

APPENDIX B

ZONES AS REGULATED BY THE KENTON COUNTY FISCAL COURT

SECTION 10.3 R-1A (RESIDENTIAL ONE - A) ZONE

A. PERMITTED USES

1. Single - family residential dwellings (detached)

B. ACCESSORY USES

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

C. CONDITIONAL USES: The following uses or any customary accessory buildings or uses, subject to the approval of the Board of Adjustment as set forth in Sections 9.14 and 18.7 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. Governmental offices
5. Institutions for higher education, providing they are located adjacent to an arterial street
6. 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
7. Nursery schools
8. Public and parochial schools
9. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries
10. Recreational uses other than those publicly owned and/or operated, as follows:

- a. Golf courses
- b. Country clubs
- c. Semi - public swimming pools

11. Funeral homes, provided they are located adjacent to an arterial street

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 - One (1) acre
2. Minimum Lot Width at Building Setback Line - One hundred (100) feet.
3. Minimum Front Yard Depth - Forty (40) feet
4. Minimum Side Yard Width - Total: Thirty-eight (38) feet; One side: Twelve (12) feet
5. Minimum Rear Yard Depth - Twenty - five (25) feet
6. Maximum Building Height - Thirty - five (35) 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:

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

F. OTHER DEVELOPMENT CONTROLS

1. Off - street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII.
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, or into any adjacent property.
4. Where any yard of any conditional 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.

SECTION 10.5 R-1C (RESIDENTIAL ONE - C) ZONE**A. PERMITTED USES**

1. Single - family residential dwellings (detached)

B. ACCESSORY USES

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

C. CONDITIONAL USES: The following uses or any customary accessory buildings or uses, subject to the approval of the Board of Adjustment as set forth in Sections 9.14 and 18.7 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. Governmental offices
4. Fire and police stations, providing they are located adjacent to an arterial street
5. Institutions for higher education providing they are located adjacent to an arterial street
6. 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
7. Nursery schools
8. Public and parochial schools
9. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries
10. Recreational uses other than those publicly owned and/or operated, as follows:
 - a. Golf courses
 - b. Country clubs
 - c. Swimming pools
11. Funeral homes, provided they are located adjacent to an arterial street

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES

1. Minimum Lot Area - Twelve thousand five hundred (12,500) square feet
2. Minimum Lot Width at Building Setback Line - Eighty (80) feet
3. Minimum Front Yard Depth - Thirty - five (35) feet
4. Minimum Side Yard Width - Total: Twenty (20) feet; One Side: Seven (7) feet
5. Minimum Rear Yard Depth - Twenty - five (25) feet
6. Maximum Building Height - Thirty - five (35) feet

E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES

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

F. OTHER DEVELOPMENT CONTROLS

1. Off - street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII.
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, or into any adjacent property.
4. Where any yard of any conditional 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.

SECTION 10.10 R-1F (RESIDENTIAL ONE - F) ZONE**A. PERMITTED USES**

1. Single - family residential dwellings (detached)

B. ACCESSORY USES

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

C. CONDITIONAL USES: The following uses or any customary accessory buildings or uses, subject to the approval of the Board of Adjustment, as set forth in Sections 9.14 and 18.7 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. Governmental offices
4. Fire and police stations, providing they are located adjacent to an arterial street
5. Institutions for higher education providing they are located adjacent to an arterial street
6. 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
7. Nursery schools
8. Public and parochial schools
9. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries
10. Recreational uses other than those publicly owned and/or operated, as follows:
 - a. Golf courses
 - b. Country clubs
 - c. Swimming pools
11. Funeral homes, provided they are located adjacent to an arterial street

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES

1. Minimum Lot Area - Six thousand (6,000) square feet.
2. Minimum Lot Width at Building Setback Line - Fifty (50) feet
3. Minimum Front Yard Depth - Twenty - five (25) feet
4. Minimum Side Yard Width - Total: Ten (10) feet; One side: Five (5) feet
5. Minimum Rear Yard Depth - Twenty - five (25)
6. Maximum Building Height - Thirty - five (35) feet

E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES

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

F. OTHER DEVELOPMENT CONTROLS

1. Off - street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII.
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, or into any adjacent property.
4. Where any yard of any conditional 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.

SECTION 10.15 MHP (MOBILE HOME PARK) OVERLAY ZONE

- A. GENERAL: A Mobile Home Park (MHP) Overlay Zone may be permitted only to be superimposed over any of the Residential zones, provided that all conditions or provisions of this section of the ordinance, the applicable requirements of the subdivision regulations, and any additional requirements as may be determined necessary to provide for the most efficient layout of the MHP Zone and its proper integration with the surrounding development are met; and a public hearing is held on the MHP application.
- B. APPLICATION AND PROCESSING: Applications for Mobile Home Park Overlay Zone shall be processed as follows:
1. Stage I -- Development Plan and Zoning Map Amendment - Application for amendment to MHP Overlay Zone shall include a development plan in accordance with the requirements of Section 9.20, A., Stage I Plan Requirements.
 - 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 MHP Overlay Zone, the required elements of the Stage I 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 Stage I Plan and the bases for their recommendation.
 - b. The legislative body 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 MHP application. Such action may incorporate any conditions imposed by the legislative body. 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 MHP Overlay Zone shall require that development be in conformance with the Stage I approved plan.

The legislative body shall forward a copy of the approved plan to the planning commission for further processing in accordance with the requirement for Stage II plan and record plat.

