

ARTICLE X

ZONES

SECTION 10.0 CO (CONSERVATION) ZONE

A. PERMITTED USES

1. Agricultural uses
2. Private recreational uses, other than those publicly owned and/or operated such as golf courses, country clubs, and camping areas
3. Publicly owned and/or operated parks and/or recreation areas

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 and their 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. Riding academies and stables;
2. The following uses are permitted providing that the development of all facilities in or adjacent to navigable waters shall be approved by the Corps of Engineers, Department of the Army, and the Division of Water, Kentucky Department for Natural Resources and Environmental Protection. Such statements of approval or denial shall be submitted to the board of adjustment at the time of submittal for a conditional zoning certificate:

a. Boat harbors and marinas;

The following uses shall be permitted as accessory uses in connection with any boat harbor or marina provided they are primarily intended to serve only persons using the boat harbor or marina:

- (1) Boat fueling, service, and repairs;
- (2) Sale of boat supplies;
- (3) Grocery store;
- (4) Restaurant;

- b. Boat landing, docking, and launching facilities;
- c. Off-street parking facilities including facilities for temporary parking of boat trailers.

D. AREA AND HEIGHT REGULATIONS

- 1. Minimum lot area - One (1) acre
- 2. Minimum lot width - One hundred fifty (150) feet
- 3. Minimum front yard depth - Fifty (50) feet
- 4. Minimum side yard width - Twenty-five (25) feet
- 5. Minimum rear yard depth - Fifty (50) feet
- 6. Maximum building height - Twenty-five (25) feet

E. OTHER DEVELOPMENT CONTROLS

- 1. A site plan, as regulated by Section 9.19 of this ordinance shall be required for any permitted use or conditional use in this zone.
- 2. Any activity that may be located in the floodplain of any water course shall be in accordance with the requirements of Section 9.25
- 3. Dwellings, including cabins, rooming houses, and mobile homes are not permitted in this zone.
- 4. Temporary camping units, tents, and recreational vehicles, as defined in KRS 219.320 (8) shall be permitted; however, no such units shall be used for year-round habitation.
- 5. Off-street parking shall be provided for any use within this zone, according to the provisions of Article XI.
- 6. No outdoor storage of any material (usable or waste) shall be permitted in this zone, except within enclosed containers.
- 7. No motor vehicle which is inoperable, or mobile home or trailer shall be stored or used for storage in this zone.
- 8. No use producing objectionable odors, noise, or dust, shall be permitted within five hundred (500) feet from the boundary of any residential zone.

SECTION 10.1 A-1 (AGRICULTURAL-ONE) ZONE**A. PERMITTED USES:**

1. Agricultural uses;
2. Single-family residential dwellings (detached);
3. Mobile homes, subject to the requirements of Section 9.26 of this ordinance;
4. Roadside stands for the sale of products that are raised, produced, and processed on the premises, provided that no roadside stands of any type for the sale or display of agricultural products shall be permitted within fifty (50) feet from any road or highway;
5. Greenhouses and nurseries, including both wholesale and retail sales of products grown on the premises;
6. Stables and riding academies.
7. Bed and breakfast establishments
8. Qualified manufactured homes, subject to the compatibility standards established in Section 9.32 of this ordinance
9. Owner-Occupied Short-Term Rentals, subject to additional development controls in Section 10.1, F., 6.

B. ACCESSORY USES:

1. Customary accessory buildings and uses;
2. Fences and walls, as regulated by Article XIII;
3. Home occupations, subject to the restrictions and limitations established in Section 9.11 of this ordinance;
4. Signs, as regulated by Article XIV.
5. Farmers Markets, subject to the following restrictions:
 - a. An accessory use permit is completed and recorded on file at the office of the NKAPC.
 - b. At least 75% of the products sold are Farm Products or Value-Added Farm products, as defined in Article 7, which have been produced, processed, or grown within the boundaries of the Commonwealth of Kentucky.
 - c. At least 75% of the vendors regularly participating during the market's hours of operation are Producers, as defined in Article 7, or family members or employees of Producers.
 - d. The owner of the premises on which the farmers market is located shall be a producer.
 - e. All Farmers' Markets and their vendors shall comply with all applicable federal, state, and local laws and regulations pertaining to the operation, use, and enjoyment of the market premises.
 - f. Minimum Lot Size: Three (3) Acres

- g. Minimum Front Yard Setback: Forty (40) Feet
- h. Minimum Side (on each side of lot), and Rear Yard Setback: Fifty (50) Feet
- i. Minimum Setback from nearest residence: Two-Hundred (200) Feet
- j. Parking: No parking shall be allowed in or on any right-of-way or within any site triangle as defined in Section 9.17.,G.,2.
- k. Site Distance for Access Points shall be regulated in Section 11.3.,E.
- l. Location of Access points shall be as regulated in Section 11.3.,F.
- m. Signage shall be allowed subject to the following restrictions:

- 1. Maximum Signage Area: 32 square feet
- 2. Maximum Sign Height: 12 feet
- 3. No sign shall be located within any site triangle as defined in Section 9.17.,G.,2.
- 4. No sign shall interfere with any vehicular traffic movement nor shall any sign affect the general health, safety, or welfare of the public within or moving through the surrounding areas.
- 5. Illuminated signage shall be prohibited

6. Agri-Tourism, subject to the following restrictions:

- a. An accessory use permit is completed and recorded on file at the office of the NKAPC.
- b. Parking: No parking shall be allowed in or on any right-of-way or within any site triangle as defined in Section 9.17.,G.,2.
- c. Site Distance for Access Points shall be regulated in Section 11.3.,E.
- d. Location of Access points shall be as regulated in Section 11.3.,F.
- e. Signage shall be allowed subject to the following restrictions:
 - 1. Maximum Signage Area: 32 square feet
 - 2. Maximum Sign Height: 12 feet
 - 3. No sign shall be located within any site triangle as defined in Section 9.17.,G.,2.
 - 4. No sign shall interfere with any vehicular traffic movement nor shall any sign affect the general health, safety, or welfare of the public within or moving through the surrounding areas.
 - 5. Illuminated signage shall be prohibited

C. **CONDITIONAL USES:** The following uses or any customary accessory buildings and uses, subject to the approval by the board of adjustments, 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 or collector street;
 3. Governmental offices;
 4. Nursery schools;
 5. Police and fire stations, provided they are located adjacent to an arterial or collector street;
 6. Public and parochial schools;
 7. Veterinarians' offices for large and small animals, including outside runs;
 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. Swimming pools;
 - d. Tennis courts/clubs;
 - e. Fishing lakes;
 - f. Gun clubs and ranges;
 10. Sanitary landfills, as regulated by Section 9.27 of this ordinance;
 11. Funeral homes, providing they are located adjacent to an arterial street.
 12. Non-Owner Occupied Short Term Rentals, subject to additional development controls in Section 10.1, F., 6.
- 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, 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 requirement established for this zone.
5. The following shall apply to bed and breakfast establishments:
 - a. The owner shall live in the dwelling unit and operate the bed and breakfast establishment.
 - b. Food service may be provided for resident guests only.
 - c. No exterior alterations and/or additions shall be permitted for the purpose of increasing the number of guest rooms.
 - d. Interior alterations should maintain the unique characteristics of the structure, if possible.
 - e. One parking space per guest room and two parking spaces for the owner shall be provided on site. Parking shall be limited to the side and rear yards, screened from adjacent properties with a six (6) foot high masonry or wood fence, or dense vegetation.
 - f. A site plan, as regulated by Section 9.19 of this ordinance, shall be required.
6. The following shall apply to owner-occupied and non-owner occupied short-term rentals:
 - a. PURPOSE: The purpose of the short-term rental regulations is to provide regulations and guidance for short-term rental usage in unincorporated Kenton County. Short-term rentals are intended to be temporary lodging which allows property owners to leverage the agricultural community and natural resources of the area, maintain rural character and encourage Agri-tourism and tourism.
 - b. Must obtain any required building permit, zoning permit, and occupational license.
 - c. Site Distance for Access Points shall be regulated by Article XI.

- d. The maximum length of each stay shall be 29 days.
- e. No lease shall be rented less than 1 night's stay.
- f. There shall be no external evidence of a short-term rental. The street address must clearly be visible from the right-of-way.
- g. Short-term rentals shall not adversely affect the character of the neighborhood nor shall the use generate noise, vibration, glare, odors, or other effects that unreasonably interfere with any person's enjoyment of his or her property.
- h. Short-term rentals are permitted in the primary structure and/or one accessory structure. Owner Occupied Short-term rentals shall be clearly incidental and commonly associated with the operation of the primary residential household living use.
- i. Short-Term rentals shall not be located in mobile homes, recreational vehicles, travel trailers, tents, campgrounds, sheds, garages, or barns or any other structure typically not used as a residence.
- j. Short-term rentals must provide one (1) parking space for each sleeping room or suite and one (1) for the caretaker of the property.

SECTION 10.2 R-RE (RESIDENTIAL RURAL ESTATE) ZONE**A. PERMITTED USES**

1. Single-family residential dwellings (detached)
2. Agricultural uses;
3. Sale of products that are raised, produced, and processed on the premises, provided that no roadside stands of any type for the sale or display of agricultural products shall be permitted within fifty (50) feet from any street;
4. Greenhouses and nurseries, including both wholesale and retail sales of products grown on the premises provided that the storage of manure shall not be permitted nearer than one hundred (100) feet from the front of a street, road, highway, or right-of-way line, or not nearer than fifty (50) feet from a side lot line;
5. Stables and riding academies, both public and private.
6. Bed and breakfast establishments
7. Qualified manufactured homes, subject to the compatibility standards established in Section 9.32 of this ordinance

B. ACCESSORY USES

1. Customary accessory buildings and uses
2. Fences and walls, as regulated by Article XIII
3. Home occupations regulated in Section 9.11
4. Signs, as regulated by Article XIV

C. CONDITIONAL USES: The following uses, or any customary accessory buildings and 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. Funeral homes, provided they are located adjacent to an arterial street
4. Governmental offices
5. Nursery schools;
6. Police and fire stations, provided they are located adjacent to an arterial street
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. Swimming pools;
- d. Tennis courts/clubs;
- e. Fishing lakes and clubs;
- f. Gun clubs and ranges;

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, 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 requirement established for this zone.
5. The following shall apply to bed and breakfast establishments:

- a. The owner shall live in the dwelling unit and operate the bed and breakfast establishment.
- b. Food service may be provided for resident guests only.
- c. No exterior alterations and/or additions shall be permitted for the purpose of increasing the number of guest rooms.
- d. Interior alterations should maintain the unique characteristics of the structure, if possible.
- e. One parking space per guest room and two parking spaces for the owner shall be provided on site. Parking shall be limited to the side and rear yards, screened from adjacent properties with a six (6) foot high masonry or wood fence, or dense vegetation.
- f. A site plan, as regulated by Section 9.19 of this ordinance, shall be required.

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

1. Single-family residential dwellings (detached)
2. Qualified manufactured homes, subject to the compatibility standards established in Section 9.32 of this ordinance

B. ACCESSORY USES

1. Customary accessory buildings and uses
2. Fences and walls, as regulated by Article XIII
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: 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. Funeral homes, provided they are located adjacent to an arterial street
5. Governmental offices
6. Institutions for higher education, providing they are located adjacent to an arterial street
7. 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
8. Nursery schools;
9. Public and parochial schools;
10. Publicly owned and/or operated parks, playgrounds, golf courses, community recreation centers, swimming pools and libraries;
11. 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 - 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, 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 requirement established for this zone.

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

1. Single-family residential dwellings (detached)
2. Qualified manufactured homes, subject to the compatibility standards established in Section 9.32 of this ordinance

B. ACCESSORY USES

1. Customary accessory buildings and uses
2. Fences and walls, as regulated by Article XIII
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: 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. Funeral homes, provided they are located adjacent to an arterial street
5. Governmental offices
6. Institutions for higher education, providing they are located adjacent to an arterial street
7. 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
8. Nursery schools;
9. Public and parochial schools;
10. Publicly owned and/or operated parks, playgrounds, golf courses, community recreation centers, swimming pools and libraries;
11. 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:

1. Minimum lot area - One-half (1/2) 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: Twenty-five (25) feet; One Side: Ten (10) 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. 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 requirement established for this zone.

