - (2) Sanitary sewer system, including pipe sizes, width of easements, gradients, type of pipes, invert elevations, location and type of manholes, the location, type, size of all lift or pumping stations, capacity, and process of any necessary treatment facilities, and other appurtenances;
 - (3) Storm sewer and natural drainage system, including pipe and culvert sizes, gradients, location of open drainage courses, width of easements, location and size of inlets and catch basins, location and size of retention and/or sedimentation basins, and data indicating the quantity of storm water entering the subject property naturally from areas outside the property, the quantity of flow at each pickup point (inlet), the quantity of storm water generated by development of the subject area, and the quantity of storm water to be discharged at various points to areas outside the subject property;
 - (4) Other utilities (e.g., electric, telephone, etc.) including the type of service and the width of easements;

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- h. Location of all refuse receptacle sites, off-street parking, loading and/or unloading, and driveway areas, including typical cross sections, the type of surfacing, dimensions, and the number and arrangement of off-street parking, and loading and/or unloading spaces.
 - i. Circulation System:
 - (1) Pedestrian walkways, including alignment, grades, type of surfacing, and width;
 - (2) Streets, including alignment, grades, type of surfacing, width of pavement and right-of-way, geometric details, and typical cross sections;
 - j. Provisions for control of erosion, hillside slippage and sedimentation, indicating the temporary and permanent control practices and measures which will be implemented during all phases of clearing, grading, and construction.
 - k. A schedule of development, including the staging and phasing of:
 - (1) Streets, utilities, and other public facility improvements, in order of priority;
 - (3) Dedication of land to public use or set aside for common ownership; and
 - (4) Buildings and uses, in order of priority.
 - L. **PLAN REQUIREMENTS - AMENDMENTS:** Any amendments to plans must be made in accordance with the procedure required by this ordinance, subject to the same limitations and requirements as those under which such plans were originally approved.
 - M. **PLAN REQUIREMENTS - EXPIRATION:** As a condition to development within the HLC Zone, or to a zone change to HLC, substantial construction shall have been initiated within twelve (12) consecutive months following the date of approval of the final development plan, provided that an extension may be permitted upon approval of the city, if sufficient proof can be demonstrated that the construction was delayed due to circumstances beyond the applicant's control. For the purposes of this ordinance, substantial construction shall be defined as the amount of construction to be completed as set forth in, and approved as part of, the phasing of the final development plan. At the expiration of said permit and extension, if any, a public hearing shall be initiated by the city, or its authorized representative, and held by the planning commission in

accordance with the requirements of KRS 100, for the purpose of determining whether approval of the development plan ought to be withdrawn or whether the zoning should revert to the property's original zoning designation.

SECTION 10.12 IP (INDUSTRIAL PARK) ZONE

- A. **USES PERMITTED:** The following uses are permitted providing all permitted uses are in compliance with the performance standards set forth in Article XV of this ordinance:
1. Business and industrial offices
 2. Crating services
 3. Electric supply company
 4. Equipment rental establishments
 5. Industrial engineering consultant offices
 6. Laboratories, offices, and other facilities for research, both basic and applied, conducted by or for any industrial organization or concern, whether public or private
 7. Labor union meeting halls
 8. Mail order houses
 9. Publishing and distribution of books, newspapers, and other printed material
 10. Schools for industrial or business training
 11. Storage and mini-storage buildings
 12. Testing laboratories
 13. Warehouses and associated office space which may have a maximum lot coverage of seventy-five (75) percent and a maximum floor area ratio of 0.75
 14. Wholesale houses and storage facilities which may have a maximum lot coverage of seventy-five (75) percent and a maximum floor area ratio of 0.75
- B. **ACCESSORY USES**
1. Customary accessory buildings and uses, including operations required to maintain or support any use permitted in this zone on the same lot as the permitted use, such as maintenance shops
 2. Fences and walls, as regulated by Article XIII of this ordinance
 3. Signs - only business and identification signs pertaining to the identification, use, or occupation of the building, structure, or premises, as regulated by Article XIV of this ordinance, will be allowed in this zone. Advertising signs, as defined herein, are not permitted in this zone
- C. **AREA AND HEIGHT REGULATIONS:** No building shall be erected or structurally altered hereafter, except in accordance with the following regulations:
1. Minimum site for an industrial park zone - Forty (40) acres
 2. Minimum lot area - One (1) acre (forty three thousand five hundred sixty (43,560) square feet)

