

SECTION 10.31 TOWN CENTER FORM DISTRICT (TCFD) ZONE

A. **PURPOSE:** The purpose of the Town Center Form District is to represent a high quality commercial development area that is aesthetically pleasing, visually unified and has a balanced functionality between pedestrian and vehicular uses. The vision for this area is one with buildings scaled and massed appropriately together and set closer to the street and to each other, inviting pedestrians to walk from place to place, with mixed uses that will serve a multitude of purposes for both the resident and visitor, and always with the intention of furthering the public health, safety, and general welfare. The provisions of this section are intended to ensure that new development within the designated Town Center Form District is consistent with the desired pattern and characteristics of the district, promoting the following as applicable:

1. Safe access and that will facilitate traffic movement on Madison Pike;
2. A circulation system that balances multi-modal uses;
3. A mixture of moderately intense uses including civic, shopping, restaurants, offices and residences;
4. An aesthetically pleasing appearance of building mass, placement and materials, lighting, landscaping, and vehicular areas;
5. Coordinated development between adjacent properties including shared parking, vehicular and pedestrian movement and appearance;
6. Development in areas containing steep slopes and floodplains need to be designed so as to minimize erosion, landslides and/or flood damage. Any grading or disturbance in such areas shall be mitigated and restored.

B. **APPLICATION AND PROCESSING**

1. **Administration** - The Town Center Form District development approval process is intended to provide an incentive to property owners and developers who are willing to develop in a particular form. Development within the "Town Center Form District" is development "by-right" which entails only an administrative review carried out by PDS and the City of Fort Wright.

Wherever there appears to be a conflict between the Town Center Form District regulations and other sections of the Fort Wright Zoning Ordinance, the Town Center Form District regulations shall apply. For development standards not covered by these Codes, all other sections of the Fort Wright Zoning Ordinance shall apply.

This section sets forth provisions for reviewing and approving development applications within the Town Center Form District. The intent is to ensure that all development occurring under the provisions of the Town Center Form District regulations is consistent with the provisions of

these regulations as they pertain to height, siting, architectural standards, and building form. All elements of the Town Center Form District, including Definitions, Building Envelope Standards, Streetscape Standards and Architectural Standards, will be applied as part of the development review process. PDS staff and Fort Wright Chief Administrative Official are charged with review of all Town Center Form District applications.

2. Items for Discretionary Review – Table 1 identifies a list of discretionary items that shall be reviewed and validated by the City of Fort Wright's Chief Administrative Official prior to the pre-application conference, per Section 10.31, B., 3 of the Fort Wright Zoning Ordinance.
3. Pre-application conference - Prior to filing for development plan review, the developer, petitioner, applicant or property owner shall attend a pre-application conference with PDS staff [and the City's Chief Administrative Official] to discuss the development review process, be informed of the Town Center Form District, the Fort Wright Zoning Ordinance requirements, and to confer about the application. 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 flag any issues in applying the regulations of the Town Center Form District regulations.
4. Stage II Development Plan Review - Projects may be built as a matter of right when they meet all of the standards of the Town Center Form District regulations. Incomplete applications will not be accepted for review. Following the formal submission of a Stage II Development Plan, the KCPC's duly authorized representative/PDS Staff shall prepare a recommendation of approval, approval with conditions, or disapproval. This recommendation shall be forwarded to the city's Chief Administrative Official, Mayor, or his/her designee. Final review and approval by the City shall take place within 30 days from receipt of PDS staff recommendation.

Table 1: Items for Discretionary Review

Section #	Section Heading	Discretionary item	City Action
1	10.31, H. 4. c. (1)	Hillside Protection	Within the allowable disturbance area, finished cut and fill slopes shall be constructed to a maximum 3:1 (33.3%) slope or flatter (unless retaining walls are used) or otherwise approved by the city based on results of a geotechnical investigation.
2	10.31, I. 1. b.	Riparian Protection, Open Space and Outdoor Amenities	If the applicant can demonstrate that the floodway boundaries in their location are inaccurate, boundary revisions may be made, in agreement with the city.
3	10.31, I. 3. e. (3)	Riparian Protection, Open Space and Outdoor Amenities	When an area is to be preserved as public open space, determination must be made by the city if the space is accessible by and a benefit to the general public. Prior to the recording of a plat or the issuance of a grading/zoning/building permit, whichever occurs first, the developer shall permanently dedicate the open space to public use in a manner acceptable to the recipient entity and submit documentation that the property will be accepted by the city or other responsible entity as approved by the city.
4	10.31, J. 6. a.	Transportation Standards	All left-turn ingress and egress, except at signalized intersections existing at the time of the adoption of these regulation and identified in the Madison Pike Corridor Land Use and Economic Development Study, shall be considered a temporary right-of-way and may be terminated, reduced, limited to certain turning movements, or caused to be relocated by the City at such time as the particular use(s) served by the access point changes and/or the property is otherwise provided an alternate means of access. All such temporary access points shall be noted on the plan by being clearly labeled "temporary access only" and included in the submission of the record plat.
5	10.31, J. 6. b.	Transportation Standards	Design of the non-traversable median, roundabouts or other continuous flow facility shall identify locations of left-turn in only movements, subject to approval of the city and Kentucky Transportation Cabinet.
6	10.31, J. 6. e.	Transportation Standards	Spacing of access points along the cross access drive or frontage road shall be a minimum of 100 feet or otherwise approved by the city.
7	10.31, J. 6. h.	Transportation Standards	When property proposed to be developed abuts KY 17, the non-mountable median and landscaping must be implemented by the property owner in coordination with the city. Construction shall be in conformance with all City and KYTC requirements. Subject to city approval, funds may be escrowed with the city to allow for a coordinated design, planning and implementation process for these improvements.

Section #	Section Heading	Discretionary item	City Action
8	10.31, K. 2. b Parking, Loading and Unloading	All parking spaces may be located off site but must be connected by pedestrian access (see pedestrian connection requirements) and must be located within 500 feet of the building. All parties shall execute a properly drawn legal instrument/agreement providing for the use of the off-site parking spaces. This instrument shall be drawn to the satisfaction of the city and shall be executed by all parties concerned assuring the availability of the number of spaces designated for off-site and shall be recorded in the City Clerk's Office.	
9	10.31, L., 1., c. Streetscape Standards	Streetscape elements such as brick pavers, benches, waste bins, planters, and window boxes are encouraged and should be coordinated with the city to ensure compatibility (see Figure 17).	
10	10.31, P. 1. b. Colors	Colors chosen for the building exteriors shall be taken from an earth tone color palette or substitute as acceptable by the city. Colors may allow for national identity, with approval from the city.	
11	10.31, P. 2. a. Colors	Natural colors or substitute as acceptable by the city.	
12	10.31, P. 3. a. Colors	For windows, soffits, cornices, moldings, etc.: whites or dark saturated cool colors (greens, blues), bronze or substitute as acceptable by the city. Aluminum windows, screen frames, etc. shall be bronze anodized.	
13	10.31, P. 3. c. Colors	Entry doors are permitted a greater color latitude, subject to approval by the city.	
14	10.31, R. 4. a. Lighting Standards	The limits of minimum illumination in the parking areas shall in no case be less than 0.2-foot candles, unless otherwise required by the city where pedestrian security and site entrance issues arise.	
15	10.31, R. 6. b. Lighting Standards	No illumination for the purposes of sports activity shall be permitted after 11:00 p.m. unless already in progress prior to 9:00 p.m. or otherwise approved by the city.	

5. Compliance with the Code - Compliance with the Town Center Form District Code standards shall be evaluated based on the intent of the Code, how well the development conforms to the regulations and whether it is consistent with the city's goals and plans to revitalize the Town Center Form District as detailed in the Madison Pike Corridor Land Use and Economic Development Study. Minor modifications shall be reviewed and discussed at the pre-application conference and shall be based on problems related to topography, or street grade, the location of streets, breaks and passages between buildings, signs, streetscape details, design issues related to the inclusion of existing buildings or mature trees as part of a development proposal.
6. Exceptions - Lots having less area than the five (5) acres required for development under the Town Center Form District and legally created prior to the adoption of these regulations may be occupied by one (1) single family dwelling unit.
7. Substantial Additions to Existing Developed Sites - The Town Center Form District regulations shall be applied when substantial additions to existing buildings are made. Substantial building additions are defined per the criteria established in the table below. Developments that do not fall under this criteria must meet the minimum setback requirements as contained within Subsection G.1 (b) and (c). Developments that do meet these criteria must comply with the requirements listed in Table 2.