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

1. Single-family residential dwellings (detached)
2. Two-family residential dwellings
3. Qualified manufactured homes, subject to the compatibility standards established in Section 9.32 of this ordinance

B. ACCESSORY USES

1. Customary accessory buildings and uses
2. Fences and walls, as regulated by Article XIII
3. Home occupations, subject to the restrictions and limitations established in Section 9.11 of this ordinance
4. Signs, as regulated by Article XIV
5. Quarters for live-in domestic help to include such accessory uses as caretakers, gardeners, maids, and nursing care, where said quarters are clearly accessory to and located within the principle use

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. Funeral homes, provided they are located adjacent to an arterial street
5. Governmental offices
6. Institutions for higher education, providing they are located adjacent to an arterial street
7. 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
8. Nursery schools
9. Public and parochial schools;
10. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries;
11. 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

- 1. Minimum lot area -
 - Single-family: One-half (1/2) acre
 - Two-family: Three-quarters (3/4) 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: Twenty-five (25) feet; One Side: Ten (10) 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. 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 requirement established for this zone.

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

1. Single-family residential dwellings (detached)
2. Qualified manufactured homes, subject to the compatibility standards established in Section 9.32 of this ordinance

B. ACCESSORY USES

1. Customary accessory buildings and uses
2. Fences and walls, as regulated by Article XIII
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: 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. Funeral homes, provided they are located adjacent to an arterial street
5. Governmental offices
6. Institutions for higher education, providing they are located adjacent to an arterial street
7. 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
8. Nursery schools;
9. Public and parochial schools;
10. Publicly owned and/or operated parks, playgrounds, golf courses, community recreation centers, swimming pools and libraries;
11. 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:

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. 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 requirement established for this zone.

SECTION 10.6 R-1D (RESIDENTIAL ONE-D) ZONE**A. PERMITTED USES**

1. Single-family residential dwellings (detached)
2. Qualified manufactured homes, subject to the compatibility standards established in Section 9.32 of this ordinance

B. ACCESSORY USES

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

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. Funeral homes, provided they are located adjacent to an arterial street
5. Governmental offices
6. Institutions for higher education, providing they are located adjacent to an arterial street
7. 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
8. Nursery schools
9. Public and parochial schools;
10. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries;
11. 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

1. Minimum lot area - Nine thousand (9,000) square feet
2. Minimum lot width at building setback line - Seventy (70) feet
3. Minimum front yard depth - Thirty (30) feet
4. Minimum side yard width - Total: Eighteen (18) feet; One Side: Six (6) 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. 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 requirement established for this zone.

SECTION 10.7 R-1DD (RESIDENTIAL ONE-DD) ZONE**A. PERMITTED USES**

1. Single-family residential dwellings (detached)
2. Two-family residential dwellings
3. Qualified manufactured homes, subject to the compatibility standards established in Section 9.32 of this ordinance

B. ACCESSORY USES

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

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. Funeral homes, provided they are located adjacent to an arterial street
5. Governmental offices
6. Institutions for higher education, providing they are located adjacent to an arterial street
7. 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
8. Nursery schools
9. Public and parochial schools;
10. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries;
11. 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

1. Minimum lot area -
Single-family: Nine thousand (9,000) square feet
Two-family: Thirteen thousand five hundred (13,500) square feet
2. Minimum lot width at building setback line -
Single-family: Seventy (70) feet
Two-family: Eighty (80) feet
3. Minimum front yard depth - Thirty (30) feet
4. Minimum side yard width - Total: Eighteen (18) feet; One Side: Six (6) 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. 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 requirement established for this zone.

SECTION 10.8 R-1E (RESIDENTIAL ONE-E) ZONE**A. PERMITTED USES**

1. Single-family residential dwellings (detached)
2. Qualified manufactured homes, subject to the compatibility standards established in Section 9.32 of this ordinance

B. ACCESSORY USES

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

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. Funeral homes, provided they are located adjacent to an arterial street
5. Governmental offices
6. Greenhouses, nurseries, and related facilities for landscaping contractors including the wholesaling of trees, plants, and mulch. All equipment shall be stored within enclosed structures. No such facility shall be located on less than a minimum lot size of ten (10) acres
7. Institutions for higher education, providing they are located adjacent to an arterial street
8. 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
9. Nursery schools
10. Public and parochial schools;
11. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries;
12. 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

- 1. Minimum lot area - Seven thousand five hundred (7,500) square feet
- 2. Minimum lot width at building setback line - Sixty (60) feet
- 3. Minimum front yard depth - Thirty (30) feet
- 4. Minimum side yard width - Total: Fifteen (15) feet; One Side: Five (5) 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. 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 requirement established for this zone.

SECTION 10.9 R-1EE (RESIDENTIAL ONE-EE) ZONE**A. PERMITTED USES**

1. Single-family residential dwellings (detached)
2. Two-family residential dwellings
3. Qualified manufactured homes, subject to the compatibility standards established in Section 9.32 of this ordinance

B. ACCESSORY USES

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

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. Funeral homes, provided they are located adjacent to an arterial street
5. Governmental offices
6. Institutions for higher education, providing they are located adjacent to an arterial street
7. 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
8. Nursery schools
9. Public and parochial schools;
10. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries;
11. 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

1. Minimum lot area -
Single-family: Seven thousand five hundred (7,500) square feet
Two-family: Eleven thousand five hundred (11,500) square feet
2. Minimum lot width at building setback line -
Single-family: Sixty (60) feet
Two-family: Eighty (80) feet
3. Minimum front yard depth - Thirty (30) feet
4. Minimum side yard width - Total: Fifteen (15) feet; One Side: Five (5) 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. 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 requirement established for this zone.

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

1. Single-family residential dwellings (detached)
2. Qualified manufactured homes, subject to the compatibility standards established in Section 9.32 of this ordinance

B. ACCESSORY USES

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

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. Funeral homes, provided they are located adjacent to an arterial street
5. Governmental offices
6. Institutions for higher education, providing they are located adjacent to an arterial street
7. 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
8. Nursery schools
9. Public and parochial schools;
10. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries;
11. 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

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) 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. 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 requirement established for this zone.

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

1. Single-family residential dwellings (detached)
2. Qualified manufactured homes, subject to the compatibility standards established in Section 9.32 of this ordinance

B. ACCESSORY USES

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

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. Funeral homes
5. Governmental services
6. Institutions for higher education, providing they are located adjacent to an arterial street
7. 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
8. Nursery schools
9. Public and parochial schools;
10. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries;
11. Recreational uses other than those publicly owned and/or operated, as follows:
 - a. Golf courses;
 - b. Country clubs;
 - c. Semi-public 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 - Five thousand (5,000) 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 on each side of lot - Five (5) 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, 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 requirement established for this zone.

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 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. Funeral homes, provided they are located adjacent to an arterial street
5. Governmental offices
6. Institutions for higher education, providing they are located adjacent to an arterial street
7. 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
8. Nursery schools
9. Public and parochial schools;
10. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries;
11. 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:

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. 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 requirement established for this zone.
5. A site plan, as regulated by Section 9.19 of this ordinance, shall be required for any use permitted in this zone.

SECTION 10.12 R-3 (RESIDENTIAL THREE) 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 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. Funeral homes, provided they are located adjacent to an arterial street
5. Governmental offices
6. Institutions for higher education, providing they are located adjacent to an arterial street
7. 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
8. Nursery schools
9. Public and parochial schools;
10. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries;
11. 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:

1. Minimum lot area - Twelve thousand five hundred (12,500) square feet for the first four (4) dwelling units or less; two thousand (2,000) 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. 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 requirement established for this zone.
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 10.13 of this ordinance.

SECTION 10.13 PUD (PLANNED UNIT DEVELOPMENT) OVERLAY ZONE

- A. **PURPOSE:** The purposes of the Planned Unit Development (PUD) Overlay Zone are to: promote flexibility in design and permit planned diversification in the relationships between location of 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, the existing landscape features and amenities, and to utilize such features in an harmonious fashion; provide for more usable and suitably located recreation facilities, 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. **GENERAL:** A Planned Unit Development (PUD) Overlay Zone may only be permitted to be superimposed over any of the Residential (R) 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 PUD and its proper integration with the surrounding development, are met; and a public hearing is held on the PUD application.
- C. **APPLICATION AND PROCESSING:** Applications for a Planned Unit Development Overlay Zone shall be processed as follows in two stages:
1. **Stage I -- Development Plan and Zoning Map Amendment -** Application for amendment to PUD 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 PUD 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 PUD 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 C., 1., a., above. Approval of the PUD 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.

Zoning Map Amendment - Upon approval of the PUD Overlay Zone, the official zoning map shall be amended by adding the prefix "PUD" to the existing residential zone (e.g., PUD-R-1B, PUD-R-1C, etc.) for the area as shown on the Stage I approved plan. If an area is zoned PUD at the time of adoption of the zoning ordinance, submission of a development plan, in accordance with Section 10.14, C., of this ordinance shall nevertheless be required prior to the issuance of any zoning or building permits.

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 affect the spatial relationship of structures, a 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.

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.

- D. **RESIDENTIAL USES AND DENSITIES:** All types of residential housing units (attached or detached) may be permitted within a PUD Overlay Zone, including but not limited to, single-family, two-family, and multi-family residential units. The density of dwelling units in a PUD shall be determined by the density (dwelling units per net acre) as calculated from the existing residential (R) zone superimposed by the PUD Overlay Zone. This density shall be applied to the total project area excluding that land devoted to commercial uses and streets (public and private).
- E. **COMMERCIAL USES:** Commercial uses, intended primarily for the service and convenience of residents of the PUD, may be permitted within the project area, provided a market analysis is made justifying the need for said uses.

These commercial uses shall be grouped in complexes clearly delineated on the Stage I Plan, and may include one or more of the following uses:

- 1. Bakery shop
- 2. Banks
- 3. Beauty or barber shops
- 4. Business or professional office
- 5. Clothing store
- 6. Delicatessen, grocery, meat, fruit, or vegetable market;
- 7. Drug store
- 8. Hardware stores
- 9. Laundry/dry cleaning pick-up stations, or self-service facilities
- 10. Restaurants

11. Shoe repair shops

Another use may be substituted on the approved plan for a use previously approved providing it is one of the above listed uses and providing said use will not involve any building expansion beyond the approved plan and further providing that said use is approved by the zoning administrator.

- F. PUBLIC AND SEMI-PUBLIC USES: Public and semi-public structures and uses may be permitted in the PUD. These uses shall be delineated on the plan and shall be limited to one or more of the following uses:
1. Churches
 2. Community centers, including day care facilities
 3. Country clubs
 4. Fire or police stations
 5. Libraries
 6. Open space/recreation areas
 7. Schools (nursery, elementary, and secondary);
- G. AREA REQUIREMENTS No PUD Overlay Zone shall be permitted on less than twenty-five (25) acres of land. However, development of a smaller tract adjacent to an existing PUD 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.
- H. HEIGHT, YARD, AND SETBACK REQUIREMENTS: Requirements shall be as approved in the plan.
- 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. EROSION AND SEDIMENTATION CONTROL: Effective erosion and sedimentation controls shall be planned and applied in accordance with Section 9.7 of this ordinance.
- L. COMMON OPEN SPACE/RECREATION AREA: At least twenty percent (20%) of the total acreage of the proposed PUD 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 residents of the PUD. Common open space/recreation areas 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-recreationally oriented facilities.

- M. 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.
- N. EXPIRATION: Any amendment to the PUD 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 PUD Overlay zone should revert to its original zoning designation. A public hearing may be initiated if either of the following conditions apply:
1. A particular section of the original Stage I Plan has not had a Stage II approval by the city legislative body within twenty-four (24) consecutive months from the date of the approval of the Stage I approved plan for that particular section, provided an extension may be permitted by the legislative body 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 legislative body of a particular section; 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 10.14 RCD (RESIDENTIAL CLUSTER DEVELOPMENT) OVERLAY ZONE

- A. **PURPOSE:** The purposes of the Residential Cluster Development (RCD) Overlay Zone are to: provide a means whereby clusters of attached and detached single-family residential units may be constructed in the Residential (R-1) Zones, and therein, through a development plan, permit a wide flexibility in the design, location, siting of the building, and yard and setback requirements in order to provide for, to the greatest extent possible, the preservation of hillside areas and other natural geographic and topographic features, and to provide for more usable and suitably located recreation facilities and open space than would otherwise be provided under conventional R-1 residential land development procedures.
- B. **GENERAL:** A Residential Cluster Development (RCD) Overlay Zone may only be permitted to be superimposed over any of the Residential (R-1) 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 RCD Overlay Zone and its proper integration with the surrounding development, are met; and a public hearing is held on the RCD application.
- C. **APPLICATION AND PROCESSING:** Applications for Residential Cluster Development Overlay Zone shall be processed as follows in two stages:
1. Stage I -- Development Plan and Zoning Map Amendment - Application for amendment to RCD 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 RCD Overlay Zone, the required elements of the Stage I 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 Stage I Development 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 RCD 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 C., 1., a., above. Approval of the RCD 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.