3. Minimum lot width at minimum building setback line - One hundred fifty (150) feet
4. Minimum front yard depth - On internal roads - Fifty (50) feet
5. Minimum side yard width -
 - a. In internal parts of the park - Twenty-five (25) feet
 - b. Where the side yard is adjacent to a residential zoning district - Seventy-five (75) feet
6. Minimum rear yard depth - In internal parts of the park - Fifty (50) feet. No rear yard shall be required where a rail spur line forms the rear property line. Where the rear yard is adjacent to a residential zoning district - Seventy-five (75) feet
7. Maximum building height - Forty (40) feet or three (3) stories
8. Maximum lot coverage - Fifty (50) percent of lot area, except as provided herein
9. Maximum floor area ratio - 0.5, except as provided herein

D. OTHER DEVELOPMENT CONTROLS

1. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII of this ordinance.
2. No outdoor storage of any material (usable or waste) shall be permitted in this zone except within enclosed containers.
3. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way, or into any adjacent property.
4. Screening and landscaping shall be provided as regulated by Section 9.17 of this ordinance. In no case shall the minimum planting strip be required to exceed the minimum setback requirements established for this zone.

SECTION 10.13 INST (INSTITUTIONAL) ZONE**A. PERMITTED USES**

1. Churches and other buildings for the purpose of religious worship.
2. Colleges and universities, including those structures used by the college or university and used for directly related purposes, including recreation and the housing of students, guests, and employees of the college or university. This includes administrative buildings, classrooms, lecture halls, laboratories, libraries, athletic facilities, dormitories, faculty and staff housing, student and faculty centers, and maintenance buildings.
3. Hospitals, including those structures used by the hospital and use for directly related purposes, including recreation and housing of employees, guests, and students of the hospital. This includes administrative buildings, classrooms, lecture halls, laboratories, libraries, dormitories, faculty and staff housing, student and faculty centers, and maintenance buildings.
4. Public, parochial, and vocational schools.
5. Nursing schools.
6. Nursing homes, convalescent homes, rest homes, and homes for the aged.
7. Day care centers.
8. Municipal building and fire house.
9. Publicly owned parks, playgrounds, and community recreation centers.

B. ACCESSORY USES

1. Fences, walls, and signs, as approved according to the site plan
3. Uses as listed below, provided in conjunction with a permitted use, primarily as a convenience to its occupants, its customers, patients, and employees, and located within the same building as the permitted use:
 - a. book store
 - b. medical supply store
 - c. restaurant or cafeteria

C. AREA, HEIGHT, AND YARD REQUIREMENTS FOR PERMITTED USES:

| EACH PERMITTED USE | Minimum Zoning Lot Requirements | | | Building Requirements | | | |
|---|---------------------------------|------------------|-------------------|-----------------------|-------------------|-------------------|-------------------------|
| | MINIMUM BUILDING SITE | MINIMUM LOT AREA | MINIMUM LOT WIDTH | MINIMUM FRONT YARD | MINIMUM SIDE YARD | MINIMUM REAR YARD | MINIMUM BUILDING HEIGHT |
| Colleges and Universities | 100 acres (1) | -- | 1,000 Ft. (2) | 100 Ft. | 100 Ft. | 100 Ft. | 50 Ft. |
| Hospitals | 100 acres (1) | -- | 1,000 Ft. (2) | 100 Ft. | 100 Ft. | 100 Ft. | 50 Ft. |
| Nursing Homes, Convalescent Homes, Rest Homes, and Homes For The Aged | -- | 2 acres | 150 Ft. | 50 Ft. | 25 Ft. (3) | 35 Ft. (3) | 35 Ft. |
| Public, Parochial, and Vocational Schools | -- | 15 acres | 300 Ft. | 100 Ft. | 50 Ft. | 50 Ft. | 35 Ft. |
| Public Parks, Playgrounds, and Community Recreation Centers | -- | -- | -- | -- | -- | -- | -- |
| All Other Permitted Uses | -- | 1 acre | 150 Ft. | 50 Ft. | 20 Ft. (3) | 30 Ft. (3) | 35 Ft. |