Where Existing Structure Is	Substantial Increase An Addition Of
0 – 1,000 sq. ft.	101% or greater
1,001 – 10,000 sq. ft.	40% or greater
10,001 – 25,000 sq. ft.	30% or greater
25,001 – 50,000 sq. ft.	20% or greater
50,001 sq. ft. and above	10% or greater

8. Permit Process - Zoning and Building Permits will not be issued for building activity until the Stage II Development Plan review process is completed and a determination is made by the City or its duly authorized representative, that the proposal is consistent with the Town Center Form District regulations, per the approved plan.

TABLE 2
Development Review Criteria

Applicable Design Standards	Development Review Criteria				Comments
	Construction or expansion of a single family residential dwelling	Substantial addition or redesign of existing developed sites (as per Table in <i>Administration</i> section)	Construction of 10 or more off-street parking spaces, or reconfiguration or redesign of existing paved area	Accessory structure - new or expansion of existing	
Building Envelope	X				Where the addition fronts onto a public street/ROW
Hillside Protection					
Riparian Protection					
Streetscape	X		X		Where the addition fronts onto a public street/ROW
Outdoor Amenities					
Recreation and Open Space					
Parking and Loading		X	X		Where the addition fronts onto a public street/ROW
Transportation		X	X		Where the addition fronts onto a public street/ROW
Architectural		X			Where the addition fronts onto a public street/ROW
Street Wall			X		Where the addition fronts onto a public street/ROW
Retaining Wall					
Colors	X			X	Where the addition fronts onto a public street/ROW
Accessory Structures		X		X	Section Q.2 (b) does not apply
Signage		X			

9. Pre-Certificate of Occupancy Meeting - At least thirty (30) days prior to expected occupancy, the applicant shall notify PDS staff and arrange for a pre-Certificate of Occupancy meeting. The purpose of this meeting is to review and address outstanding items as per the approved development plan, as well as discuss the terms and conditions for securing performance bonds for any public improvements as part of the development.

C. PERMITTED USES:

1. Banks, Savings and Loans, and Credit Unions
2. Barber and Beauty Shops, Shoe Repair, Nail Shops, Tailor Shop, Florist, Locksmith, Optician, Engraving, Self-Service Laundry
3. Billiards and Pool Halls
4. Clinics - Medical or Dental
5. Day Care Center
6. Dry Cleaning and Laundry Pick-up Station
7. Eating and Drinking Establishments, sit-down only (may include outdoor dining and/or live entertainment)
8. Educational Institutions
9. Funeral Homes
10. Hardware and Garden Supply Stores (no outdoor storage of products, materials, supplies or equipment)
11. Home Occupations as per Article 9.11
12. Libraries, Museums and Art Galleries, excluding Tattoo Parlors and Body Piercing
13. Movie and Entertainment Theaters (Indoor or Outdoor)
14. Offices, including Medical and Dental
15. Parking Garages
16. Pet shops and Pet Grooming, excluding Boarding, Outside Kennels and Runs
17. Photocopying, Printing and Publishing and Mailing Facilities
18. Publicly Owned and/or Operated Parks and/or Recreational Areas
19. Recreational Uses Other Than Those Publicly Owned and/or Operated, as Follows: Golf Courses and Driving Ranges, Health and Fitness Facilities
20. Retail Goods and Supplies, Sales and Repairs
21. Retail Sales of Food Products: Dairy, Meat, Vegetables, Bakery, Package Sales of Beer, Wine and Liquor
22. Single Family Residential Dwellings (Attached), Two or Multi-family Residential Dwellings, Assisted Living Communities
23. Studios for Design Professionals such as Interior Decorating, Landscape Architecture, Architecture, Engineering
24. Studios for Professional Work or teaching of any of Fine Arts
25. Ticket, Travel and Advertising Agencies
26. Video, DVD sales and rentals

D. USE SPECIFICATIONS

1. Buildings which front onto a public street shall contain retail or office uses on the ground floor.
2. Movie and entertainment theaters may be exempt from the minimum story requirement and the maximum floor-to-floor story height requirements, but must have the appearance of at least a two-story building and meet all other requirements.
3. If a parking garage is incorporated into building design, two tiers of parking may be located above ground level without counting toward the measurement of building height. However, retail space must be incorporated on the ground floor, facing the street. Underground parking is permitted, not to count toward the measurement of building height.

E. SPECIAL PERMITTED USES

1. The following uses existing and in conformance with the Fort Wright Zoning Ordinance at the time of adoption of these regulations are to be considered permitted uses and are subject to the review criteria in Table 2.
 - a. Single family residential (detached)
 - b. Convenience stores, with the dispensing of fuels
 - c. Eating and drinking establishments, including drive-ins
 - d. Animal hospitals
 - e. Tire sales, service and repair

F. DEFINITIONS:

The following terms are defined for the purpose of the Town Center Form District zoning regulations. Terms not defined here may be defined elsewhere in the Zoning Ordinance. In such case, the definition contained in the Zoning Ordinance will be used. Certain terms in the Town Center Form District regulations are used in very specific ways, often excluding some of the meanings of common usage.

ANODIZED ALUMINUM: A metallic element that has good electrical and thermal conductivity, high reflectivity, and resistance to oxidation, which has undergone a special process of coating with a protective or decorative film.

ARCADE: An arched covered passageway or avenue (as between shops), or a series of arches with their columns or piers.

ASSISTED LIVING COMMUNITY: A series of living units on the same site, operated as one business entity, and certified under KRS 194A.707 to provide

services for five or more adult persons not related within the third degree of consanguinity to the owner or manager.

AWNING: A cantilevered, projected or suspended cover over the sidewalk portion of the STREET. Also, roof-like coverings, usually of canvas or metal and often adjustable, placed over the sidewalk, windows, or doors to provide protection from sun and rain.

BALCONY: An exterior platform attached to the main building that projects from the wall of the building and is enclosed by a parapet or railing.

BAY or BAY WINDOW: Generally, a U-shaped enclosure, extending the interior space of the building outward of the exterior building wall/build to line (along its street side).

BUILD TO LINE (REQUIRED BUILDING LINE (RBL)): The distance measured from the property line to the building. The building must be built-to (coincident with) the required building line (RBL) The RBL is a requirement, not a permissive minimum as is a setback.

BUILDABLE AREA: The area of the lot within which buildings and parking areas will sit. The buildable area sets the limits of the building footprint now and in the future -- additions must be within the designated area.

BUILDING CORNER: This refers to the outside corner of a building (where the building mass is within an angle less than 180 degrees. Some of the proscriptions of the building envelope standards are specific to building corners. Inside corners, where the exterior space is within an angle less than 180 degrees, are not considered building corners.

BUILDING ENVELOPE STANDARDS: The building envelope standards establish the basic parameters governing building construction. This includes the envelope for building placement (in 3 dimensions) and certain required/permitted building elements, such as balconies and street walls.

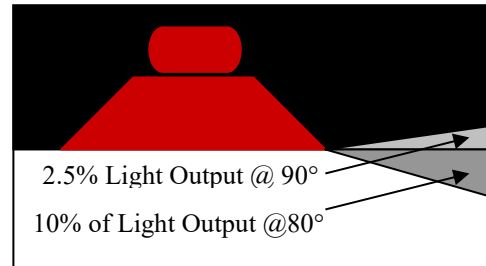
COMMON LOT LINES: Lot lines shared by private lots, generally side lot lines.

CIVIC GREEN OR SQUARE: The term civic green is generally used to describe a formally configured, small lawn or park that is primarily unpaved. The term civic square is generally used to describe spaces that have more paved surface area. Civic greens and squares are often dedicated to important events and shall not include active recreation structures such as ball fields and courts, but may include temporary ice skating rinks. See the Outdoor Amenities Standards for the specific controls on civic greens and squares.

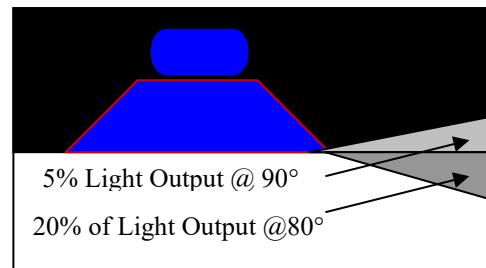
CIVIC USE: Community uses open to the public including: meeting halls, libraries, schools, child care centers, police stations, fire stations, post offices (retail operations only, no primary distribution facilities), religious halls, museums, cultural societies, visual and performance arts, transit centers, and government functions, especially those involving the public.