Zoning Map Amendment - Upon approval of the RCD Overlay Zone, the official zoning map shall be amended by adding the prefix "RCD" to the existing residential zone (e.g., RCD-R-1B, RCD-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. 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, 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 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.

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.

- D. **RESIDENTIAL USES AND DENSITIES:** Attached and detached single-family dwellings may be permitted within a RCD Overlay Zone. The density of dwelling units in a RCD shall be determined by the density (dwelling units per net acre) as calculated from the existing residential (R-1) zone superimposed by the RCD Overlay Zone. This density shall be applied to the total project area, excluding that land devoted to streets (public and private).
- E. **PUBLIC AND SEMI-PUBLIC USES:** Public and semi-public structures and uses may be permitted in the RCD. These uses shall be delineated on the plan and shall be limited to one or more of the following uses:
 - 1. Churches
 - 2. Community centers, including day care facilities
 - 3. Country clubs
 - 4. Fire or police stations
 - 5. Libraries
 - 6. Open space/recreation areas
 - 7. Schools (nursery, elementary, and secondary)
- F. **AREA REQUIREMENTS:** No RCD Overlay Zone shall be permitted on less than ten (10) acres of land. However, development of a smaller tract adjacent to an existing RCD 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.
- G. **HEIGHT, YARD, AND SETBACK REGULATIONS:** Requirements shall be as approved in the plan.
- 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, shall be as approved in the plan.

- 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:** At least twenty percent (20%) of the total acreage of the proposed RCD 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 residents of the RCD. Common open space/recreation areas 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-recreationally oriented facilities.
- L. **AMENDMENTS:** Any amendments to plans shall be made in accordance with the procedure required by this ordinance and any minor amendments may be approved by the city legislative body without a hearing as provided herein and any major changes shall be heard by the city legislative body at a public hearing after due notice.
- M. **EXPIRATION:** Any amendment to the RCD 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 RCD Overlay Zone should revert to its original zoning designation. A public hearing may be initiated if either of the following conditions apply:
1. A particular section of the original Stage I Plan has not had Stage II approval by the city legislative body within twenty-four (24) consecutive months from the date of the approval of the Stage I approved plan for that particular section, provided an extension may be permitted by the legislative body 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 legislative body of a particular section; 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 10.15 MHP (MOBILE HOME PARK) OVERLAY ZONE:

- A. **GENERAL:** A Mobile Home Park (MHP) Overlay Zone may only be permitted to be superimposed over any of the Residential (R) 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 Overlay 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 in two stages:
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 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 Stage I Development 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 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 C., 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 Overlay 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 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.

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 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. Community centers
 2. Laundry facilities
 3. Rental or sales offices for lots and/or mobile homes in the Mobile Home Park;
- 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. Churches
 2. Open space/recreation areas
 3. Schools (nursery or day care, elementary and secondary)
- 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/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 residents of the MHP. Common open space/recreation areas 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-recreationally 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 10.16 HC (HIGHWAY COMMERCIAL) ZONE**A. PERMITTED USES:**

1. Automobile, motorcycle, and truck sales, new or used
2. Automotive service and repairs, providing that all business activities shall be conducted within a completely enclosed building
3. Banks and other financial institutions, including savings, loan, and finance companies with drive-in windows
4. Boat and other marine equipment sales and service, new and used
5. Bowling alleys
6. Eating establishments and taverns, including drive-ins
7. Hotels and motels
8. Mobile home and trailer sales, rental, and service (new and used)
9. Off-street parking lots and garages
10. Police and fire stations
11. Skating rinks, golf driving ranges, miniature and par-3 golf courses

B. ACCESSORY USES

1. Customary accessory uses
2. Fences and walls, as regulated by Article XIII of this ordinance
3. Signs, as regulated by Article XIV of this ordinance
4. Swimming pools, indoor and outdoor, in connection with motel or hotels
5. Uses as listed below, included within and entered from within, any motel or hotel building, as a convenience to the occupants thereof, and their customers providing that the accessory uses shall not exceed ten (10) percent of the gross floor area of the permitted uses in the building and no exterior advertising displays for any accessory uses shall be visible from outside the building.
 - a. Barber shops
 - b. Beauty shops
 - c. News and confectionery stands
 - d. Restaurants

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

1. Minimum lot area - Ten thousand (10,000) square feet
2. Minimum lot width at building setback line - Seventy (70) feet
3. Minimum front yard depth - Fifty (50) feet
4. Minimum side yard width on each side of lot - No restrictions, except when adjacent to a street, road, highway, or other right-of-way, when the required width shall be the same as required for a minimum front yard

depth in this zone. When buildings abut each other, firewall construction, as required by the building code, shall be required. In the event a side yard is provided, it shall never be less than fifteen (15) feet

5. Minimum rear yard depth - Fifteen (15) feet
6. Maximum building height - Forty (40) feet
7. In the case of this zone, more than one principal building, as defined herein, may be constructed on one lot

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, 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 requirement established for this zone.
5. A site plan, as regulated by Section 9.19 of this ordinance, shall be required for any use permitted in this zone.
6. No use producing objectionable odors, noise, or dust shall be permitted within five hundred (500) feet from the boundary of any residential zone.

SECTION 10.17 NC (NEIGHBORHOOD COMMERCIAL) ZONE**A. PERMITTED USES:**

1. Apparel shop
2. Art supplies
3. Bakery and bakery goods store, provided the products are sold exclusively on the premises
4. Banks and other financial institutions, including savings, loan, and finance companies with drive-in windows
5. Barber and beauty shops
6. Billiard or pool hall
7. Book, stationery, or gift shop
8. Camera and photographic supplies
9. Candy store, soda fountain, ice cream store, excluding drive-ins
10. Delicatessen
11. Drug store
12. Dry cleaning and laundry pick-up station
13. Eating and drinking places (excluding drive-ins)
14. Florist shop
15. Food store and supermarkets
16. Furniture store
17. Garden supplies
18. Glass, china, or pottery store
19. Haberdashery
20. Hardware store
21. Health spas
22. Hobby shop
23. Household and electrical appliance store, including incidental repair
24. Interior decorating studio
25. Jewelry store, including repair
26. Laundromats and self-service washing and drying
27. Leather goods and luggage store
28. Library
29. Locksmith shop
30. Music, musical instruments, and records, including incidental repair
31. Off-street parking lots and/or garages
32. Offices
33. Opticians and optical goods
34. Package liquor and wine store
35. Paint and wallpaper store
36. Pet shop, excluding boarding and outside runs
37. Police and fire stations
38. Post office
39. Radio and television store, including repair

40. Service stations
41. Shoe store and shoe repair
42. Sporting goods
43. Studios for professional work or teaching of any form of fine arts, photography, music, drama, or dance
44. Tailor shop
45. Toy store
46. 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. Signs, as regulated by Article XIV of this ordinance

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

1. Minimum lot area - Ten thousand (10,000) square feet
2. Minimum lot width at building setback line - Seventy (70) feet
3. Minimum front yard depth - Fifty (50) feet
4. Minimum side yard width - No restrictions, except when adjacent to a street, road, highway, or other right-of-way, when the required width shall be the same as required for a minimum front yard depth in this zone. When buildings abut each other, firewall construction, as required by the building code, shall be required. In the event a side yard is provided, it shall never be less than fifteen (15) feet
5. Minimum rear yard depth - Fifteen (15) feet
6. Maximum building height - Forty (40) feet
7. In the case of this zone, more than one principal building, as defined herein, may be constructed on one lot

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, or into any residential zone.
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 requirement established for this zone.

5. No use producing objectionable odors, noise, or dust shall be permitted within five hundred (500) feet from the boundary of any residential zone.
6. 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.
7. A site plan, as regulated by Section 9.19 of this ordinance, shall be required for any use permitted in this zone.

SECTION 10.18 NSC (NEIGHBORHOOD SHOPPING CENTER) ZONE**A. PERMITTED USES:**

1. Apparel shop
2. Art supplies
3. Bakery and bakery goods store, provided the products are sold exclusively on the premises
4. Banks and other financial institutions, including savings, loan, and finance companies with drive-in windows
5. Barber and beauty shops
6. Billiard or pool hall
7. Book, stationery, or gift shop
8. Camera and photographic supplies
9. Candy store, soda fountain, ice cream store, excluding drive-ins
10. Delicatessen
11. Drug store
12. Dry cleaning and laundry pick-up station
13. Eating and drinking places (excluding drive-ins)
14. Florist shop
15. Food store and supermarkets
16. Furniture store
17. Garden supplies
18. Glass, china, or pottery store
19. Haberdashery
20. Hardware store
21. Health spas
22. Hobby shop
23. Household and electrical appliance store, including incidental repair
24. Interior decorating studio
25. Jewelry store, including repair
26. Laundromats and self-service washing and drying
27. Leather goods and luggage store
28. Library
29. Locksmith shop
30. Music, musical instruments, and records, including incidental repair
31. Off-street parking lots and/or garages
32. Offices
33. Opticians and optical goods
34. Package liquor and wine store, excluding drive-ins
35. Paint and wallpaper store
36. Pet shop, excluding boarding and outside runs
37. Police and fire stations
38. Post office
39. Radio and television store, including repair

40. Service stations
41. Shoe store and shoe repair
42. Sporting goods
43. Studios for professional work or teaching of any form of fine arts, photography, music, drama, or dance
44. Tailor shop
45. 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. Signs, as regulated by Article XIV of this ordinance

C. AREA AND HEIGHT REGULATIONS:

1. Minimum building site area - Five (5) acres and shall abut a deeded right-of-way. 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 yard requirements - Fifty (50) feet for each front, side (on each side of the building), and rear yards, except where the lot abuts an arterial street, as identified in the adopted comprehensive plan, then there shall be a minimum yard requirement of one hundred (100) feet
3. Maximum building height - Forty (40) feet

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, 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 requirement established for this zone.
5. No use producing objectionable odors, noise, or dust shall be permitted within five hundred (500) feet from the boundary of any residential zone.
6. 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.
7. 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 vehicle access) and functional relationship of uses within the shopping center.

SECTION 10.19 PO (PROFESSIONAL OFFICE BUILDING) ZONE**A. PERMITTED USES**

1. Banks and other financial institutions, including savings, loan, and finance companies with drive-in windows
2. Clinics - medical or dental
3. Off-street parking lots and/or garages
4. Offices
5. Police and fire stations
6. Post offices

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
4. Uses as listed below, included within and entered from within, any office building, as a convenience to the occupants thereof, their patients, clients, or customers, provided that the accessory uses shall not exceed ten (10) percent of the gross floor area of the permitted uses in the building and no exterior advertising displays for any of the accessory uses shall be visible from outside the building:
 - a. Barber shops
 - b. Beauty shops
 - c. Coffee shops or refreshment stands
 - d. Eating establishments and taverns (excluding drive-ins)
 - e. Medical or dental laboratories
 - f. News and confectionery stands
 - g. Prescription pharmacies

C. AREA AND HEIGHT REGULATIONS: No building 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 (100) feet
3. Minimum front yard depth - Thirty (30) feet
4. Minimum side yard width - Fifteen (15) feet
5. Minimum rear yard depth - Twenty-five (25) feet
6. Maximum building height - Forty (40) feet
7. In the case of this zone, more than one principal building, as herein defined, may be constructed on one lot

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 dedicated street, 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 requirement established for this zone.
5. A site plan, as regulated by Section 9.19 of this ordinance shall be required for any use in this zone.
6. No use producing objectionable odors, noise, or dust, shall be permitted within five hundred (500) feet from the boundary of any residential zone.
7. 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.