- (1) For purposes of computing the minimum building site, property located outside the city limits of Crestview Hills may be utilized, provided that all of the following conditions are met: (a) the property must be contiguous to the property located within the city and under the same ownership; (b) the property located outside the city must be developed for the same permitted use as the property located in the city; (c) the property outside the city must be zoned for institutional purposes (i.e., be zoned "Institutional" which zone must be generally compatible with Crestview Hills' Institutional Zone; or must be an approved "conditional use" in another zone).
- (2) One thousand (1,000) feet of frontage on a public street is required for the building site. No specific lot width requirements if building site is subdivided.
- (3) Fifty (50) feet when adjacent to a residential zone.

D. OTHER DEVELOPMENT CONTROLS

- 1. No building shall be erected, or structurally altered, nor shall any grading take place on any lot or parcel of land in the Institutional Zone until a site

- plan layout has been submitted and approved in accordance with Section 9.19.
2. A conceptual circulation plan shall be required for any use permitted in this zone to show the relationship of said use to other institutional uses within this zone and to transportation systems (pedestrian and vehicular) in this zone.
 3. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII of this ordinance.
 4. No outdoor storage of any material (usable or waste) shall be permitted in this zone except within enclosed containers.
 5. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way, or into any adjacent property.
 6. Screening and landscaping shall be provided as regulated by Section 9.17 of this ordinance. In no case shall the minimum planting strip be required to exceed the minimum setback requirements established for this zone.
 7. All utilities must be underground in a new subdivision or development when transmission lines are extended or altered.

SECTION 10.14 RP-1 (RESEARCH PARK) ZONE

A. STATEMENT OF INTENT: The intent of this district is to create a planned/research office park that will accommodate a wide variety of research, office, training, and other business uses in a high quality campus environment compatible with Thomas More College and St. Elizabeth Medical Center.

B. USES PERMITTED

1. Corporate headquarters, regional and administrative offices
2. Professional, medical, and dental offices
3. Regional and metropolitan offices
4. Sales and marketing offices
5. Data and communication centers, including information processing facilities
6. Sales and service offices related to electronic equipment, computers, and similar office equipment
7. Research and development facilities
8. Medical clinics, medical supplies, and other related sales and services
9. Hotels and meeting facilities
10. Training, educational, and conference facilities
11. Printing and publishing facilities
12. Athletic and recreational facilities
13. Financial institutions and services
14. Retail and retail services in conjunction with an located within an office building, hotel, conference center, or athletic facility
15. Day care center
16. Colleges, technical, and business schools
17. Libraries and museums
18. Free standing sit-down restaurants, without drive-in or drive-thru facilities, and having seating capacity greater than one hundred fifty (150) seats

C. ACCESSORY USES

1. Storage in conjunction with the primary use and provided that said storage area does not exceed thirty (30) percent of the building area
2. Customary accessory buildings and uses
3. Fences and walls, as regulated by Article XIII of this ordinance
4. Signs, as regulated by Article XIV of this ordinance
5. Uses as listed below as a convenience to the occupants thereof, their patients, clients, or customers, providing that the accessory uses shall not exceed fifteen (15) percent of the gross area of the permitted use in the development (see item G., 4., below for possible alternative approach):
 - a. Barber shop

- b. Beauty shop
 - c. Coffee shop/refreshment stand
 - d. Copy/print center
 - e. Eating and drinking places, without drive-in or drive-thru facilities
 - f. Financial services (bank, credit union, S & L)
 - g. Florist
 - h. Medical supplies establishment
 - i. News stand
 - j. Office supply store
 - k. Pharmacy/card shop/convenience store
 - l. Retail and retail services in conjunction with an located within an office building, hotel, conference center, or athletic facility
 - m. Travel agency
6. A business services center which would be a separate facility housing accessory uses as outlined in C., 5., a., 1. Such a facility could also encompass general office space probably including the offices of the Park Management.