COPING: Tile or brick used to cap or cover the top of a masonry wall.

CUT-OFF: Condition of an installed outdoor luminaire such that only 2.5 percent of all light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal as determined by photometric test or certified by the manufacturer.



CUT-OFF, SEMI: Condition of an installed outdoor luminaire such that only five percent of all light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal as determined by photometric test or certified by the manufacturer.



DEVELOPABLE AREA: The total area within a site that may be disturbed. Calculated by the total area of the site minus the area hillside area required to be preserved (not disturbed by grading) minus the area required to be preserved as the riparian buffer.

DORMERS: Small, roofed ancillary structures with windows providing light and air to occupiable space within the roof.

EASEMENT, ACCESS: An interest in land that is owned by one property owner, entitling other users to enter, and pass through the property in order to reach other surrounding properties.

EASEMENT, CONSERVATION: A non-possessory interest in real property imposing limitations or affirmative obligations, the purposes of which include retaining or protecting natural, scenic, or open space values of real property; assuring its availability for agricultural, forest, recreational, or open space use; protecting natural resources; or maintaining air or water quality.

EAVE, EAVE HEIGHT: The lower border of a roof that overhangs the wall. Where used to limit building height in the Code, eave height shall be measured at the bottom of the top layer of roofing material at its outermost point from the building wall.

FENESTRATION: The arrangement, proportioning, and design of windows and doors in a building, allowing light and views between interior and exterior.

FINISHED FLOOR: The level base of the room that is covered by flooring materials such as tile, carpet, hardwood, located above the sub floor.

FOOTCANDLE: The unit of illuminance on a surface one square foot in area on which there is a uniformly distributed flux of one lumen, or the illuminance produced on a surface all points of which are at a distance of one foot from a directionally uniform point source of one candela.

GARAGE ENTRY: An opening (with curb cut) in the building façade and or street wall where vehicles may enter the block interior for general parking and business servicing.

GROUND FLOOR, GROUND STORY: The first level of buildings where at least 80 percent of the finished floor elevation is within 18 inches of the adjacent fronting sidewalk level. The next story above the ground story is the second floor.

INTERACTIVE AMENITY: Facilities for social gathering, recreation and interactive learning that are developed at street level directly adjacent to the street.

LUMEN: A unit of luminous flux. One foot-candle is one lumen per square foot. For the purposes of this Ordinance, the lumen-output values shall be the initial lumen output ratings of a lamp.

LUMINAIRE: A complete lighting system, and includes a lamp or lamps and a fixture.

MEZZANINE: A low-ceilinged story between two main stories of a building; especially an intermediate story that projects in the form of a balcony.

OPEN SPACE: Any publicly dedicated or privately owned area of land or water that is permanently preserved and maintained. Such an area may be predominately in a natural condition or improved or modified for uses such as recreation, education, aesthetics, cultural or natural resource management or public health and safety.

OPEN SPACE, COMMON: Open space that is (1) owned in common and maintained by the owners of lots in a subdivision (i.e. a homeowners association), or (2) owned by a private individual or entity but managed and maintained for common use by residents, occupants or customers of the development. Common open space shall be preserved by either a conservation easement or deed restriction.

OPEN SPACE, PRIVATE: Open space that is owned by a private individual entity but is protected or maintained under a recorded conservation easement.

OPEN SPACE, PUBLIC: Open space that is accessible to the general public.

OUTDOOR DINING FACILITY: An outdoor dining area connected or attached to an indoor restaurant, bar, tavern or nightclub.

PARAPET: A low wall or railing to protect the edge of a roof.

PARKING, RESERVED: Parking not available to the public, but only to specifically identified users (either a single user per space or a set of users for a group of spaces), whether for free or at a fee that shall not exceed the prevailing market rate.

PARKING, SHARED: Parking available to the public on an unreserved basis for free or at the same fee for all users, which shall not exceed the prevailing market rate. Time limits may be imposed to ensure turnover. Hours of public availability may also be restricted.

MULTI USE PATHWAY: Interconnecting paved ways that provide pedestrian and bicycle passage running from a street to either a street, alley or an interior parking area. The area within a multi use pathway shall be a public access easement or public right of way.

PERVIOUS SURFACE: A surface capable of being permeated, having pores or openings that permit liquids to pass through.

PUBLIC ART: Art that is visually or physically accessible to the public and that provided by a private entity as a community benefit. Public art encompasses the broadest definition of visual art including the imaginative use and interplay of artistic disciplines. Area of public art is measured by the square footage of the width multiplied by the depth of the structure, at it widest and deepest points. In the case of two-dimensional objects (wall murals, etc) the area shall be determined by height multiplied by the width.

PUBLIC SPACE: Property (streets, alleys, civic greens and squares, and parks) within the public domain within which citizens may exercise their rights.

RIPARIAN BUFFER: Area adjacent to a flowing waterway, including stream banks, vegetation. For the purpose of this ordinance, the riparian buffer is reflective of and interpreted from the Federal Insurance Administration's Flood Insurance Study floodway boundaries, plus an additional fifty (50) feet, however, no less than fifty (50) feet in total width (measured from the outline of the creek, as defined within LINK GIS drain layer).

SEATING, FORMAL: A long bench seat for two or more persons.

SEATING, INFORMAL: Planters, ledges, or similar seating features, and measuring a minimum of 30 inches in width and 15 inches in height.

STREET WALL: A vertical surface at the build-to line used to screen the off-street parking area from the street while maintaining the building facade along a given block face.

STREETSCAPE: Improvements to a property, including paving, tree and/or other decorative plantings, lighting, and the placement of street furniture, within the street.

TRANSOM WINDOW: A window or pane above a door, whether rectangular or arched (fanlight); also, a window that is hinged along its top edge.

UNIFORMITY RATIO: The relationship between the average level of illumination and the lowest level of illumination for a given area. For example, if the uniformity ratio is 3:1 and the average illumination of an area is 3.0 foot-candles, then the lowest level of illumination allowed in the given area would be 1.0 foot-candles.

VERGE STRIP: A strip or border with grass or landscaping that separates the sidewalk from the street.

WALL OPENING: Any break in the wall or façade.

WHERE CLEARLY VISIBLE FROM THE STREET: A number of regulations apply only where the subject is "clearly visible from the street." A building element more than 30 feet from the build to line/street (such as items facing a common lot line more than 31 feet away from a build to line and/or street) is by definition not clearly visible from the street. Also common and/or party walls are by definition not clearly visible from the street.

G. BUILDING ENVELOPE STANDARDS

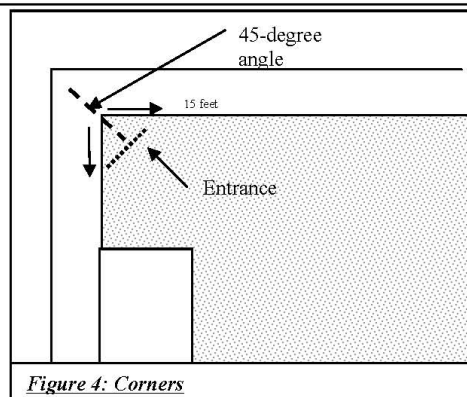
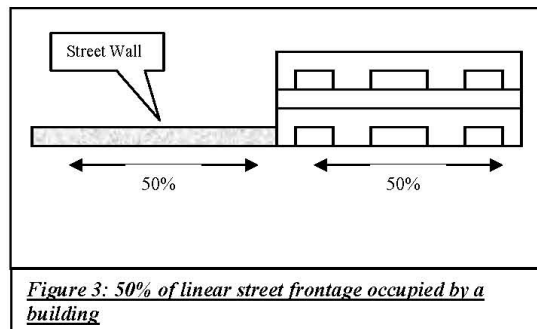
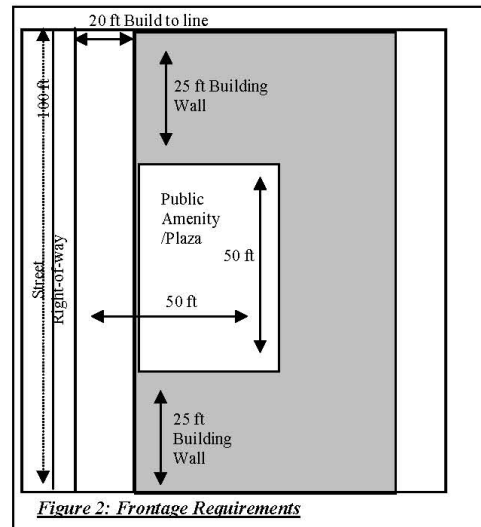
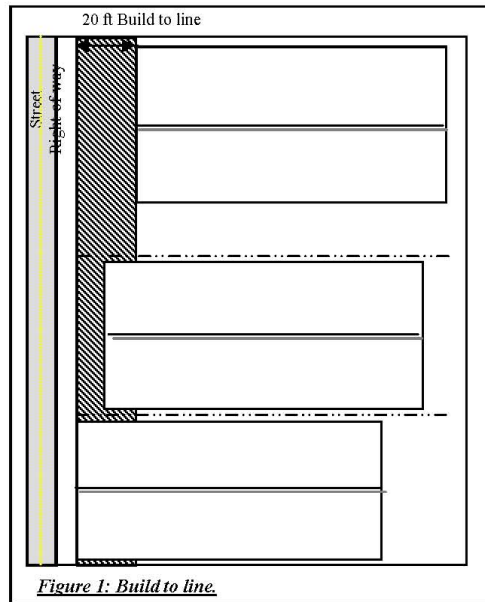
1. Siting Specifications