SECTION 10.20 SC (SHOPPING CENTER) ZONE**A. PERMITTED USES:**

1. Advertising agencies
2. Antique shops
3. Apparel shop
4. Art supplies
5. Automobile laundry
6. Automotive parts and accessories store (new)
7. Automotive service and repair shops
8. Bakery and bakery goods store, provided the products are sold exclusively on the premises
9. Banks and other financial institutions, including savings, loan, and finance companies with drive-in windows
10. Barber and beauty shops
11. Billiard or pool hall
12. Book, stationery, or gift shop
13. Bowling alleys
14. Business or professional colleges
15. Bus stations
16. Camera and photographic supplies
17. Candy store, soda fountain, ice cream store, excluding drive-ins
18. Carpet and rug stores
19. Clinics - medical or dental
20. Clubs - including businessmen's, YMCA/YWCA
21. Delicatessen
22. Department stores
23. Drug store
24. Dry cleaning and laundry pick-up station
25. Eating establishments and taverns (excluding drive-ins)
26. Employment agencies
27. Florist shop
28. Food store and supermarkets
29. Furniture store
30. Garden supplies
31. Glass, china, or pottery store
32. Haberdashery
33. Hardware store
34. Health clinics and health spas
35. Hobby shop
36. Household and electrical appliance store, including incidental repair
37. Interior decorating studio
38. Jewelry store, including repair
39. Laboratories - medical and dental

40. Laundromats and self-service washing and drying
41. Leather goods and luggage store
42. Library
43. Locksmith shop
44. Music, musical instruments, and records, including incidental repair
45. Off-street parking lots and/or garages
46. Offices
47. Office appliances and supplies stores
48. Opticians and optical goods
49. Package liquor and wine store, excluding drive-ins
50. Paint and wallpaper store
51. Pet shop, excluding boarding and outside runs
52. Police and fire stations
53. Post office
54. Radio and television store, including repair
55. Service stations
56. Shoe store and shoe repair
57. Sporting goods
58. Studios for professional work or teaching of any form of fine arts, photography, music, drama, or dance
59. Tailor shop
60. Theaters, excluding drive-ins
61. Toy stores
62. Travel bureaus
63. 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. Signs, as regulated by Article XIV of this ordinance

C. AREA AND HEIGHT 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 yard requirements - Fifty (50) feet for each front, side (on each side of the building), and rear yards, except where the lot abuts an arterial street, as identified in the adopted comprehensive plan, then there shall be a minimum yard requirement of one hundred (100) feet
3. Maximum building height - Forty (40) feet

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, or into any residential zone.
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 requirement established for this zone.
5. No use producing objectionable odors, noise, or dust shall be permitted within five hundred (500) feet from the boundary of any residential zone.
6. 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.
7. 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 vehicle access) and functional relationship of uses within the shopping center.

SECTION 10.21 RC (RURAL COMMERCIAL) ZONE

- A. **PURPOSE:** The purpose of the RC Zone is to provide retail and professional services to the local or neighborhood residents living in rural areas of Kenton County. Rural businesses are intended to be smaller in size, intensity and scale than commercial uses found in other commercial zoning districts. Development within the RC Zone is intended to maintain the rural character of South Kenton County.

B. **PERMITTED USES**

The following uses are permitted to be within buildings that are no greater than five thousand (5,000) square feet:

1. Auto repair shops (can include gasoline pumps)
2. Automotive motorcycle, and truck sales, new and used
3. Automotive parts and accessories stores
4. Bakeries
5. Banks, including drive-through
6. Barber and beauty shops
7. Clinics - medical or dental
8. Contractors' offices, with accessory storage buildings, and accessory storage yards not to exceed fifty (50) percent of the total floor area of the principle use.
9. Convenience stores, with gasoline pumps
10. Drug stores
11. Food stores
12. Hardware stores
13. Kennels
14. Offices
15. Paint and wallpaper stores
16. Plumbing and lighting fixtures and appliances
17. Restaurants and taverns (excluding drive-ins and drive-throughs)
18. Veterinary offices, large or small animals
19. Day care and nursery schools

The following uses are permitted to be within buildings that are no greater than fifteen thousand (15,000) square feet:

1. Farm equipment, sales and service. Used equipment must be screened
2. Grain, feed and seed stores, including sale of plants, fertilizers, garden supplies, etc.
3. Building materials and lumber yards

C.

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
4. Single-family residential dwelling within a building containing a permitted commercial use
5. Building materials and lumber yards may have an additional fifteen thousand (15,000) square feet of inventory storage

E. 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. Any permitted use that exceeds the gross floor area requirements, subject to the following restrictions:
 - a. The proposed use or expansion must be consistent with the intent and purpose of the RC Zone as outlined in Section 10.21.A.
 - b. The proposed expansion meets all other requirements of the Kenton County Zoning Ordinance.

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

1. Minimum lot area - Twenty-two thousand (22,000) square feet
2. Minimum lot width at building setback line - Seventy (70) feet
3. Minimum front yard depth - Fifty (50) feet
4. Minimum side yard width – Total: Fifteen (15) feet: One Side: Minimum Five (5) feet. When adjacent to a street or other deeded right-of-way, then the required width shall be the same as required for a minimum front yard depth in this zone.
5. Minimum rear yard depth – Fifteen (15) feet
6. Maximum building height –Thirty-five (35) feet
7. In the case of this zone, no more than one principal building, as defined herein, may be constructed on one lot.

G. OTHER DEVELOPMENT CONTROLS

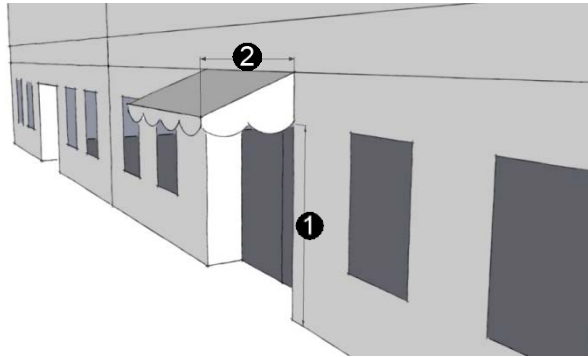
1. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII of this ordinance.
2. No outdoor storage of waste material except that which is generated on site shall be permitted in this zone. Any such waste must be stored within enclosed containers.

3. No lighting shall be permitted which would glare from this zone onto any dedicated street, or into any residential zone or agricultural zone. Lighting requirements shall meet the following:
 - a. All lighting shall be fully-shielded from above, with no light being emitted above the horizontal plane.
 - b. Where lighting abuts a residential use or zoned property or an agricultural use or zoned property, the maximum illumination at the property line shall not exceed one half (0.5) foot candles.
 - c. Where lighting abuts a non-residential use or zoned property, the maximum illumination at the property line shall not exceed 1 foot candle.
 - d. Free standing lights shall not exceed fifteen (15) feet in height including base and/or pedestal.
 - e. Lights illuminating signs shall be fully shielded from above to direct the light downward.
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 requirement established for this zone.
5. No use shall produce objectionable odors, light, noise, or dust that are observable beyond the parcel boundary.
6. All business activities, including storage of useable materials, permitted in this zone shall be conducted either within a completely enclosed building or within an area in the side or rear yard that is screened from view in accordance with Section 9.17 of this ordinance, with the exception of off-street parking and loading and/or unloading areas, the outside play areas associated with day cares and nursery schools, and display of new equipment for sale. Used equipment must be screened.
7. A site plan, as regulated by Section 9.19 of this ordinance shall be required for any use in this zone.
8. Signs are subject to the regulations provided in accordance with Article XIV of this ordinance with the following provisions:
 - a. Signs shall be designed and constructed using the same materials and colors as used on the building.
 - b. Neon-tubed signs and internally-illuminated signs are not permitted.
9. Aluminum, vinyl, concrete block, T 111 (plywood siding), plywood, EIFS (exterior insulation finishing board) and similar materials are not permitted on the front façade.
10. Mansard roofs and corrugate metal roofs are not permitted. Metal standing seam roofs are permitted.
11. Mechanical equipment on roofs must be screened from view.

H. BUILDING DESIGN REGULATIONS

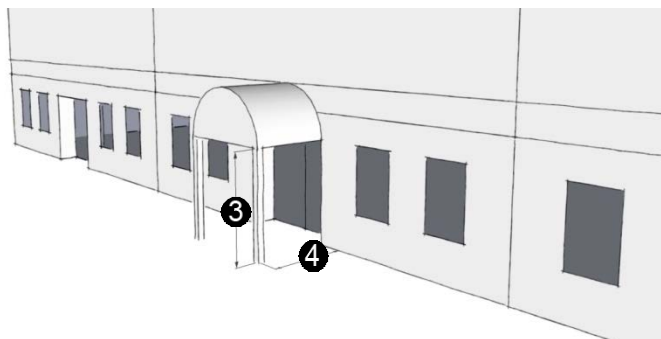
These standards only apply to new buildings.

1. An entry feature such as an awning, canopy, corner entry, or porch, up to a thirty (30) percent building articulation is required. Permitted entry features may include the following:



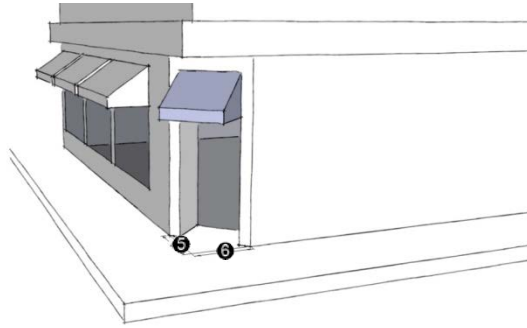
- a. Awning – A wall-mounted structure providing shade and cover from the weather for a sidewalk, supported entirely by the attached building.

- | | | |
|---|-----------------|----------------|
| ① | Minimum height: | eight (8) feet |
| ② | Minimum depth: | four (4) feet |



- b. Canopy – A wall mounted structure providing shade and cover from the weather for a sidewalk, supported by columns or posts that are embedded in the ground.

- | | | |
|---|-----------------|----------------|
| ③ | Minimum height: | eight (8) feet |
| ④ | Minimum depth: | six (6) feet |



- c. Corner Entry – An angled street-facing entrance that is located at the corner of the building.

- ⑤ Minimum width: four (4) feet
⑥ Minimum depth: four (4) feet



- d. Porch – A one or two-story structure attached to a building to shelter an entrance or to serve as a semi-enclosed space, roofed and open-sided.

- ⑦ Minimum width: eight (8) feet
⑧ Minimum depth: six (6) feet

2. Buildings shall face the street. Buildings on a corner lot are permitted to face the corner.

SECTION 10.22 IP (INDUSTRIAL PARK) ZONE

- A. **PERMITTED USES:** 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. The manufacturing, compounding, processing, packaging, or assembling of the following materials:
 - a. Animated and/or illuminated billboards and other commercial advertising structures.
 - b. Candy and confectionery products, food and beverage products, except the rendering or refining of fats and oils excluding poultry and animal slaughtering and dressing.
 - c. Cigars and cigarettes.
 - d. Cosmetics, pharmaceuticals, and toiletries.
 - e. Electric appliances, television sets, phonographs, household appliances.
 - f. Electrical machinery, equipment and supplies.
 - g. Fountain and beverage dispensing equipment.
 - h. Furniture.
 - i. Instruments of professional, scientific, photographic, and optical use.
 - j. Metal products and metal finishing, excluding the use of blast furnaces or drop forgers.
 - k. Musical instruments, toys, novelties, jewelry, rubber or metal stamps.
 - l. Office equipment.
 - m. Pottery and figurines.
 - n. Products from the following previously prepared materials: paper, glass, cellophane, leather, feathers, fur, precious or semi - precious metals, hair, horn, shell, tin, steel, wood, plastics, rubber, bone, cork, felt, fibers, yarn, wool, tobacco.
 - o. Textile products including canvas and burlap, clothing, cotton products, hosiery and knitting mills, rope and twine.
 2. Bottling and canning works
 3. Crating services.
 4. Fire stations.
 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. Machine shops.
 8. Printing, engraving and related reproduction processes.

9. Publishing and distribution of books, newspapers, and other printed material.
10. Railroad facilities, exclusive of marshaling yards, maintenance and fueling facilities
11. School for industrial or business training.
12. Warehousing or wholesaling.
13. Wholesale and rental of hardwood, light equipment, construction machinery, and building materials.

B. ACCESSORY USES:

1. Customary accessory structures 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, power plants, and machine shops;
2. Uses, as listed below, located and entered from within any use permitted in this zone as a convenience to the occupants thereof, and their customers, providing such accessory uses shall not exceed ten (10) percent of the gross floor area of the permitted uses in the building and no exterior advertising displays shall be visible from outside the building:
 - a. Cafeterias.
 - b. Coffee shops or refreshment stands.
 - c. Soda or dairy bars.
3. Fences and/or walls, as regulated by Article XIII of this ordinance;
4. 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:

1. Minimum Tract for Development - Five (5) acres, except where area restrictions are less, as identified in the adopted comprehensive plan; however, development of a smaller tract adjacent to an existing approved site may be permitted providing the proposed development conforms to and extends the original development as if the new site has been a part of the originally approved site plan layout.
2. Minimum Lot Area Within Minimum Tract - One (1) acre.
3. Minimum Lot Width at Building Setback Line - One hundred fifty (150) feet.
4. Minimum front yard depth -
 - a. When abutting a major arterial (as defined in the adopted comprehensive plan) - Seventy-five (75) feet

- b. 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 major arterial (as defined in the adopted comprehensive plan) - 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
- 7. Maximum Building Height - Forty (40) feet.

D. OTHER DEVELOPMENT CONTROLS:

- 1. Off - street parking and loading and/or unloading areas shall be provided in accordance with Articles XI and XII of this ordinance.
- 2. Storage of materials, supplies, and products is permitted only to the side and rear of the property. Such storage shall be within an enclosed structure or shall be screened from view of adjacent properties, in accordance with Section 9.17 of this ordinance.
- 3. No lighting shall be permitted which would glare from any use located within this zone onto any street 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 requirement established for this zone.
- 5. A site plan, as regulated by Section 9.19 of this ordinance, shall be required for any use in this zone.