D. AREA AND HEIGHT REGULATIONS

1. Minimum building site area - One (1) acre. (In the case of this zone, more than one principal building, as defined herein, may be permitted to be constructed within the minimum building site area)
2. Minimum front yard depth - Fifty (50) feet
3. Minimum side yard width - Thirty (30) feet
4. Minimum rear yard depth - Forty (40) feet
5. Maximum building height - Eight (8) stories
6. Minimum area of research park (RP-1) zone - Fifty (50) acres
7. Minimum lot width - Two hundred (200) feet at building line

E. OPEN SPACE AND LANDSCAPING

1. At least thirty (30) percent of the total building site shall be preserved in open space and not be used for building or parking purposes.
2. Any developed part of the office park land holding not used for structures, streets, parking, and loading/unloading areas, shall be landscaped or otherwise improved; or if approved by the city, left in its natural state.

F. OTHER DEVELOPMENT CONTROLS

1. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way, or into any adjacent property.

2. Screening and landscaping shall be provided as regulated by Section 9.17 of this ordinance. In no case shall the minimum planting strip be required to exceed the minimum setback requirements established for this zone.
3. A Conceptual Circulation Plan shall be required for any use permitted in this zone. Such Conceptual Circulation Plan shall include the layout of the entire area of the office park complex and shall take into consideration good design including internal and external pedestrian and vehicular access, and functional relationship of uses within the office park.
4. No use producing objectionable odors, noise, or dust shall be permitted in this zone.
5. All business activities permitted within this zone shall be conducted within a completely enclosed building, with the exception of off-street parking and loading and/or unloading areas.
6. No outdoor storage of any material (usable or waste) shall be permitted in this zone, except within enclosed containers.
7. Off-street parking exception to Section 9.10, F. Off-street parking is permitted as follows:
 - a. To a minimum of fifty (50) feet from the property line along major streets (collectors and arterials);
 - b. To a minimum of thirty (30) feet from the property line along other streets;
 - c. To a minimum of ten (10) feet from all other lot lines, except when adjacent to a residential zone, where required minimum yards shall be maintained.
8. A site plan, as regulated by Section 9.19 of this ordinance, shall be required for any use permitted in this zone.
9. All utilities must be underground in a new subdivision or development when transmission lines are extended or altered.

G. PROCEDURE

Before a parcel of land can be rezoned to RP-1, or developed within an RP-1 Zone, the developer must submit a Stage I Plan of the proposed development, in accord with Article I of this section.

The Stage I Plan is to be used As a guideline for the development of the total research park.

The Stage I Plan must be reviewed by the city planning unit (at this time, the Kenton County and municipal Planning and Zoning Commission). The planning unit will approve, approve with conditions, or disapprove the Stage I Plan. The

planning unit will transmit their decision to the city council. The planning unit's decision is in the way of a recommendation and is not binding upon the city council.

After receiving the recommendation of the planning unit, city council will vote to approve or disapprove the Stage I Plan.

Minor revisions to the Stage I Plan may be approved by city council.

After approval of the Stage I Plan, the developer may submit a Stage II Plan to the city council for review. The Stage II Plan must be done in accord with Article J of this section.

The Stage II Plan must conform to the concepts and general layout of the approved Stage I Plan.

The Stage II Plan may include the total research park or any part of it.

No site development work may be done until the city has approved the Stage II Development Plan.