- a. Minimum Tract for Development
 - (1) Five (5) 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 has been a part of the originally approved site plan layout. Substantial additions to existing developed sites must meet the requirements contained in Section 10.31, B., 6.
- b. Setbacks from Street Frontages (See Figure 1)
 - (1) No minimum.
 - (2) Build to Line (Maximum) – 20 feet from the right of way, except in any of the following cases:
 - (a) Outdoor amenities are located between the right-of-way and the build-to line, in which case no more than 50 feet from the right of way.
 - (b) Development sites containing hillsides with slopes of 20% or greater may modify the build-to line to accommodate front parking, but only subject to the requirements of subsection K., 1., a.
- c. Side and rear yard setbacks
 - (1) No setback requirements, except when adjacent to a residential use above the first floor, then a minimum side yard of 5 feet shall be maintained.
 - (2) Where adjoining a residential zone outside of the form district a minimum 50 feet from the property line must be maintained.
- d. Use and Building Size Requirements
 - (1) Maximum building footprint are as follows:
 - (a) Single structure: 15,000 square feet, however, one building per development tract may have a maximum footprint of up to 30,000 square feet.
 - (2) Maximum size of each individual tenant/occupant:
 - (a) In a single-use structure: 30,000 square feet, however, one building per development tract may

- contain up to 60,000 square feet.
 - (b) In a multi-use structure: Calculated by total number of stories
- e. Multiple Principal Structures
 - (1) Either multiple principal structures or common wall construction is permitted. Principal structures on the same or adjacent lots, constructed as detached buildings, shall maintain following minimum separations:
 - (a) Building wall with entrance or exit: 20 feet.
 - (b) Building wall with no entrance or exit: 10 feet
- f. Building Frontage (See Figure 2 and 3)
 - (1) At least 50% of the linear street frontage of each lot shall be occupied by a building at the required setback/build to line.
 - (2) Open unenclosed public seating or similar areas, fountains, and outdoor amenities are permitted to encroach beyond the build-to line as long as the corner requirements are met per Section 10.31, G., 1. h.
- g. Building Entrances
 - (1) Buildings shall have at least one public entrance on all façades facing the street and at least one where parking is located.
 - (2) Buildings shall have one public entrance oriented toward the required Riparian Buffer or toward any required Outdoor Amenity or Open Space (see Section 10., I., 2., and 10., I., 3). No service entrances are permitted to be oriented towards the required Riparian Buffer or toward any required Outdoor Amenity or Open Space.
 - (3) On corner lots, entrances may be on the front façade or at the corner of the building.
 - (4) There shall be functioning entry door(s) along the street façade spaced at a distance of no less than 60 feet per structure (including those with common wall construction).
 - (5) Garage entries shall not exceed 16 feet clear height and 24 feet clear width and shall not be sited within 100 feet of the block corner or another garage entry on the same block. Garage entry portals may be set back up to 24 inches behind the surrounding façade, but may not project beyond the building facade.

h. Corners (See Figure 4)

- (1) Buildings on corner lots shall be constructed at the build to line along both sides of the street for a minimum of 15 linear feet.
- (2) If a principal building or tenant entrance is at the corner, the entrance may be recessed within the 15 feet at a 45-degree (45°) angle to both streets.



2. Height Specifications (See Figure 6)

a. Building Height

- (1) Each building shall have a minimum of two (2) stories and shall not exceed sixty-five (65) feet in height.
- (2) If a parking garage is incorporated into building design, two tiers of parking may be located above ground level without counting toward the measurement of building height. However, retail space must be incorporated on the ground floor, facing the street. Underground parking is permitted, not to count toward the measurement of building height.
- (3) Maximum height of building with only residential uses above the first floor is 90 feet.

Commentary: Retail helps to make the street active and interesting.

b. Floor Height

- (1) Maximum floor-to-floor story height limit for stories other than the ground story is 14 feet.
- (2) All upper stories shall each have a minimum of 9 feet 4 inches clear (floor to ceiling height) and shall be useable floor space, unless otherwise regulated by Section 10.31, D., 2.

Commentary: Buildings overseeing the street and public areas with active fronts, contribute to a vital and safe public space. Enliven facades of retail or commercial space by providing visibility into building interiors or merchandising display windows.

3. Building Element Specifications (See Figure 7 and 8)

a. Ground Story Fenestration

- (1) No blank/uninterrupted walls shall be facing streets, access drives, sidewalks, outdoor amenities, recreational areas or other public uses.
- (2) Ground story façades shall have between 50 and 90 percent fenestration (measured as a percentage of the façade that is between 2 and 10 feet above the fronting streets, sidewalks, outdoor amenities or recreational areas) with a combination of two or more of the following animating features:

- (a) Transparent doorways and entry areas;
 - (b) Display windows at least 50% open to the business interior with a minimum height of 8 feet and having a maximum sill height of 3 feet;
 - (c) Arcades; with a minimum clear height of 11 feet (signage or lighting may encroach) at the sidewalk (street), and a minimum clear width (from frontage or build to line to inside column face) of 10 feet. The area within an arcade shall be open to all public access. Supporting Column/Pier shall be located no more than 20 inches from the back of the curb (minimum 60 inches public access easement/sidewalk within the arcades' clear width). (See Figure 9)
 - (d) Projections and windows.
 - (3) Awnings and overhangs in increments of 15 feet widths or less are permitted with the following requirements:
 - (a) Minimum 10 feet clear height above sidewalk, minimum 6 feet depth out from the building façade (Maximum to curb or tree-planting strip/furniture zone, whichever is closer).
 - (b) Canvas cloth or equivalent (no shiny or reflective materials), metal or glass.
 - (c) No internal illumination through the awning/overhang.
 - (d) Lettering on awning limited to five (5) inches tall on vertically hanging fabric at curb side of awning.
 - (e) No one-quarter cylinder configurations.
 - (4) Other features, such as public art are permitted.
- b. Upper Stories – Fenestration
- (1) Walls facing streets, sidewalks, outdoor amenities, recreational areas, off street parking areas or other public uses shall have between 50 and 70 percent fenestration (see Figure 5).



Figure 5: Fenestration on upper stories is required. Two contrasting examples are shown above.

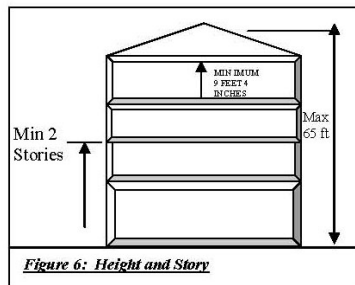


Figure 6: Height and Story

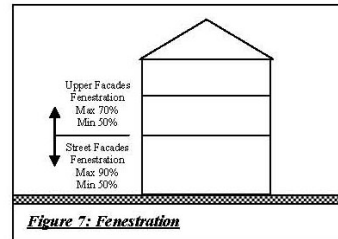


Figure 7: Fenestration

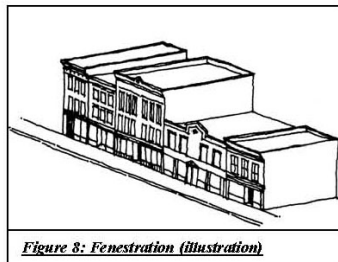


Figure 8: Fenestration (illustration)

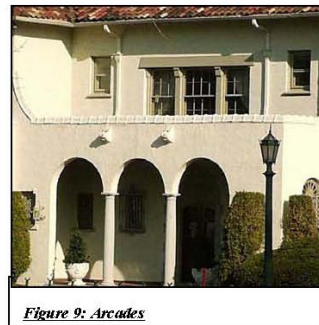


Figure 9: Arcades

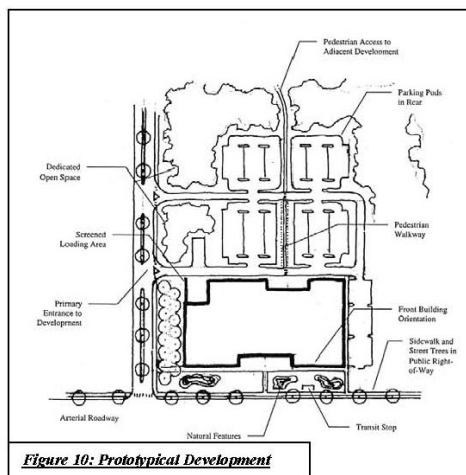


Figure 10: Prototypical Development

Commentary: Designs are encouraged that create a unique and attractive image for each business while respecting the design parameters of neighboring facades.