SECTION 10.23 I-1 (INDUSTRIAL-ONE) ZONE

- A. **PERMITTED USES:** The following uses are permitted providing all uses are in compliance with the performance standards as set forth in Article XV of this ordinance:
1. The assembling, compounding, manufacturing, packaging, or processing of the following uses:
 - a. Animated and/or illuminated billboards and other commercial advertising structures
 - b. Candy and confectionery products, food and beverage products, except the rendering or refining of fats and oils, and excluding poultry and animal slaughtering and dressing;
 - c. Cigars and cigarettes
 - d. Cosmetics, pharmaceuticals, and toiletries
 - e. Electric appliances, television sets, phonographs, household appliances
 - f. Electrical machinery, equipment, and supplies
 - g. Fountain and beverage dispensing equipment
 - h. Furniture
 - i. Instruments for professional, scientific, photographic, and optical use
 - j. Metal products, and metal finishing, excluding the use of blast furnaces or drop forges
 - k. Musical instruments, toys, novelties, jewelry, rubber or metal stamps
 - l. Office equipment
 - m. Pottery and figurines
 - n. Products from the following previously prepared materials: bone, cellophane, cork, feathers, felt, fibers, fur, glass, hair, horn, leather, paper, precious or semi-precious metals, plastics, rubber, shell, steel, tin, tobacco, wood, wool, yarn
 - o. Textile products, including asbestos products, canvas and burlap, clothing, cotton products, hosiery and knitting mills, rope and twine
 2. Bottling and canning works
 3. Brewing or distilling of liquors
 4. Building materials, sales yards
 5. Bus line shops and storage
 6. Carting, express, hauling, or storage yard
 7. Coal, coke, or wood yards
 8. Contractors' offices and accessory storage yards, including storage of general construction equipment and vehicles
 9. Crating services

10. Fire stations
11. Freight terminals
12. Governmentally owned and/or operated city, county, and state garages
13. Industrial engineering and consultant offices
14. Laboratories, offices, and other facilities for research, both basic and applied, conducted by, or for, an industrial organization or concern, whether public or private
15. Laundry and dry cleaning plants, involving laundering and dry cleaning of articles delivered to the premises by commercial vehicles
16. Machine shops
17. Printing, engraving, and related reproduction processes
18. Public utilities' rights-of-way and pertinent structures
19. Publishing and distribution of books, newspapers, and other printed materials
20. Railroad facilities, exclusive of marshaling yards, maintenance, and fueling facilities
21. Schools for industrial or business training
22. Truck terminals
23. Warehousing or wholesaling

B. ACCESSORY USES

1. Customary accessory buildings and uses, including operations required to maintain or support any permitted use in this zone on the same lot as the permitted use, such as maintenance shops, power plants, and machine shops
2. Fences and/or walls as regulated by Article XIII of this ordinance
3. Signs, as regulated by Article XIV of this ordinance
4. Uses, as listed below, including within and entered from within any permitted use in this zone as a convenience to the occupants thereof, and their customers, provided such accessory uses shall not exceed ten percent (10%) of the gross floor area of the permitted uses in the building and no exterior advertising displays shall be visible from outside the building:
 - a. Cafeterias
 - b. Coffee shops or refreshment stands
 - c. Soda or dairy bars

C. AREA AND HEIGHT REGULATIONS

1. Minimum tract for industrial development - Twenty-five (25) acres, except where area restrictions are less, as identified in the adopted comprehensive plan; however, development of a smaller tract adjacent to an existing approved site may be permitted providing the proposed

- development conforms to and extends the original development as if the new site has been a part of the originally approved site plan layout
2. Minimum lot area within minimum tract - One (1) acre
 3. Minimum lot width at building setback line - One hundred fifty (150) feet
 4. Minimum front yard depth -
 - a. When abutting a major arterial (as defined in the adopted comprehensive plan) - Seventy-five (75) feet
 - b. 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 major arterial (as defined in the adopted comprehensive plan) - Seventy-five (75) feet
 6. Minimum rear yard depth - Fifty (50) feet. No rear yard is required where a rail spur forms the rear property line
 7. Maximum building height - Forty (40) feet

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 lighting shall be permitted which would glare from this zone onto any street or into any adjacent property.
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 requirement established for this zone.
4. A site plan, as regulated by Section 9.19 of this ordinance, shall be required for any use in this zone.

SECTION 10.24 I-2 (INDUSTRIAL-TWO) ZONE

- A. PERMITTED USES: The following uses are permitted providing all uses are in compliance with the performance standards as regulated in Article XV of this ordinance:
1. The assembling, compounding, manufacturing, packaging, or processing of the following uses:
 - a. Acetylene, butane, and bottled gas, including bulk storage
 - b. Animated and/or illuminated billboards and other commercial advertising structures
 - c. Asphalt and asphalt products
 - d. Brewing and distilling of liquors
 - e. Brick, tile, or terra cotta
 - f. Candy and confectionery products, food and beverage products, including the rendering or refining of fats and oils
 - g. Cement, concrete, and concrete products
 - h. Chemicals, including ammonia, bleach, bluing, calcimine, chlorine, corrosive acid or alkali, dyes
 - i. Cigars and cigarettes
 - j. Cosmetics, pharmaceuticals, and toiletries
 - k. Electric appliances, television sets, phonographs, household appliances
 - l. Electrical and non-electrical machinery, equipment, and supplies
 - m. Fertilizer, gypsum, lime, or plaster of paris
 - n. Fountain and beverage dispensing equipment
 - o. Furniture
 - p. Instruments of professional, scientific, photographic, and optical use
 - q. Iron, steel, aluminum foundry or forge works, and heavy weight casting
 - r. Lumber mills and storage yard
 - s. Lampblack
 - t. Metal, metal finishing, and metal products, including the use of blast furnaces or drop forges
 - u. Musical instruments, toys, novelties, jewelry, rubber or metal stamps
 - v. Office equipment
 - w. Oil cloth or linoleum
 - x. Paint, oil, shellac, turpentine, lacquer, varnish, gasoline
 - y. Paper, paperboard, pulp
 - z. Petroleum refining and products, including bulk storage
 - aa. Plastic and plastic products
 - bb. Pottery and figurines

- cc. Products from the following previously prepared materials: bone, cellophane, cork, feathers, felt, fibers, fur, glass, hair, horn, leather, paper, precious or semi-precious metals, plastics, rubber, shell, steel, tin, tobacco, wood, wool, yarn
 - dd. Rolling mills
 - ee. Rubber and rubber products
 - ff. Sand and gravel, including storage
 - gg. Soap and soap products
 - hh. Stone and monument works employing power driven tools
 - ii. Vinegar and yeast
-
- 2. Bag, carpet, and rug cleaning
 - 3. Bottling and canning works
 - 4. Building materials sales yards
 - 5. Bulk storage stations
 - 6. Bus line shops and storage
 - 7. Carting, express, hauling, or storage yards
 - 8. Coal, coke, or wood yards
 - 9. Contractors' offices and accessory storage yards, including storage of general construction equipment and vehicles
 - 10. Crating services
 - 11. Fire stations
 - 12. Flour mills
 - 13. Forge plants
 - 14. Foundries
 - 15. Freight terminals
 - 16. Governmentally owned and/or operated city, county, or state garages, including sanitary landfill sites, subject to the requirements of Section 9.27 of this ordinance
 - 17. Industrial engineering consultant offices
 - 18. Laboratories, offices and other facilities for research, both basic and applied, conducted by, or for, an industrial organization or concern, whether public or private
 - 19. Laundries and dry cleaning plants, involving laundering and dry cleaning of articles delivered to the premises by commercial vehicles
 - 20. Machine shops
 - 21. Plating plants
 - 22. Printing, engraving, and related reproduction processes
 - 23. Processing of junk, waste, discarded or salvaged materials, machinery or equipment, including automobile wrecking or dismantling
 - 24. Public utilities' rights-of-way and pertinent structures
 - 25. Publishing and distribution of books, newspapers, and other printed materials
 - 26. Railroad facilities, including passengers and freight terminals, marshaling yards, maintenance shops, and round houses

27. Schools for industrial or business training
28. Trucking terminals
29. Warehousing or wholesaling

B. ACCESSORY USES

1. Customary accessory buildings and uses, including operations required to maintain or support any permitted use in this zone on the same lot as the permitted use, such as maintenance shops, power plants, and machine shops
2. Fences and/or walls, as regulated by Article XIII of this ordinance
3. Signs, as regulated by Article XIV of this ordinance
4. Uses, as listed below, including within and entered from within any permitted use in this zone as a convenience to the occupants thereof, and their customers, provided such accessory uses shall not exceed ten percent (10%) of the gross floor area of the permitted uses in the building and no exterior advertising displays shall be visible from outside the building:
 - a. Cafeterias
 - b. Coffee shops or refreshment stands
 - c. Soda or dairy bars

C. AREA AND HEIGHT REGULATIONS

1. Minimum tract for industrial development - Twenty-five (25) acres, except where area restrictions are less, as identified in the adopted comprehensive plan; however, development of a smaller tract adjacent to an existing approved site may be permitted providing the proposed development conforms to and extends the original development as if the new site has been a part of the originally approved site plan layout
2. Minimum lot area within minimum tract - One (1) acre
3. Minimum lot width at building setback line - One hundred fifty (150) feet
4. Minimum front yard depth -
 - a. When abutting a major arterial (as defined in the adopted comprehensive plan) - Seventy-five (75) feet
 - b. 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 major arterial (as defined in the adopted comprehensive plan) - Seventy-five (75) feet

6. Minimum rear yard depth - In internal parts of the park - Fifty (50) feet. No rear yard is required where a rail spur forms the rear property line
7. Maximum building height - Forty (40) feet

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 lighting shall be permitted which would glare from this zone onto any street or into any adjacent property.
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 requirement established for this zone.
4. A site plan, as regulated by Section 9.19 of this ordinance, shall be required for any use in this zone.

SECTION 10.25 I-4 (INDUSTRIAL FOUR RIVER) ZONE

- A. **PERMITTED USES:** The intent of the I-4 Zone is to provide for those industrial uses which do not require extensive urban services, in the Rural Focus Areas, which depend on the use of the adjacent river for access to barge traffic as part of a transportation mode of exchange and/or distribution. The following uses are permitted providing all uses are in compliance with both the performance standards as set forth in Article XI of this ordinance, and all appropriate local, state, and federal regulations, and that the use complies with the above stated intent of the I-4 Zone, except as herein provided:

1. Bulk storage and/or transfer stations for materials, excluding types of a flammable or explosive nature
2. Carting, express, hauling, or storage yards
3. Freight terminals
4. Transportation facilities, including railroad rights-of-way, marshaling yards, maintenance, and fueling facilities
5. Warehousing

Where an industrial use exists prior to the area being zoned I-4, and listed as a permitted use herein, but does not plan to use the adjacent river as a mode of transportation for its operation, such use may be permitted to expand, subject to the approval by the planning commission, or its duly authorized representative, provided such expansion is made in a manner that is coordinated with the use of the zone for river oriented industries and is in accordance with other requirements of the I-4 Zone.

B. **ACCESSORY USES**

1. Customary accessory buildings and uses including operations required to maintain or support any permitted use in this zone on the same lot as the permitted use, such as maintenance shops, power plants, laboratories, offices, and machine shops
2. Fences and/or walls, as regulated by Article XIII of this ordinance
3. Signs, as regulated by Article XIV of this ordinance
4. Uses, as listed below, located and entered from within any permitted use in this zone as a convenience to the occupants thereof, and their customers, provided such accessory uses shall not exceed ten percent (10%) of the gross floor area of the permitted uses in the building and no exterior advertising displays shall be visible from outside the building:
 - a. Cafeterias
 - b. Coffee shops or refreshment stands
 - c. Soda or dairy bars

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

1. Bulk storage and/or transfer stations for materials that are of a flammable or explosive nature

D. **AREA AND HEIGHT REGULATIONS**

1. Minimum tract for industrial development - Twenty-five (25) acres, except where area restrictions are less, as identified in the adopted comprehensive plan; however, development of a smaller tract adjacent to an existing approved site may be permitted providing the proposed development conforms to and extends the original development as if the new site has been a part of the originally approved site plan layout
2. Minimum lot area within minimum tract - One (1) acre
3. Minimum lot width at building setback line - One hundred fifty (150) feet
4. Minimum front yard depth
 - a. When abutting an major arterial, as defined in the adopted comprehensive plan - Seventy-five (75) feet
 - b. 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 an major arterial, as defined in the adopted comprehensive plan - Seventy-five (75) feet
6. Minimum rear yard depth - In internal parts of the park - Fifty (50) feet. No rear yard is required where a rail spur forms the rear property line
7. Maximum building height - Forty (40) feet

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 lighting shall be permitted which would glare from this zone onto any street or into any adjacent residential zone.
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 requirement established for this zone.