H. PLAN REQUIREMENTS -- STAGE I

STAGE I -- PLAN REQUIREMENTS: Stage I Plan shall identify and provide the following information:

1. Plan(s) of the subject property, drawn to a scale not smaller than one (1) inch equals one hundred (100) feet showing:
 - a. The total area in the project;
 - b. The present zoning of the subject property and all adjacent properties;
 - c. All public and private rights-of-way and easement lines located on or adjacent to the subject property which are proposed to be continued, created, enlarged, relocated, or abandoned;
 - d. Existing topography, and approximate delineation of any topographical changes shown by contour with intervals not to exceed five (5) feet;
 - e. Delineation of all existing and proposed residential areas in the project with a statement indicating net density of the total project:

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- (1) detached housing - location and approximate number of lots, including a typical section(s) identifying approximate lot sizes and dimensions, and setback and height of buildings.
 - (2) Attached housing - location and description of the various housing types (i.e., townhouse, fourplex, garden apartment, etc.) including approximate heights of typical structures, and the approximate number of units by housing type.
- f. Delineation of all existing and proposed non-residential uses in the project:
- (1) Commercial uses - location and type of all uses including approximate number of acres, gross floor area, and heights of buildings.
 - (2) Open Space/Recreation - the approximate amount of area proposed for common open space, including the location of recreational facilities, and identification of unique natural features to be retained.
 - (3) Other public and semi-public uses - location and type of all uses, including approximate number of acreage, and height of buildings.
- g. Location of proposed pedestrian walkways, identifying approximate dimensions;
- h. Location of proposed streets, identifying approximate dimensions of pavement, right-of-way widths, and grades;
- i. Location of all existing and proposed water, sanitary sewer, and storm drainage lines, indicating approximate pipe sizes. Indication should also be given regarding the provision of electric and telephone service.
- j. Certification from appropriate water and sewer agencies that services will be available.
- k. Identification of the soil types and geologic formations on the subject property, indicating anticipated problems and proposed methods of handling said problems

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- I. Other information that the legislative body may determine necessary for description and/or to insure proper integration of the proposed project in the area.

 - m. A schedule of development, including the staging and phasing of:
 - (1) Residential area, in order of priority, by type of dwelling unit.
 - (2) Streets, utilities, and other public facility improvements, in order of priority.
 - (3) Dedication of land to public use or set aside for common ownership.
 - (4) Non-residential buildings and uses, in order of priority.

The aforementioned information required may be combined in any suitable and convenient manner so long as the data required is clearly indicated. A separate plan or drawing for each element is not necessary, but may be provided at the option of the applicant.

I. STAGE II - PLAN REQUIREMENTS

The Stage II Plan shall conform to the following requirements:

Plan(s) of the subject property drawn to a scale of not smaller than one (1) inch equals one hundred (100) feet, that identifies and provides the following information:

- a. The existing and proposed finished topography of the subject property shown by contours with intervals not to exceed five (5) feet. Where conditions exist that may require more detailed information on the proposed topography, contours with intervals of less than five (5) feet may be required by the planning commission.

- b. All housing units on the subject property:
 - (1) Detached housing - location, arrangement, and number of all lots, including lot dimensions and setbacks, and maximum height of buildings.

 - (2) Attached housing - location, height, and arrangement of all buildings indicating the number of units in each building, and, where applicable, location, arrangement, and dimensions of all lots.

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- c. Location, height, arrangement, and identification of all non-residential buildings and uses on the subject property and, where applicable, location and arrangement of all lots with lot dimensions.
 - d. Location and arrangement of all common open space areas, and recreational facilities, including lot dimensions. Methods of ownership and operation and maintenance of such lands shall be identified.
 - e. Landscaping features, including identification of planting areas and the location, type, and height of walls and fences.
 - f. Location of signs indicating their orientation, size, and height.
 - g. All utility lines and easements, including:
 - (1) Water distribution systems, including line sizes, width of easements, type of pipe, location of hydrants and valves, and other appurtenances;
 - (2) Sanitary sewer system, including pipe sizes, width of easements, gradients, type of pipes, invert elevations, location and type of manholes, the location, type, size of all lift or pumping stations, capacity, and process of any necessary treatment facilities, and other appurtenances;
 - (3) Storm sewer and natural drainage system, including pipe and culvert sizes, gradients, location of open drainage courses, width of easements, location and size of inlets and catch basins, location and size of retention and/or sedimentation basins, and data indicating the quantity of storm water entering the subject property naturally from areas outside the property, the quantity of flow at each pickup point (inlet), the quantity of storm water generated by development of the subject area, and the quantity of storm water to be discharged at various points to areas outside the subject property;
 - (4) Other utilities (e.g., electric, telephone, etc.) including the type of service and the width of easements;
 - h. Location of all refuse receptacle sites, off-street parking, loading and/or unloading, and driveway areas, including typical cross sections, the type of surfacing, dimensions, and the number and arrangement of off-street parking, and loading and/or unloading spaces.
 - i. Circulation System:

- (1) Pedestrian walkways, including alignment, grades, type of surfacing, and width;
 - (2) Streets, including alignment, grades, type of surfacing, width of pavement and right-of-way, geometric details, and typical cross sections;
- j. Provisions for control of erosion, hillside slippage and sedimentation, indicating the temporary and permanent control practices and measures which will be implemented during all phases of clearing, grading, and construction.
- k. A schedule of development, including the staging and phasing of:
 - (1) Residential area, in order of priority, by type of dwelling unit.
 - (2) Streets, utilities, and other public facility improvements, in order of priority.
 - (3) Dedication of land to public use or set aside for common ownership.
 - (4) Non-residential buildings and uses, in order of priority.

SECTION 10.15 R-1Bd (RESIDENTIAL ONE-Bd) ZONE**A. PERMITTED USES**

1. Detached single-family dwellings

B. ACCESSORY USES

1. Customary accessory buildings and uses (detached garages are prohibited)
2. Fences and walls, as regulated by Article XIII of this ordinance
3. Home occupations, subject to the restrictions and limitations established in Section 9.11 of this ordinance
4. Signs, as regulated by Article XIV of this ordinance

C. CONDITIONAL USES: No building or occupancy permit shall be issued for any of the following, nor shall any of the following uses or any customary accessory buildings or uses be permitted until and unless the location of such use shall have been applied for and approved by the board of adjustment, as set forth in Section 9.14 of this ordinance:

1. Cemeteries
2. Churches and other buildings for the purpose of religious worship, providing they are located adjacent to an arterial street
3. Fire and police stations, provided they are located adjacent to an arterial street
4. Institutions for higher education, providing they are located adjacent to an arterial street
5. Institutions for human medical care - hospitals, clinic sanitariums, convalescent homes, nursing homes, and homes for the aged, providing they are located adjacent to an arterial street
6. Nursery schools
7. Public and parochial schools
8. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries
9. Recreational uses, other than those publicly owned and/or operated as follows:
 - a. Golf courses;
 - b. Country clubs;
 - c. Semi-public swimming pools;

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- D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES: No buildings shall be erected or structurally altered hereafter, except in accordance with the following regulations:
1. Minimum lot area - Fifteen thousand (15,000) square feet
 2. Minimum lot width at minimum building setback line - One hundred (100) feet
 3. Minimum front yard depth - Fifty (50) feet
 4. Minimum side yard width on each side of lot - Ten (10) feet
 5. Minimum rear yard depth - Thirty (30) feet
 6. Maximum building height - Thirty-five (35) feet or two and one-half (2-1/2) stories
- E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES: No conditional building and/or use shall be erected or structurally altered hereafter, except in accordance with the following regulations:
1. Minimum lot area - Twenty-two thousand five hundred (22,500) square feet
 2. Minimum lot width at building setback line - One hundred fifty (150) feet
 3. Minimum front, side (on each side of lot, and rear yards - Fifty (50) feet
 4. Maximum building height - Thirty-five (35) feet or two and one-half (2-1/2) stories
- F. OTHER DEVELOPMENT CONTROLS
1. Off-street parking and loading or unloading shall be provided in accordance with Articles XI and XII of this ordinance.
 2. No outdoor storage of any material (usable or waste) shall be permitted in this zone, except within enclosed containers.
 3. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way, or into any adjacent property.
 4. Screening areas and additional setbacks shall be provided in accordance with Section 9.17 of this ordinance.
 5. All utilities must be underground in a new subdivision or development when transmission lines are extended or altered.