- c. Zoning Map Amendment - Upon approval of the MHP Over-lay Zone, the official zoning map shall be amended by adding the prefix "MHP" to the existing residential (R-1) zone (e.g., MHP-R-1B, MHP-R-1C, etc.) for the area as shown on the Stage I approved plan.
2. Stage II -- Plan and Record Plat - A Stage II plan and record plat shall be developed in conformance with the Stage I approved plan and in accordance with the requirements of Section 9.20, B. and C., 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 9.20, B. and C., 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 Stage II plan with regard to its compliance with the required elements of Section 9.20, B., for Stage II plans, other applicable elements of this ordinance and other applicable regulations, and its conformity with the Stage I approved plan. The planning commission, in approving the Stage II plan, may authorize minor adjustments from the Stage I approved plan, provided that the adjustments do not: change land uses, increase overall density, significantly alter circulation pat-terns (vehicular and pedestrian) or decrease the amount and/or usability of open space or recreation areas, or affect other applicable requirements of this ordinance.

Upon planning commission approval of the Stage II plan, a copy of said plan shall be forwarded to the zoning administrator, who shall grant permits only in accordance with the Stage II approved plan and other regulations as may be required by this ordinance.
 - b. Upon approval of the Stage II plan, the planning commission shall review the submitted record plat with regard to its compliance with the required elements of Section 9.20, C., for record plats, the applicable requirements of the subdivision regulations, and its conformance with the Stage II approved 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.

- C. **USES AND DENSITIES:** Mobile homes including customary accessory buildings and uses may be permitted within a MHP Overlay Zone. The density of dwelling units in a MHP Zone shall be determined by the density (dwelling units per net acre) as calculated from the existing residential (R-1) zone superimposed by the MHP Overlay Zone. This density shall be applied to the total project area, excluding that land devoted to streets (public and private). The following structures and uses related to and for the exclusive use of the residents of the Mobile Home Park (excluding, however, any commercial uses) are also permitted:
1. Rental or sales offices for lots and/or mobile homes in the Mobile Home Park
 2. Community centers
 3. Laundry facilities
- D. **PUBLIC AND SEMI - PUBLIC USES:** Public and semi - public structures and uses may be permitted in the MHP. These uses shall be delineated on the plan and shall be limited to one or more of the following uses:
1. Schools (nursery or day care, elementary and secondary)
 2. Churches
 3. Open space - recreation areas
- E. **AREA REQUIREMENTS:** No MHP Overlay Zone shall be permitted on less than ten (10) acres of land. However, development of a smaller tract adjacent to an existing MHP Overlay Zone may be permitted, if the proposed development conforms to and extends the original development as if the new area had been a part of the original development.
- F. **HEIGHT, YARD, AND SETBACK REGULATIONS:** Requirements shall be as approved in the plan.
- G. **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.
- H. **FENCES, WALLS, AND SIGNS:** The location, height, and type of all fences, walls, and signs shall be as approved in the plan.

- I. **EROSION AND SEDIMENTATION CONTROL:** Effective erosion and sedimentation controls shall be planned and applied in accordance with Section 9.7 of this ordinance.
- J. **COMMON OPEN SPACE--RECREATION AREA:** At least twenty percent (20%) of the total acreage of the proposed MHP shall be retained as common open space and recreation area, and dedicated to a public and/or private entity for operation and maintenance. Such open space and recreation areas shall be physically situated so as to be readily accessible, available to, and usable by all residents of the MHP. Common open space and recreation area shall be that part of the total project exclusive of dwellings, streets, parking areas, single - family lots, commercial areas, and other non-open space and non - recreational oriented facilities.
- K. **AMENDMENTS:** Any amendments to plans, except for the minor adjustments which may be permitted by the planning commission, shall 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:** Any amendment to the MHP Overlay 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 MHP Overlay Zone should revert to its original zoning designation. A public hearing may be initiated if either of the following conditions apply:
 - 1. Stage II Plan has not been approved by the planning commission within a period of twenty-four (24) consecutive months from the date of the Stage I approved plan and MHP Overlay Zone 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 Stage I approved plan obsolete.
 - 2. Substantial construction has not been initiated within a period of twelve (12) consecutive months from the date of approval of the Stage II plan by the planning commission; 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 Stage I approved plan obsolete. The amount of construction constituting initiating substantial construction shall be as approved in the Stage II approved plan.

SECTION 10.11 R-2 (RESIDENTIAL TWO) ZONE**A. PERMITTED USES**

1. Two - family residential dwellings
2. Multi - family residential dwellings

B. ACCESSORY USES

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

C. CONDITIONAL USES: The following uses or any customary accessory buildings or uses, subject to the approval by the Board of Adjustment as set forth in Sections 9.14 and 18.7 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. Governmental offices
5. Institutions for higher education, providing they are located adjacent to an arterial street
6. 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
7. Nursery schools
8. Public and parochial schools
9. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries
10. Recreational uses other than those publicly owned and/or operated, as follows:
 - a. Golf courses
 - b. Country clubs
 - c. Swimming pools
11. Funeral homes, provided they are located adjacent to an arterial street

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES

1. Minimum Lot Area - Twenty thousand (20,000) square feet for the first four (4) dwelling units or less; four thousand (4,000) square feet shall be provided for every dwelling unit thereafter. 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 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 - Fifteen (15) feet
5. Minimum Rear Yard Depth - Thirty (30) feet
6. Maximum Building Height - Forty (40) feet

E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES

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 - Forty (40) feet

F. OTHER DEVELOPMENT CONTROLS

1. Off - street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII.
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, 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.