4. A development plan, as regulated by Section 9.19 of this ordinance, shall be required for any use in this zone, including layout of the entire minimum tract for industrial development.
5. All development in areas defined as "flood prone" (either the floodway or floodplain) must be developed in accordance with the regulations set forth in Section 9.25 of this ordinance.

SECTION 10.26 I-5 (INDUSTRIAL-RIVER) ZONE

- A. **PERMITTED USES:** The intent of the I-5 Zone is to provide for industrial uses in Urban/Suburban Focus Areas which depend on the use of the adjacent river for access to barge traffic as part of a transportation mode of exchange and/or distribution. The following uses are permitted providing all uses are in compliance with both the performance standards as set forth in Article XI of this ordinance, and all appropriate local, state, and federal regulations, and that the use complies with the above stated intent of the I-5 Zone, except as herein provided:
1. The assembling, compounding, manufacturing, packaging, or processing of the following uses:
 - a. Acetylene, butane, and bottled gas, including bulk storage
 - b. Asphalt and asphalt products
 - c. Brewing and distilling of liquors
 - d. Brick, tile, or terra cotta
 - e. Cement, concrete, and concrete products
 - f. Chemicals, including ammonia, bleach, bluing, calcimine, chlorine, corrosive acid or alkali, dyes
 - g. Electrical and non-electrical machinery, equipment and supplies
 - h. Fertilizer, gypsum, lime, or plaster of paris
 - i. Instruments of professional, scientific, photographic, and optical use
 - j. Iron, steel, aluminum foundry or forge works, and heavy weight casting
 - k. Lampblack
 - l. Metal, metal finishing, and metal products, including the use of blast furnaces or drop forges
 - m. Paint, oil, shellac, turpentine, lacquer, varnish, gasoline
 - n. Paper, paperboard, pulp
 - o. Petroleum refining and products, including bulk storage
 - p. Plastic and plastic products
 - q. Products from the following previously prepared materials: bone, cellophane, cork, feathers, felt, fibers, fur, glass, hair, horn, leather, paper, precious or semi-precious metals, plastics, rubber, shell, steel, tin, tobacco, wood, wool, yarn
 - r. Rolling mills
 - s. Rubber and rubber products
 - t. Stone and monument works employing power driven tools
 - u. Sand and gravel, including storage
 2. Barge, shipping, and docking facilities
 3. Bulk storage stations and/or transfer stations for materials

4. Carting, express, hauling, or storage yards
5. Coal, coke, or wood yards
6. Contractors' offices and accessory storage yards, including storage of general construction equipment and vehicles
7. Crating services
8. Fire stations
9. Flour mills
10. Forge plants
11. Foundries
12. Freight terminals
13. Laboratories, offices, and other facilities for research, both basic and applied, conducted by, or for, an industrial organization or concern, whether public or private
14. Machine shops
15. Plating plants
16. Public utilities' rights-of-way and pertinent structures
17. Transportation facilities, including railroad rights-of-way, marshaling yards, maintenance, and fueling facilities
18. Trucking terminals, related to exchange or distribution with barge traffic
19. Warehousing or wholesaling
20. Industrial uses, listed as permitted in this zone, A.1.-A.19. above, that depend on the manufacturing, compounding, processing, packaging, assembling, or warehousing of materials or products by another industry located in the I-5 Zone which uses the adjacent river as a part of a mode of transportation.

Where an industrial use exists prior to the area being zoned I-5, and listed as a permitted use herein, but does not plan to use the adjacent river as a mode of transportation for its operation, such use may be permitted to expand, subject to the approval by the planning commission, or its duly authorized representative, provided such expansion is made in a manner that is coordinated with the use of the zone for river oriented industries and is in accordance with other requirements of the I-5 Zone.

B. ACCESSORY USES

1. Customary accessory buildings and uses including operations required to maintain or support any permitted use in this zone on the same lot as the permitted use, such as maintenance shops, power plants, laboratories, offices, and machine shops
2. Fences and/or walls, as regulated by Article XIII of this ordinance
3. Signs, as regulated by Article XIV of this ordinance
4. Uses, as listed below, located and entered from within any permitted use in this zone as a convenience to the occupants thereof, and their customers, provided such accessory uses shall not exceed ten percent

(10%) of the gross floor area of the permitted uses in the building and no exterior advertising displays shall be visible from outside the building:

- a. Cafeterias
- b. Coffee shops or refreshment stands
- c. Soda or dairy bars

C. AREA AND HEIGHT REGULATIONS

1. Minimum tract for industrial development - Twenty-five (25) acres, except where area restrictions are less, as identified in the adopted comprehensive plan; however, development of a smaller tract adjacent to an existing approved site may be permitted providing the proposed development conforms to and extends the original development as if the new site has been a part of the originally approved site plan layout
2. Minimum lot area within minimum tract - One (1) acre
3. Minimum lot width at building setback line - One hundred fifty (150) feet
4. Minimum front yard depth -
 - a. When abutting a major arterial (as defined in the adopted comprehensive plan) - Seventy-five (75) feet
 - b. 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 major arterial (as defined in the adopted comprehensive plan) - Seventy-five (75) feet
6. Minimum rear yard depth - In internal parts of the park - Fifty (50) feet. No rear yard is required where a rail spur forms the rear property line
7. Maximum building height - Forty (40) feet

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 lighting shall be permitted which would glare from this zone onto any street, or into any adjacent residential zone.
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 requirement established for this zone.

4. A development plan, as regulated by Section 9.19 of this ordinance, shall be required for any use in this zone, including layout of the entire minimum tract for industrial development.
5. All development in areas defined as "flood prone" (either the floodway or floodplain) must be developed in accordance with the regulations set forth in Section 9.25 of this ordinance.

SECTION 10.27 I-6 (RURAL INDUSTRIAL) ZONE

A. **PERMITTED USES:** The intent of the I-6 Zone is to provide for light industrial uses which do not require extensive urban services, in the Rural Focus Area. The following uses are permitted within the Rural Focus Area, provided that such uses are in compliance with all requirements of this ordinance, including performance standards as set forth in Article XV of this ordinance:

1. Automobile junk yards, including retail sale of salvaged parts, as provided for in Section 9.9 of this ordinance;
2. Bulk storage and/or transfer stations for materials, excluding types of a flammable or explosive nature
3. Cement manufacturing facilities
4. Contractors offices and storage of materials and equipment
5. Farm equipment, sales and service
6. Freight terminals
7. Highway maintenance garages
8. Lumber yards
9. Sawmills
10. Slaughter houses and packing houses
11. Stockyards
12. Towing and recovery facility, including hauling, sales, service, and storage
13. Transportation facilities, including railroad rights-of-way, marshaling yards, maintenance, and fueling facilities
14. Warehousing

B. **ACCESSORY USES**

1. Customary accessory buildings and uses including operations required to maintain or support any permitted use in this zone on the same lot as the permitted use, such as maintenance shops, power plants, laboratories, offices, and machine shops
2. Fences and/or walls, as regulated by Article XIII of this ordinance
3. Signs, as regulated by Article XIV of this ordinance
4. Uses, as listed below, located and entered from within any permitted use in this zone as a convenience to the occupants thereof, and their customers, provided such accessory uses shall not exceed ten percent (10%) of the gross floor area of the permitted uses in the building and no exterior advertising displays shall be visible from outside the building:
 - a. Cafeterias
 - b. Coffee shops or refreshment stands
 - c. Soda or dairy bars

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

1. Bulk storage and/or transfer stations for materials that are of a flammable or explosive nature

D. **AREA AND HEIGHT REGULATIONS**

1. Minimum tract for industrial development - Twenty-five (25) acres, except where area restrictions are less, as identified in the adopted comprehensive plan; however, development of a smaller tract adjacent to an existing approved site may be permitted providing the proposed development conforms to and extends the original development as if the new site has been a part of the originally approved site plan layout
2. Minimum lot area within minimum tract - One (1) acre
3. Minimum lot width at building setback line - One hundred fifty (150) feet
4. Minimum front yard depth
 - a. When abutting an major arterial, as defined in the adopted comprehensive plan - Seventy-five (75) feet
 - b. 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 an major arterial, as defined in the adopted comprehensive plan - Seventy-five (75) feet
6. Minimum rear yard depth - In internal parts of the park - Fifty (50) feet. No rear yard is required where a rail spur forms the rear property line
7. Maximum building height - Forty (40) feet

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 lighting shall be permitted which would glare from this zone onto any street or into any adjacent residential zone.
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 requirement established for this zone.

4. A development plan, as regulated by Section 9.19 of this ordinance, shall be required for any use in this zone.
5. All development in areas defined as "flood prone" (either the floodway or floodplain) must be developed in accordance with the regulations set forth in Section 9.25 of this ordinance.

SECTION 10.28 MLU (MIXED LAND USE) ZONE

- A. **PURPOSE:** The purpose of the Mixed Land Use (MLU) Zone is to provide for the combining of offices, hotels and motels, retail and service uses, and residential uses within a planned development. Such development is designed to provide for an internally oriented group of activities, which are functionally integrated relative to land uses, vehicular and pedestrian circulation, and the arrangement of structures. In addition, the intent of the zone is to promote flexibility in design and planned diversification in the relationships between location of 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, the existing landscape features and amenities, and to utilize such features in a harmonious fashion; provide for more usable and suitably located open space facilities 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. **GENERAL:** A Mixed Land Use Zone may be permitted 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 MLU Zone and its proper integration with the surrounding development are met; and a public hearing is held on the MLU application.
- C. **APPLICATION AND PROCESSING:** Applications for a Mixed Land Use Zone shall be processed as follows in two stages:
1. Stage I - Applications for a map amendment to zone an area for Mixed Land Use (MLU) shall be accompanied by a development plan, in accordance with the Stage I Plan Requirements, provided for within Section 9.20, A., of this ordinance. If an area, however, is currently zoned MLU, the submission of a Stage I Development Plan for review by the planning commission and the legislative body, shall not be required until the area is proposed to be developed.
 - a. The planning commission shall hold a public hearing on the proposed application (Stage I 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 stated purpose of the MLU Zone, the required elements of the Stage I 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 Stage I Plan and the bases for their recommendation.

- b. The legislative body shall, within ninety (90) days from the date of the planning commission's recommendation, review said recommendations and take action to approve, or disapprove said MLU 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 C., 1., a., above. Approval of the MLU 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 requirements for Stage II Development Plan and Record Plat.

Zoning Map Amendment - Upon approval of the MLU Zone, the official zoning map shall be amended by adding the area as identified in the application or as shown on the Stage I approved plan.

2. Stage II - Plan And Record Plat - A Stage II Development 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's duly authorized representative and the legislative body 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 to the subdivision regulations.
 - a. The planning commission's duly authorized representative shall review the submitted Stage II Development 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. Minor adjustments from the Stage I approved plan may be permitted, provided that the adjustments do not change land uses, increase overall density, significantly alter circulation

patterns (vehicular and pedestrian), or decrease the amount and/or usability of open space or recreation areas, or conflict with other applicable requirements of this ordinance (e.g., parking requirements). The planning commission's duly authorized representative, upon completion of its review of the proposed Stage II Development Plan, shall make one of the following recommendations to the legislative body: approval, approval with conditions, or disapproval. The planning commission's duly authorized representative, shall submit, along with their recommendations, a copy of the Stage II 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's duly authorized representative, review said recommendations and take action to approve or disapprove the Stage II Development Plan. Such action may incorporate any conditions imposed by the planning commission. However, should the legislative body take action to impose different conditions, then said conditions shall be resubmitted to the planning commission for further review and recommendation, in accordance with Subsection C., 2., a., above.

Upon approval of the Stage II Development Plan, by the legislative body, a copy of said plan shall be forwarded to: (1) 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; and (2) the planning commission.

