
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.

- 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.