Facades should relate to their surroundings and provide a sense of cohesiveness in the district without strict uniformity. Facades should present a visually balanced composition. High design standards and creativity are encouraged.

H. HILLSIDE PROTECTION

1. The following requirements shall be met for development within areas identified as having 15% slope or greater.

- a. Slope Determination

Topographic information has been created and stored by the Geographic Information Systems (GIS) Department of the PDS. The data comprises polygons which contain the generalized slope of Kenton County derived from a 10-foot resolution slope grid, created from the elevation grid for Kenton County.

Commentary: It is recommended that when development is proposed in hillside areas, that consideration be given to fitting the proposed development to the natural configurations of an existing landscape.

- b. Slope Setbacks

Proposed structures shall be set back from either the toe or top of the slope to a structure, whichever applies, a minimum of 10 feet, unless otherwise required by a geotechnical investigation or retaining walls are used. These setbacks do not supercede the minimum setbacks required by the Kentucky Building Code. Setbacks shall be measured as shown in Figure 11.

2. In areas where 15% slopes or greater will be disturbed, a geotechnical evaluation must be completed by a registered professional engineer and submitted with the Stage II Development Plan for review. All disturbances must follow the recommendations of the geotechnical evaluation. Prior to the issuance of a Certificate of Occupancy for the site, the planning commission, or its duly authorized representative, shall require written authorization from a registered professional engineer that the proposed development is in compliance with the specifications as contained within the geotechnical investigation.
3. Areas containing slopes of 35% or more shall not be disturbed.
4. Grading and Drainage
 - a. All excavations on slopes greater than fifteen percent (15%) shall be made to approximate grade or subgrade elevations consistent with approved plans. Applications for grading permits must include an approved Land Disturbance Permit from Sanitation District No.1. Grading plans must be based on adequate surveys and soil

investigations. The Kenton County Subdivision Regulations refer to general soil conditions that exist in the area.

Commentary: It is necessary to minimize problems associated with water runoff and soil erosion incurred in grading these slopes while preserving unique scenic resources and wildlife habitat.

- b. Excavation, Movement of Soil, Tree Removal, and Erosion and Sedimentation Control. Section 9.7 of the City of Fort Wright Zoning Ordinance currently states:
- (1) No governmental entity or other person or entity shall strip, excavate, fill, or otherwise move soil, trees, or other vegetation, except for minor changes such as: the filling of small depressions, removal of vegetation which is diseased or endangering the public safety, etc. without first insuring that all requirements of the Subdivision Regulations of the legislative body, if applicable, have been fulfilled and then obtaining a permit.
 - (2) The required permit may be issued after determining that the resulting change in grade, or removal of trees and other vegetation, in the affected area will be in conformance with all applicable provisions of this ordinance. The provisions of this section shall not be construed to prohibit normal excavation or grading incidental to the construction or alteration of a building on the premises for which a building permit has been granted as required otherwise in this ordinance.
 - (3) Erosion and Sedimentation Control: Erosion and sedimentation controls for excavation, movement of soil, and tree removal, shall be planned and applied according to the following:
 - (a) The smallest practical area of land shall be exposed at any one time during development.
 - (b) When land is exposed during development, the exposure shall be kept to the shortest practical period of time.
 - (c) Temporary vegetation and/or mulching shall be used to protect critical areas exposed during development.
 - (d) Sediment basins (debris basins or silt traps) shall be installed and maintained to remove sediment from run-off waters from land undergoing development.

- (e) Provisions shall be made to accommodate the increased run-off caused by changed soil and surface conditions during and after development.
- (f) Permanent final vegetation and structures shall be installed as soon as practical in the development.
- (g) The development shall be fitted to the topography and soils so as to create the least erosion potential.
- (h) Wherever feasible, natural vegetation shall be retained and protected.

c. In addition to the above, the following requirements shall be met:

- (1) Within the allowable disturbance area, finished cut and fill slopes shall be constructed to a maximum 3:1 (33.3%) slope or flatter (unless retaining walls are used) unless otherwise approved by the city based on results of a geotechnical investigation.
- (2) Remove good topsoil from areas to be graded or filled, and preserve it for use in finishing the grading of all slopes greater than fifteen percent (15%).
- (3) Stabilize all graded areas with native vegetation or erosion control blankets as soon as grading is completed or work is interrupted for 30 days or more.
- (4) Use mulch to stabilize areas temporarily where final grading must be delayed.
- (5) Roughen the surface of all slopes during construction to retain water, increase infiltration and facilitate vegetation.

5. Slope Restoration

- a. Cuts and fills shall be restored to a maximum 3:1 (33.3%) slope or flatter and re-vegetated. Slope breaks, such as benches, may be used to reduce the length of cut and fill slopes to limit sheet and rill erosion and prevent gulying (see Figure 12). The required spacing between benches shall be in accordance with the Kentucky Department of Highways Geotechnical Manual. Other methods, such as geotextiles, may be used, however, they must be installed by a qualified geotechnical engineer.
- b. Cuts and fills that are controlled by retaining walls must meet the requirements of this ordinance (see Section 10.31, O).
- c. Re-vegetated slopes shall include both native trees and shrubs, as per the recommended Plant lists contained within the Planting

Manual and Landscape Regulation Guidelines within the text of the Fort Wright Zoning Ordinance.

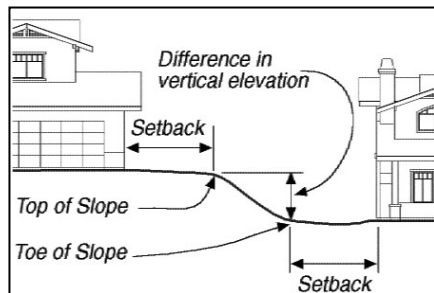


Figure 11: Slope Setbacks

Cuts and fills shall not be placed so close as to endanger adjoining property.