- c. Upon approval of the Stage II Development Plan, the planning commission shall review the submitted record plat, if applicable, 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 approval of the Record Plat, by the planning commission, 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. **PERMITTED USES:** One or more of the following uses may be permitted. Said uses shall be clearly delineated on the Stage I and II Plans:

- 1. Convention center and related activities
- 2. Hotels and motels
- 3. Offices

4. Residential - including single-family attached and detached, two-family, and multi-family; residential development shall not occupy a cumulative total of more than twenty-five (25) percent of the surface area within the MLU. Residential uses which are located above nonresidential uses shall not be considered to be a part of this cumulative total
5. Restaurants, eating and drinking places, including entertainment facilities, excluding drive-ins
6. Retail and service uses, excluding drive-ins:
 - a. Apparel shop, clothing store, and tailor shop
 - b. Art and art supplies
 - c. Bakery and bakery goods store, provided the products are sold exclusively on the premises
 - d. Banks and other financial institutions, including savings, loan, and finance companies
 - e. Book, stationery, or gift shop
 - f. Camera and photographic supplies
 - g. Candy store, soda fountain, ice cream store, excluding drive-ins
 - h. Delicatessen
 - i. Drug store
 - j. Dry cleaning and laundry pick-up station
 - k. Florist shop
 - l. Food store and supermarket
 - m. Furniture store
 - n. Garden supplies
 - o. Glass, china, or pottery store
 - p. Hardware store
 - q. Hobby shop
 - r. Household and electrical appliances, radio and television store, including repair
 - s. Interior decorating studio, paint and wallpaper store
 - t. Jewelry store, including repair
 - u. Leather goods and luggage store
 - v. Music, musical instruments, and records, tapes, compact discs, and the like, including incidental repair
 - w. Opticians, optometrists, and optical goods
 - x. Package liquor and wine store
 - y. Shoe store, with incidental repair
 - z. Sporting goods
 - aa. Toy store
 - bb. Retail sales and service businesses not listed above, but which are determined by the zoning administrator to be of a similar use or activity in relation to the above permitted uses

E. ACCESSORY USES:

1. Customary accessory buildings and uses
2. Retail and service uses, as listed below, may be included as part of the development, provided said uses are entered from within any of the permitted uses listed above or are developed as an integral part of the proposed development. Said uses shall be internally oriented to the development and shall serve as a convenience to any of the occupants thereof, their patients, as a convenience to the client or customers, and further provided that no exterior advertising signs shall be visible from outside the area of the approved development:
 - a. Barber and beauty shops
 - b. Health spas
 - c. Studios for professional work or teaching of any form of fine arts, photography, music, drama, or dance

F. PUBLIC AND SEMI-PUBLIC USES: Public and semi-public structures and uses may be permitted in the MLU Zone. These uses shall be delineated on the plan and shall be limited to one or more of the following uses:

1. Churches
2. Community centers, including day care facilities
3. Country clubs
4. Fire and police stations
5. Governmental offices, including post office branch
6. Libraries
7. Open space/recreation areas
8. Schools (nursery, elementary, and secondary)

G. AREA REQUIREMENTS:

1. No MLU 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 MLU, provided it is adjacent to an area within an existing approved Stage I Development Plan and is currently zoned MLU.
2. The minimum area for submission of a Stage I Development Plan, within an existing MLU Zone, shall be not less than five (5) acres except where the proposed Development Plan is limited to the expansion of uses already existing in the former zone prior to the change from that zone to the MLU Zone, in which case the minimum area for a Stage I Development Plan shall be not less than one (1) acre.

- H. ACCESS REGULATIONS: Access shall be provided to the site via a major arterial or collector street, as identified within the locally adopted comprehensive plan.
- I. HEIGHT, YARD, AND SETBACK REGULATIONS: Requirements shall be as approved in the plan.
- J. 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.
- K. FENCES, WALLS, AND SIGNS: The location, height, and type of all fences, walls, and signs shall generally be in accordance with Articles XIII and XIV of this ordinance and as approved in the plan.
- L. EROSION AND SEDIMENTATION CONTROL: Effective erosion and sedimentation controls shall be planned and applied in accordance with Section 9.7 of this ordinance.
- M. RECREATION AND OPEN SPACE: At least twenty (20) percent of the total acreage of the proposed MLU development shall be retained as open space or recreation areas. Such open space/recreation areas shall be physically situated so as to be readily accessible, available to, and usable by all activities within the MLU development. Open space and recreation areas shall be that part of the total project exclusive of buildings, parking areas, access drives and streets. At such time as the Stage II Development Plan for a particular development is submitted to the planning commission, or its duly authorized representative, notwithstanding Subsection C., 2., a., open space requirements of less than twenty (20) percent may be considered for the development if unique topographic conditions exist, unique treatment of parking areas is provided for, and unique conditions and circumstances exist on or are adjacent to the site.
- N. 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 MLU 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 (e.g., 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 Stage I 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 street 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.
- O. **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 Subsection C., of this section.
- P. **EXPIRATION:** Development plans within the MLU Zone shall be subject to the time constraints, as noted below. Upon expiration of said time constraints, 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 the appropriateness of the approved development plan. A public hearing may be initiated if either of the following condition 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, except as agreed upon for the phasing of development 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 10.29 A-2 (AGRICULTURAL-TWO) ZONE**A. PERMITTED USES:**

1. Agricultural uses;
2. Conservation subdivision subject to the requirements of Section 9.34 of this ordinance;
3. Single-family residential dwellings (detached);
4. Mobile homes, subject to the requirements of Section 9.26 of this ordinance;
5. Roadside stands for the sale of products that are raised, produced, and processed on the premises, provided that no roadside stands of any type for the sale or display of agricultural products shall be permitted within fifty (50) feet from any road or highway;
6. Greenhouses and nurseries, including both wholesale and retail sales of products grown on the premises;
7. Stables and riding academies;
8. Bed and breakfast establishments;
9. Qualified manufactured homes, subject to the compatibility standards established in Section 9.32 of this ordinance.
10. Owner-Occupied Short-Term Rentals, subject to additional development controls in Section 10.29, F., 6.

B. ACCESSORY USES:

1. Customary accessory buildings and uses;
2. Fences and walls, as regulated by Article XIII;
3. Home occupations, subject to the restrictions and limitations established in Section 9.11 of this ordinance;
4. Signs, as regulated by Article XIV.
5. Farmers Markets, subject to the following restrictions:
 - a. An accessory use permit is completed and recorded on file at the office of the NKAPC.
 - b. At least 75% of the products sold are Farm Products or Value-Added Farm products as defined in Article 7, which have been produced, processed, or grown within the boundaries of the Commonwealth of Kentucky.
 - c. At least 75% of the vendors regularly participating during the market's hours of operation are Producers, as defined in Article 7, or family members or employees of Producers.
 - d. All Farmers' Markets and their vendors shall comply with all applicable federal, state, and local laws and regulations pertaining to the operation, use, and enjoyment of the market premises.
 - e. Minimum Lot Size: Three (3) Acres

- f. Minimum Front, Side (on each side of lot), and Rear Yard Setback: Fifty (50) Feet
 - g. Minimum Setback from nearest residence: Two-Hundred (200) Feet
 - h. Parking: No parking shall be allowed in or on any right-of-way or within any site triangle as defined in Section 9.17.,G.,2.
 - i. Site Distance for Access Points shall be regulated in Section 11.3.,E.
 - j. Location of Access points shall be as regulated in Section 11.3.,F.
 - k. Signage shall be allowed subject to the following restrictions:
 - 1. Maximum Signage Area: 32 square feet
 - 2. Maximum Sign Height: 12 feet
 - 3. No sign shall be located within any site triangle as defined in Section 9.17.,G.,2.
 - 4. No sign shall interfere with any vehicular traffic movement nor shall any sign affect the general health, safety, or welfare of the public within or moving through the surrounding areas.
 - 5. Illuminated signage shall be prohibited
6. Agri-Tourism, subject to the following restrictions:
- a. An accessory use permit is completed and recorded on file at the office of PDS.
 - b. Parking: No parking shall be allowed in or on any right-of-way or within any site triangle as defined in Section 9.17.,G.,2.
 - c. Site Distance for Access Points shall be regulated in Section 11.3.,E.
 - d. Location of Access points shall be as regulated in Section 11.3.,F.
 - e. Signage shall be allowed subject to the following restrictions:
 - 1. Maximum Signage Area: 32 square feet
 - 2. Maximum Sign Height: 12 feet
 - 3. No sign shall be located within any site triangle as defined in Section 9.17.,G.,2.
 - 4. No sign shall interfere with any vehicular traffic movement nor shall any sign affect the general health, safety, or welfare of the public within or moving through the surrounding areas.
 - 5. Illuminated signage shall be prohibited

- C. **CONDITIONAL USES:** The following uses or any customary accessory buildings and uses, subject to the approval by the board of adjustments 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. Nursery schools;
 5. Police and fire stations, provided they are located adjacent to an arterial or collector street;
 6. Public and parochial schools;
 7. Veterinarians' offices for large and small animals, including outside runs;
 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. Swimming pools;
 - d. Tennis courts/clubs;
 - e. Fishing lakes;
 - f. Gun clubs and ranges;
 10. Sanitary landfills, as regulated by Section 9.27 of this ordinance;
 11. Funeral homes, providing they are located adjacent to an arterial street.
 12. Non-Owner Occupied Short Term Rentals, subject to additional development controls in Section 10.29, F., 6.
- D. **AREA AND HEIGHT REGULATIONS FOR PERMITTED USES:** Except as provided for in Section 9.33, no buildings shall be erected or structurally altered hereafter, except in accordance with the following regulations:
1. Minimum lot area - one acre;
 2. Minimum lot width at building setback line - 100 feet;
 3. Minimum front yard depth - 40 feet;
 4. Minimum side yard width - total: 38 feet; one side: 12 feet;
 5. Minimum rear yard depth - 25 feet;
 6. Maximum building height - 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 - 22,500 square feet;
2. Minimum lot width at building setback line - 150 feet;
3. Minimum front, side (on each side of lot), and rear yards - 50 feet;
4. Maximum building height - 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 spill from this zone onto any street, 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 requirement established for this zone.
5. The following shall apply to bed and breakfast establishments:
 - a. The owner shall live in the dwelling unit and operate the bed and breakfast establishment;
 - b. Food service may be provided for resident guests only;
 - c. No exterior alterations and/or additions shall be permitted for the purpose of increasing the number of guest rooms;
 - d. Interior alterations should maintain the unique characteristics of the structure, if possible;
 - e. One parking space per guest room and two parking spaces for the owner shall be provided on site; parking shall be limited to the side and rear yards, screened from adjacent properties with a six (6) foot high masonry or wood fence, or dense vegetation;
 - f. A site plan, as regulated by Section 9.19 of this ordinance.
6. The following shall apply to owner-occupied and non-owner occupied short-term rentals:
 - a. PURPOSE: The purpose of the short-term rental regulations is to provide regulations and guidance for short-term rental usage in unincorporated Kenton County. Short-term rentals are intended to be temporary lodging which allows property owners to leverage the agricultural community and natural resources of the area, maintain rural character and encourage Agri-tourism and tourism.
 - b. Must obtain any required building permit, zoning permit, and occupational license.
 - c. Site Distance for Access Points shall be regulated by Article XI.
 - d. The maximum length of each stay shall be 29 days.

- e. No lease shall be rented less than 1 night's stay.
- f. There shall be no external evidence of a short-term rental. The street address must clearly be visible from the right-of-way.
- g. Short-term rentals shall not adversely affect the character of the neighborhood nor shall the use generate noise, vibration, glare, odors, or other effects that unreasonably interfere with any person's enjoyment of his or her property.
- h. Short-term rentals are permitted in the primary structure and/or one accessory structure. Owner Occupied Short-term rentals shall be clearly incidental and commonly associated with the operation of the primary residential household living use.
- i. Short-Term rentals shall not be located in mobile homes, recreational vehicles, travel trailers, tents, campgrounds, sheds, garages, or barns or any other structure typically not used as a residence.
- j. Short-term rentals must provide one (1) parking space for each sleeping room or suite and one (1) for the caretaker of the property.

SECTION 10.30 ECP (ECO COMMERCE PARK) ZONE

- A. **PURPOSE:** The purpose of the Eco Commerce Park (ECP) Zone is to allow for a variety of light industrial uses such as manufacturing, warehousing, professional office, and research within a planned, coordinated development. The zone is appropriate in areas with environmentally sensitive features where development is appropriate if built in harmony with the character of the natural surrounding environment.
- B. **APPLICATION AND PROCESSING:** Applications for development within an Eco Commerce Park (ECP) Zone shall be processed as follows:

Pre-application meeting: Prior to filing for development plan review, the developer, petitioner, applicant or property owner shall attend a pre-application meeting with staff to discuss the development review process, the Eco Commerce Park Zone requirements, and the legislative body's zoning ordinance requirements.

The following information will be identified for traffic studies at the pre-application meeting: study area, site trip generation, site trip distribution, build-out study year, future highway projects within the study area, and other concurrent development occurring within the study area.

No person may rely upon any comment concerning a proposed development plan, or any expression of any nature about the proposal made by any participant at the pre-application conference as a representation or implication that the proposal will be ultimately approved or rejected in any form. This meeting is intended to review the development plan and identify any issues in applying the regulations of the Eco Commerce Park.

Zoning Map Amendment: All map amendment requests shall follow the provisions set forth in Section 17.0 of this ordinance.

Stage II Development Plan Review: A Stage II Development Plan for the area proposed to be developed, shall be submitted for review in accordance with all sections of this ordinance to the planning commission, or its duly authorized representative.

Public Comment Period: After the submission of the Stage II Development Plan:

1. The applicant shall notify all property owners who own property adjacent to the site where development is proposed at least seven days prior to the public comment period.

2. A minimum of five business days shall be set aside for public comment period.

The planning commission, or its duly authorized representative, shall review the submitted Stage II Development Plan with regard to its compliance with the required elements of this ordinance and its conformity with the items discussed at the pre-application meeting.

1. Following review of the submitted Stage II Development Plan, the planning commission, or its duly authorized representative, shall make one of the following recommendations: approval, approval with conditions, or disapproval.
2. Upon approval of the Stage II Development Plan by the planning commission, or its duly authorized representative, the zoning administrator shall grant permits only in accordance with the approved Stage II Development Plan, and other regulations as may be required by this ordinance.

C. PERMITTED USES:

1. Agriculture uses
2. Manufacturing
3. Warehousing excluding self-storage.
4. Police and fire stations
5. Research laboratories, offices, and other facilities for research.

D. PROHIBITED USES:

1. Sanitary landfills, garbage and refuse dumps
2. Slaughterhouses, rendering plants, fat rendering, livestock feed yard, livestock sales yard, commercial riding academy, stockyards, soap manufacturing, glue manufacturing, tannery, paper
3. Manufacture, processing or bulk storage of feed, fertilizer, grain or soil conditioners
4. The manufacturing, wood scouring and cleaning, cotton textile sizing, scouring, bleaching, dyeing and similar uses, varnish manufacturing, creosote and creosote products manufacturing
5. Disposal of offal or dead animals
6. The production of corrosive and noxious chemicals including, but not limited to, acids, acetylene gas, ammonia, chlorine, and bleaching compounds
7. Foundries for the casting of aluminum
8. The production, processing and bulk storage of coal and coal tar, the processing of petroleum and petroleum products, and petroleum refining

9. Manufacture, milling, mixing, processing, or bulk storage of asphalt, brick, cement, gravel, lumber, rock, sand and similar construction materials
10. Blast furnaces & drop forges
11. Distillation or manufacture of bones, wood, tar or their products
12. Fat, grease, lard or tallow manufacturing or processing
13. All mining activities
14. Manufacture, processing, repair, compounding, packaging, assembly, or treatment plants and facilities for explosives related to equipment, materials or products.

E. ACCESSORY USES:

1. Customary accessory structures and uses, including operations required to maintain or support any permitted use in this zone on the same lot as the permitted use.
2. Food and beverage service operations entered from within any permitted use in this zone as a convenience to the occupants thereof, and their customers, provided such accessory uses shall not exceed ten percent of the gross floor area of the permitted uses in the building. No exterior advertising displays shall be visible from outside the building.
3. Tank farms, with a maximum height of 60 feet are permitted provided they are located such that the principal structure is located between the tank farm and the residential zone. These uses shall be screened using earth berms or landscaping.
4. Fences and/or walls, as regulated by Article XIII of this ordinance.
5. Signs, as regulated by Article XIV of this ordinance.

F. AREA AND HEIGHT REGULATIONS:

1. Minimum Tract for Development - 25 acres; however, development of a smaller tract adjacent to an existing approved site may be permitted providing the proposed development conforms to and extends the original development as if the new site had been a part of the originally approved site plan layout.
2. Minimum Lot Area Within Minimum Tract – five acres.
3. Minimum Lot Width at Building Setback Line - 150 feet.
4. Maximum Building Height – 40 feet.

5. Maximum Impervious Surface Ratio - 70 percent.
6. In the case of this zone, more than one principal structure, as herein defined, may be permitted on one lot.

Pervious pavement and green roofs do not count towards the maximum impervious surface ratio.

G. SETBACK REGULATIONS:

When adjacent to a residential zone, the minimum required setback shall be 100 feet and in all other cases the minimum required setback shall be 50 feet. If these provisions conflict with other requirements of this ordinance, the more restrictive provision will apply.

H. EROSION AND SEDIMENTATION CONTROL: Effective erosion and sedimentation controls shall be planned and applied in accordance with Section 9.7 of this ordinance.

I. PERFORMANCE STANDARDS FOR BUILDING DESIGN:

1. Variations in building façade using elements such as color, building materials or offset variations in roofline shall be used. No metal buildings shall be permitted except expansion walls.
2. All sides of a building that are visible from the public access areas of neighboring properties or the public right of way shall include a combination of architectural design elements.
3. Within developments of multiple buildings, building heights shall be varied to avoid the appearance of an elongated building mass.
4. Color shades shall be used to facilitate blending into the neighborhood and unifying the development. The color shades of building materials may be drawn from the range of color shades found in earth tones or developments in the immediate area.
5. Mechanical equipment if located on the building roof shall be screened by using elements of the building's roof.

J. TRAFFIC STUDY:

These regulations shall apply to all new developments occurring in the ECP (Eco Commerce Park) Zone.

1. **PURPOSE:** It is the intent of this section to set forth the regulations regarding the completion of traffic studies within the limits of the ECP Zone. A traffic study shall be completed for any new development located within the ECP Zone. The purpose of these regulations is to:
 - a. Ensure that the existing transportation infrastructure is adequate for the proposed development.
 - b. Mitigate any negative traffic impacts to the surrounding transportation network caused by the development.
 - c. Ensure safe and adequate access points to the development.
 - d. Provide a consistent set of requirements and thresholds which can be applied to all developments within the limits of the ECP Zone.
2. **GOALS:** The goals of the traffic study shall be:
 - a. Intersections adjacent to the proposed development shall be improved whenever that development will diminish their levels of service based on the following thresholds: minimum Level of Service C when located on an arterial roadway; minimum Level of Service D when located on a collector or local street.
 - b. Intersections within the study area not adjacent to the proposed development shall be evaluated with regard to the need for improvements such as turn lanes, signal modifications, access frontage roads, and site distance clearing to maintain service levels specified above.
3. **THRESHOLDS:** Only one of the following study types will be required based on the following conditions:
 - a. **Traffic Assessment Report:** A traffic assessment report will be required for any development generating less than 60 vehicle trips per hour (vph) during the peak hour of the roadway network.
 - b. **Traffic Impact Analysis Report:** A traffic impact analysis report will be required for any development generating 60 or more vehicle trips per hour during the peak hour of the roadway network.

All trip generation data shall be based on the latest edition of the *Trip Generation Manual* published by the Institute of Transportation Engineers.
4. **RESPONSIBILITY:** The applicable traffic study is the responsibility of the developer/applicant. The report shall be completed under the direct supervision of a professional engineer licensed within the Commonwealth of Kentucky. Each report shall contain the professional engineer's stamp, along with their signature and date.

5. REQUIREMENTS: Study requirements for each type of traffic study required is based on the threshold requirements set forth in this ordinance.
 - a. Traffic Assessment Report Requirements: The contents of a traffic assessment report shall be presented in the form of a letter. The letter shall be a brief and concise presentation of the following information: introduction, existing traffic conditions, build-out traffic conditions (without site traffic), trip generation data, and build-out traffic conditions (with site traffic). An appendix to the report shall be provided that includes all site maps, figures and computer analyses.
 - b. Traffic Impact Analysis Report Requirements: The contents of a traffic impact analysis report shall be presented in report form including the following sections:
 - (1) Executive Summary: summarizes study findings
 - (2) Introduction: provides all background information pertinent to study.
 - (3) Existing Traffic Conditions: provides all information and figures relevant to existing traffic condition analysis.
 - (4) Build-out Traffic Conditions (without site traffic): provides all information and figures relevant to build-out traffic conditions, not including proposed development traffic.
 - (5) Trip Generation: provides all information relevant to the trip generation data used in the analyses.
 - (6) Build-out Traffic Conditions (with site traffic): provides all information and figures relevant to build-out traffic conditions, including proposed development traffic.
 - (7) Signal Warrants Analysis (applicable only if a traffic signal is proposed as part of the development): provides all information relevant to the signal warrant analysis process as outlined in the latest edition of the *Manual of Uniform Traffic Control Devices*.
 - (8) Appendix: include all computer analyses conducted as part of the report.

K. LIGHTING:

1. Plan requirements
 - a. A lighting plan shall be submitted for review that includes details of, but not limited to, the number and location of all fixtures, height of poles, and intensity, lighting patterns and details of lighting fixtures.

2. Outdoor off-street lighting shall meet the following standards:

Maximum permitted illumination at the Property (See Note a.)	Maintained Average Illumination at the site (See Note b.)	Maximum permitted height of Luminaire (See Note c.)
0.5 FC (0.2 when adjoining residential uses and districts and all roadways)	2.0 FC	20 feet

Notes:

- a. The maximum permitted illumination is calculated in foot candles (FC) at the property line at ground level. Lighting levels must be measured in foot candles with a direct reading, portable light meter.
- b. The maintained average illumination is calculated in foot candles on the pavement area of the site. In no case shall the level of illumination be less than 0.2 foot candles in parking and pedestrian areas.
- c. All luminaries utilized shall be full cut-off type fixtures.

L. OTHER DEVELOPMENT CONTROLS:

1. Development shall be consistent with all conceptual development plans/studies adopted/approved by the legislative body.
2. Off - street parking and loading and/or unloading areas shall be provided in accordance with Articles XI and XII of this ordinance.
3. No outdoor storage of any materials, supplies, or products shall be permitted in this zone.
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 requirement established for this zone.
5. All business activities permitted within this zone shall be conducted within a completely enclosed building.
6. No outdoor storage of any waste materials shall be permitted in this zone, except within enclosed containers. Such area shall be screened from view.

- M. NATURAL RESOURCE PROTECTION: hillside, viewshed and riparian protection shall be planned and applied in accordance with Section 9.34 of this ordinance.
- N. CRITERIA: Evaluation of the proposed Eco Commerce Park (ECP) Zone and/or development plan shall be based upon the following criteria:
1. Design
 - a. Agreement with the various elements of the most recent Area-Wide Comprehensive Plan and where applicable, any plan officially adopted by the legislative body for the subject area.
 - b. Extent to which the proposed development plan is consistent with the purpose of the Eco Commerce Park (ECP) Zone.
 - c. 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 (e.g., topography, natural features, streets, relationship of adjacent uses, etc.).
 - d. Extent to which the design of the proposed development responds to the natural and man-made features of the site.
 - e. Building locations planned to accomplish a desirable transition with open spaces, pedestrian areas, and off-street parking areas.
 - f. Building and site designs that are visually appealing.
 - g. Structure heights that are compatible with those of existing structures adjacent to the site.
 2. Circulation
 - a. Amount of traffic that would be generated by the proposed development and the ability of the existing street system to adequately handle it. Where deficiencies exist, proposed traffic improvements that would correct such deficiencies may be considered.
 - b. 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.
 - c. Extent to which the circulation system follows the natural terrain of the site.
 - d. Extent to which the circulation system provides for the continuation of existing streets and provides for the connection of proposed streets to adjoining properties.
 - e. Extent to which the separation of pedestrian and vehicular circulation systems is achieved.

- f. Extent to which pedestrian street crossings provide for safe crossings at locations with good sight distance or at a grade-separated crossing.
- 3. Landscaping
 - a. Existing trees, streams, natural features, and scenic views should be preserved and maintained where feasible and practicable.
 - b. Extent to which an overall landscaping plan is developed and achieved to compliment the overall project.
 - c. Landscaping should be an integral part in the design of off-street parking areas to soften the impact of hard-surfaced areas on adjacent sites.
- 4. Utilities
 - a. Extent to which all necessary public utilities and facilities are available to service the proposed development. These include 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.
- 5. Signage
 - a. Extent to which signage is designed to protect and enhance the visual amenities of the site.
 - b. Extent to which signage developed for the entire development forms an integral part of the total design of the site.
 - c. Extent to which signs compliment scale and proportion to the site and buildings.
 - d. Extent to which signs define and enhance the architectural elements of a building or site.
 - e. Extent to which signage is consolidated and coordinated with the overall site design.
- O. AMENDMENTS: Any amendments to plans shall be made in accordance with the procedure required by Subsection B.
- P. EXPIRATION: A Stage II Development Plan within the Eco Commerce Park (ECP) Zone shall be determined void if substantial construction has not been initiated within a period of 12 consecutive months from the date of its approval. The planning commission's duly-authorized representative may provide a one-time extension to this requirement for a period not to exceed 12 months 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 Stage II Development Plan obsolete. Substantial construction shall be deemed to mean the construction of roads.

- Q. UTILITIES: All utilities must be underground when any new development occurs.