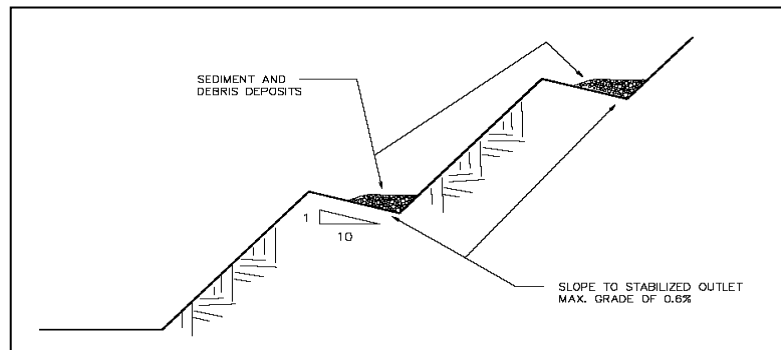


Figure 12: Benching

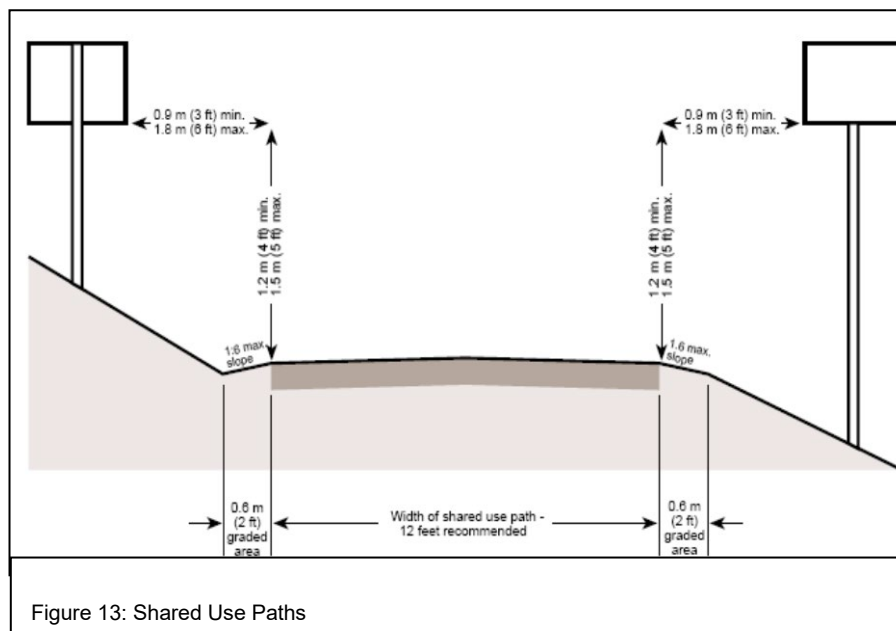
Benching is a variation on sloping, and consists of cutting the sides of the excavation to form one or more horizontal levels or steps, usually with vertical or near-vertical surfaces between levels. Soil type and local conditions determine the max horizontal and vertical dimensions of a benched excavation. Often a combination of benching and sloping is used.

I. RIPARIAN PROTECTION, OPEN SPACE AND OUTDOOR AMENITIES

1. Riparian Buffer Requirements

- a. The minimum Riparian Buffer width shall be reflective of and interpreted from the Federal Insurance Administration's Flood Insurance Study floodway boundaries, plus an additional 50 feet, however, no less than fifty (50) feet in total width (measured from outline of the creek, as defined within LINK GIS drain layer).
- b. If the applicant can demonstrate that the floodway boundaries in their location are inaccurate, boundary revisions may be made, in agreement with the city.
- c. Building facades must include additional entrances when oriented toward the Riparian Buffer.
- d. The minimum required Riparian Buffer width shall remain undisturbed and restricted in use for flood control and restoration, as regulated in Section 9.25, C., 3., of the Fort Wright Zoning Ordinance.
- e. An applicant has the option to obtain additional open space credits by applying a conservation easement to the entire area comprising the Riparian Buffer within the parcel. In such cases, a pedestrian and bicycle trail may be developed within the Riparian Buffer, at least ten (10) feet in width (See Figure 13), in cooperation with the recipient entity. A conservation easement shall count towards:

- (1) An additional fifty percent (50%) of the required Open Space within the proposed development (See Section I., 2), and
- (2) A ten percent (10%) reduction in the required off-street parking landscaping requirements.
- (3) A copy of a recorded conservation easement assuring the permanent protection, preservation and maintenance of the Riparian Buffer within the proposed development shall be submitted by the developer and recipient entity (i.e. the City of Fort Wright) prior to the recording of a plat or the issuance of a clearing/grading or zoning/building permit, whichever occurs first.



2. Open Space and Outdoor Amenities Requirements

- a. Definitions: For the purposes of the regulations within this section of the ordinance, the following definitions shall apply:

Open Space: Any publicly dedicated or privately owned area of land or water that is permanently preserved and maintained. Such an area may be predominately in a natural condition or improved or modified for uses such as recreation, education, aesthetics, cultural or natural resource management or public health and safety.

Outdoor Amenity: Improvements within the developed area that encourage outdoor activities and public interaction.

- b. The amount of open space and outdoor amenities required shall be calculated as follows:

Table 3: Open Space and Outdoor Amenity Requirement

Total area of development	Open Space*	Outdoor amenity*
5 acres or larger	15%	10%
Less than 5 acres adjacent to existing approved site	-	15%

* Percentage of buildable area (calculated as the area of the lot within which buildings and parking will sit)

- c. Table 4 describes which uses may be credited toward each of the required open space and outdoor amenity requirement.
- d. Additional requirements for Outdoor Amenities are as follows:
- (1) All outdoor amenity areas (except for sidewalks, and multi use paths) shall be accessible by sidewalks connecting with all surrounding buildings and a clear view through the public space must be maintained for public safety and urban design purposes
 - (2) All outdoor amenity areas other than planting beds and interior parking lot landscaping shall have seating at a rate of not less than 1 seat per 400 square feet (lineal feet in the case of multi use paths) of space and located within the outdoor space. Seating may be formal or informal and may include benches, planters, ledges, or similar seating features, and shall be a minimum of 12 inches in depth, 30 inches in width and 15 inches in height.
 - (3) Required outdoor amenities areas may not be counted as open space area.
- e. Additional requirements for Open Space are as follows:
- (1) If additional development on an existing approved site is proposed, then the total open space needs may be recalculated and credits may be shared, provided the open

spaces are adjacent and accessible to both developments. An agreement from the property owners of the development sites involved must be submitted with the application.

- (2) When an area is to be preserved as private or common open space, prior to the recording of a plat or the issuance of a grading/zoning/building permit, whichever occurs first, the developer and recipient entity may apply a recorded conservation easement to the area of the proposed open space, and submit documentation assuring its permanent protection, preservation and maintenance by the City or other responsible entity as approved by the City.
- (3) When an area is to be preserved as public open space, determination must be made by the city if the space is accessible by and a benefit to the general public. Prior to the recording of a plat or the issuance of a grading/zoning/building permit, whichever occurs first, the developer shall permanently dedicate the open space to public use in a manner acceptable to the recipient entity and submit documentation that the property will be accepted by the city or other responsible entity as approved by the city.

Table 4: Permitted uses within Open Space and Outdoor Amenity Requirement

Open Space	Outdoor Amenity
Applying a conservation easement to the entire area comprising the Riparian Buffer within the parcel shall count toward an additional 50% of the required Open Space.	Pedestrian and bicycle facilities 10 feet or greater in width.
Landscaped internal or frontage roadway medians (those not along KY 17) at least 10 feet in width that add to the community's improved visual appearance. For properties located along KY 17, up to 10% of the required open space area may be satisfied with a landscaped non-traversable median	Outdoor dining open to the public: (1) Outdoor dining shall be used in conjunction with, and under the same management and exclusive control of, a restaurant, bar, tavern or nightclub located on the same or contiguous property; (2) The outdoor seating capacity shall not exceed twenty-five percent (25%) of the total restaurant, bar, tavern or nightclub seating capacity and shall not be enclosed.
Green roofs (i.e. vegetated roof covers for stormwater mitigation).	Water features, public gardens and public art. Interactive Amenities, including but not limited to dance steps, art walks / experiences, backgammon and chess tables, mini amphitheaters.
Storm water detention and retention basins.	Rooftop gardens/plazas, seating areas.
Nationally or locally designated or recognized cultural, historic or archaeological sites.	Planting beds no less than 100 square feet and adjacent to a façade with a public entrance.
Undisturbed hillsides greater than a 15% slope and required Riparian Buffer areas.	Civic greens, and squares, no length and width dimension shall be less than 25 feet. (1) In civic greens minimum sixty percent (60%) pervious surface area (turf, groundcover, soil or mulch) and in squares minimum thirty percent (30%) pervious surface area.
Woodlands managed for forestry production, or forestry protection, areas for endangered species protection, meadows, wetlands, agricultural lands and activities.	(2) Of the remaining balance at least seventy percent (70%) must be pervious pavement (maximum thirty percent (30%) impervious paved).
Outdoor sports fields, golf courses, parks, community gardens and playgrounds.	Parks and playgrounds, which are required to be at least 50 feet from any street right of way.
Total of 20% of the required parking spaces are pervious.	Interior parking lot landscaping areas above minimum landscaping requirement and shall not be credited unless larger than 200 square feet.

J. TRANSPORTATION STANDARDS

1. Transportation connections are to be multi modal and useable by the public.
2. Vehicular
 - a. Direct vehicular connections are required between all uses, existing and future.
 - b. Developments that create public and private streets shall connect with and provide for future extension of the street network.
 - c. Developments that adjoin vacant sites shall be designed to accommodate future connections with access easements if necessary.
 - d. Easements and agreements must be identified on the submitted development plans and submitted prior to the pre-Certificate of Occupancy meeting per Section 10.31, B, 9.
3. Pedestrian
 - a. Direct pedestrian connections are required between all uses, existing and future.
 - b. Developments that create public and private streets shall connect with and provide for future extension of pedestrian access.
 - c. All uses within the form district shall provide pedestrian connections with adjacent uses outside the form district.
 - d. Developments that adjoin vacant sites shall be designed to accommodate future connections with access easements if necessary. Easements and agreements must be identified on the submitted development plans and submitted prior to the pre-Certificate of Occupancy meeting per Section 10.31, B, 9.
 - e. All development shall provide clearly defined safe pedestrian access to the public right of way, to the building entrances¹, to bus stops, and connecting to or including installation of the bicycle and pedestrian multi-use trail within the required Riparian Buffer.
 - f. With KYTC approval, pedestrian access is required to be located within abutting rights-of-way and across driveways with striping or contrasting pavements, or raised surfaces, that meet Kenton County Subdivision Regulations.
 - g. Sidewalks and trails must connect with any presently adjacent sidewalks and shall be a minimum of five (5) unobstructed feet in width. Sidewalks and trail connections are required to be constructed and completed at the time of street construction.

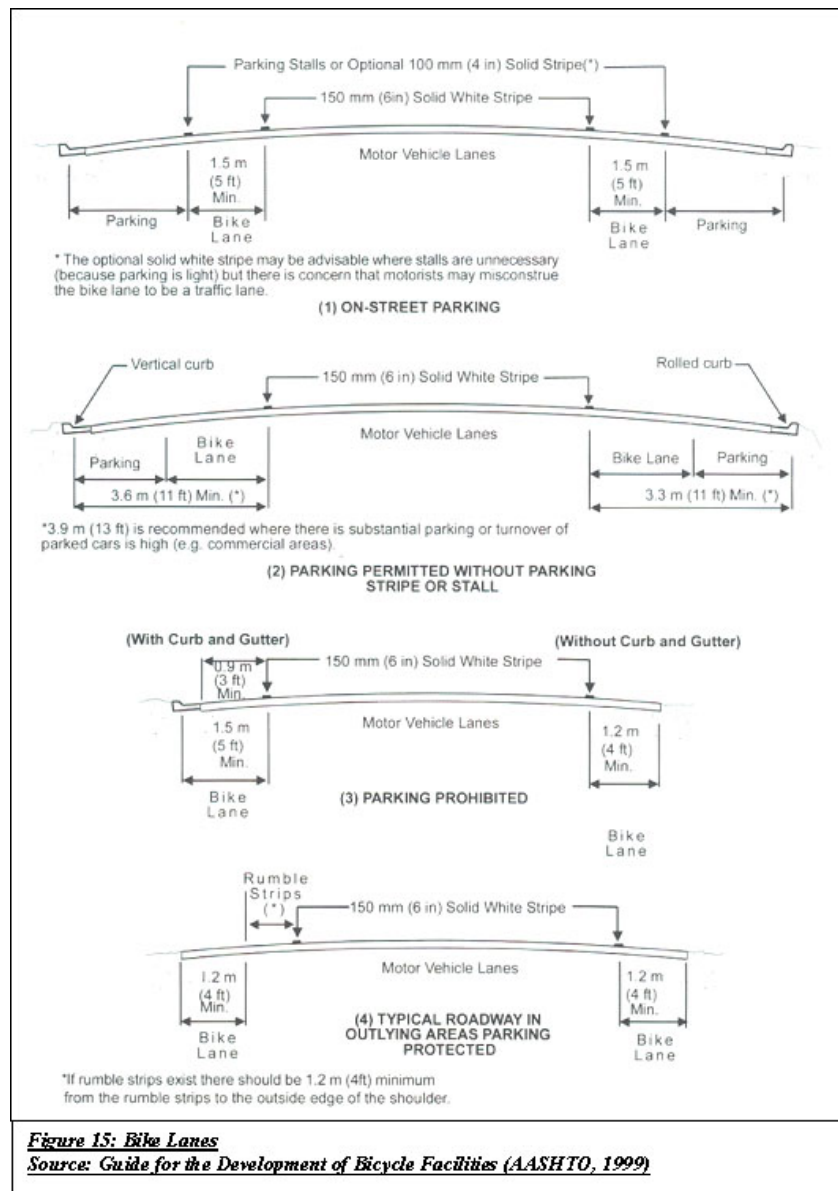
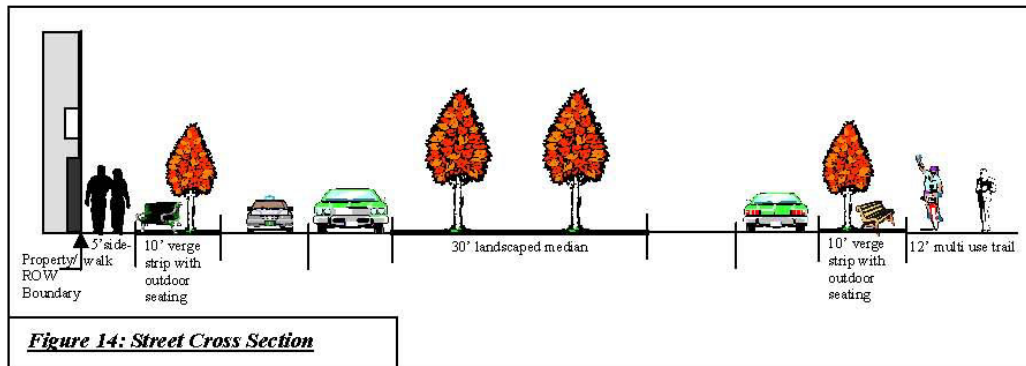
¹ See Parking Lot Standards for pedestrian access requirements

- h. Construction of the bicycle and pedestrian multiuse trail shall in no case be less than ten (10) feet in width, with vertical grades no steeper than three percent (3%), and designed as shown in Figure 13.
4. Bicycle
- a. Direct bicycle connections are required between all uses, existing and future.
 - b. Developments that create public and private streets shall connect with and provide for future extension of bicycle access. Bicycle lanes, shared use paths, paved and marked shoulders, or wider outside lanes designated for bicycles and with signage shall be installed on both sides of all streets with the following standards.
 - (1) Shared Use Paths – See Figure 13
 - (2) Bicycle Lanes – see Figure 15
 - (3) Paved Shoulders shall be minimum 4 feet in width.
 - (4) Wide outside lanes must be at least 14 feet in width.
 - c. Connections are required to be constructed and completed at the time of street construction.
 - d. Developments that adjoin vacant sites shall be designed to accommodate future connections with access easements if necessary. Easements and agreements must be identified on the submitted development plans and submitted prior to the pre-Certificate of Occupancy meeting per Section 10.31, B, 9.
 - e. Construction of the bicycle and pedestrian shared use trail shall in no case be less than ten (10) feet in width, with grades no steeper than three percent, and designed as shown in Figure 13.
5. Transit
- a. Prior to plan submittal the Transit Authority of Northern Kentucky (TANK) shall be consulted on the appropriate location, number, and design of bus stops. Documentation from TANK must be submitted with application.

Commentary: The intent of the following regulations is to manage access in a manner consistent with the City's desire, described in the Madison Pike Corridor Land Use and Economic Development Study, to mitigate congestion and increase capacity of Madison Pike. It is of the utmost importance to maintain and improve the functional quality of KY 17 for all future private and public activities within the corridor and for those traversing the corridor on a daily basis to destinations elsewhere.

6. Access Management

- a. All left-turn ingress and egress, except at signalized intersections existing at the time of the adoption of these regulation and identified in the Madison Pike Corridor Land Use and Economic Development Study, shall be considered a temporary right-of-way and may be terminated, reduced, limited to certain turning movements, or caused to be relocated by the city at such time as the particular use(s) served by the access point changes and/or the property is otherwise provided an alternate means of access. All such temporary access points shall be noted on the plan by being clearly labeled “temporary access only” and included in the submission of the record plat.
- b. Design of the non-traversable median, roundabouts or other continuous flow facility shall identify locations of left-turn in only movements, subject to approval of the city and Kentucky Transportation Cabinet.
- c. Sites with multiple buildings shall have joint access.
- d. Properties on arterial or collector streets shall provide access drives (joint use driveways and/or cross access easement) or access roads, including pedestrian access to allow circulation for commercial-to-commercial, office, industrial or multi-family. Access roads or drives may be in front of the property or in the rear or side. If planned as a public or private road the design shall conform to all applicable regulations of the Kenton County Subdivision Regulations.
- e. Spacing of access points along the cross access drive or frontage road shall be a minimum of 100 feet or as otherwise approved by the city.
- f. Access drives shall be at least twenty-two (22) feet in width and with stub outs for future development.
- g. Easements and agreements must be identified on the submitted development plans and submitted prior to the pre-Certificate of Occupancy meeting per Section 10.31, B, 9.
- h. When property proposed to be developed abuts KY 17, the non-mountable median and landscaping must be implemented by the property owner in coordination with the City. Construction shall be in conformance with all City and KYTC requirements. Figure 14 represents a street cross section of KY 17 (for illustration purposes only). Subject to City approval, funds may be escrowed with the City to allow for a coordinated design, planning and implementation process for these improvements.



K. PARKING, LOADING AND UNLOADING

1. Location of parking

- a. Parking shall not be permitted between the property line and the build-to-line, except in the following cases:
 - (1) Development sites containing hillside slopes of 20% or greater are permitted a maximum of two (2) rows of parking, not exceeding 20% of the total allowable parking for the site, but only when it can be demonstrated that slope conditions make provisions for adequate parking economically unreasonable. Where clearly visible from the street, this parking area must be screened with earth berms, landscaping and/or a street wall
- b. Parking within the side yard is permitted, the total width of which may not exceed 15% of the total linear lot frontage.

2. Number of Parking Spaces

- a. Section 11.2 of the Fort Wright Zoning Ordinance applies with the following conditions:
 - (1) A 10% minimum reduction in the number of required spaces is required and a maximum allowable reduction of 50% shall be permitted.
- b. All parking spaces may be located off site but must be connected by pedestrian access (see pedestrian connection requirements) and must be located within 500 feet of the building. All parties shall execute a properly drawn legal instrument/agreement providing for the use of the off-site parking spaces. This instrument shall be drawn to the satisfaction of the city and shall be executed by all parties concerned assuring the availability of the number of spaces designated for off-site and shall be recorded in the City Clerk's Office.
- c. Twenty percent (20%) of required parking may be pervious surface and may be counted as open space credits.
- d. No maximum number of spaces if parking structures are utilized.
- e. Underground parking shall count towards the total number of allowable parking spaces.

3. Connections between parking lots

- a. Vehicular and pedestrian connections are required between parking lots in adjacent developments.

4. Pedestrian circulation

- a. Clearly defined safe access must be provided from parking facilities, adjacent public rights of way and activity areas to building entrances.
- b. Parking lots must have walkways minimum five feet in width.
- c. Walkways must be lighted and must connect parking areas with building entrances. Walkways must be differentiated by means of landscaping, alternative paving materials or change in grade.
- d. Walkways adjacent to parking spaces must be 5 feet wide with separation by curbing, bollards, bumper blocks, elevation 4 inches high, or landscaping.
- e. Walkways that cross drive aisles must be defined by stripes, contrasting pavement materials, elevated pavement or combination.
- f. Walkways shall not pass behind a row of parking spaces.
- g. All developments must provide for future pedestrian circulation connecting parking lots or alleys, by hard surface walkways or similar.

5. Street wall requirement

- a. Any side yard parking areas shall have a street wall along the lot frontage, minimum height of 4 feet and a maximum height of 6 feet, with a required rail or fence to be anodized aluminum or steel.
- b. Street wall heights are measured relative to the adjacent sidewalk or to the ground elevation when not fronting a sidewalk.
- c. Street walls may be set back (or forward) not more than 8 inches from the build to line or adjacent building façade.
- d. A vehicle entry gate (opaque, maximum 18 feet wide) and a pedestrian entry gate (maximum 6 feet wide) are both allowed within any required street wall length.

6. Landscaping

- a. See Section 9.17 of the Fort Wright Zoning Ordinance.

7. Bicycle parking

- a. For non-single-family residential uses, two bicycle parking spaces are required plus one additional space per 25,000 square feet GFA (Gross Floor Area) of building area.

- b. The parking spaces must be a minimum of 2 feet from a parallel wall and 2.5 feet from a perpendicular wall (See Figure 16).
- c. If located on or next to a sidewalk, a minimum of 5 feet of clear sidewalk must remain when bicycles are parked at the device.
- d. If the device is installed at a transit stop, its location cannot impede transit boarding.
- e. If the installation is near a curb cut on a street with motor vehicle parking, at least three feet of space must remain between a bicycle parked at the rack and the curb.
- f. Whenever the device will be placed in the public right-of-way, the appropriate jurisdiction must approve the locations.



Figure 16: Bicycle parking stalls

8. Loading/Unloading areas

- a. Shall be screened with same materials as main building so as not to be visible front adjacent public streets and residential uses.
- b. Front loading docks are not permitted.

L. STREETSCAPE STANDARDS

1. Street trees

- a. Street trees shall be required. The minimum planting strip for street trees shall be four (4) feet, with plant material of one of the following:
 - (1) 1 tree every 60 feet on center (maximum) from List A (shade trees)*
 - (2) 1 tree every 60 feet on center (maximum) from List F (street trees)*
 - (3) 1 tree every 60 feet on center (maximum) from List B (flowering and non-flowering trees)*

*Plant lists can be found in the "Planting Manual and Landscape Regulation Guidelines" within the text of the Fort Wright Zoning Ordinance.

- b. Facades with customer entrance or visible from streets, sidewalks, outdoor amenities, recreational areas or other public uses: One tree planted within 15 feet of the building, for each 50 ft of façade length.
- c. Streetscape elements such as brick pavers, benches, waste bins, planters, and window boxes are encouraged and should be coordinated with the city to ensure compatibility (see Figure 17).



Figure 17: Streetscape elements

2. Verge/Planting Strips

- a. Along State Route 17, a minimum verge strip of 10 feet shall be maintained with planting types that meet the requirements of the existing landscape regulations. This may be located within the right-of-way per the approval of an encroachment permit from the Kentucky Transportation Cabinet.
- b. Clustering of trees along State Route 17 may be permitted as long as the same numbers of trees are planted. Trees must be spaced properly to accommodate tree size at maturity.
- c. All landscaping along State Route 17 must be set back a minimum of 3 feet from the edge of pavement or per approval of Kentucky Transportation Cabinet encroachment permit, whichever is greater.

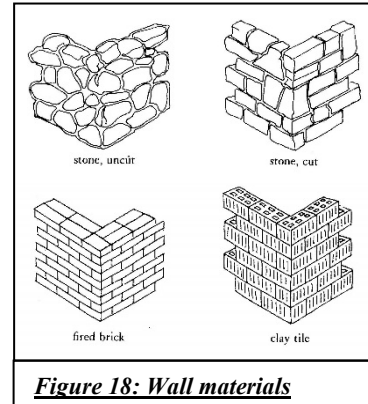
3. Utility Installation

- a. All utilities shall be underground.

M. ARCHITECTURAL STANDARDS

- 1. Standards for building walls - Where clearly visible from streets, sidewalks, outdoor amenities, recreational areas or other public uses.
 - a. Materials - The following materials are permitted (See Figure 18):

- (1) Brick and tile masonry
- (2) Stucco (cementitious finish)
- (3) Native stone (or synthetic equivalent)
- (4) Pre-cast masonry (for trim and cornice elements only)
- (5) Gypsum reinforced fiber concrete (GFRC – for trim elements only)
- (6) Exterior Insulation Finish System fascias, with moderate finish texture



b. Configurations and Techniques

(1) Walls

- (a) Wall openings shall be taller than they are wide except as otherwise permitted for atriums and arcades.
- (b) Wall openings shall not span vertically more than one story except as otherwise permitted for atriums and arcades.
- (c) Wall materials shall be consistent horizontally (i.e. joints between different materials must be horizontal and continue around corners) except for towers, chimneys and piers.

c. Stucco (cementitious finish)

- (1) Smooth or sand finish only, no “cake icing” finish.

2. Standards for roofs and parapets - Where clearly visible from streets, sidewalks, outdoor amenities, recreational areas or other public uses.

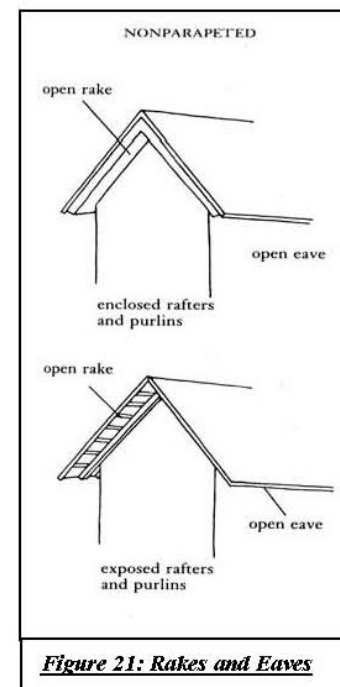
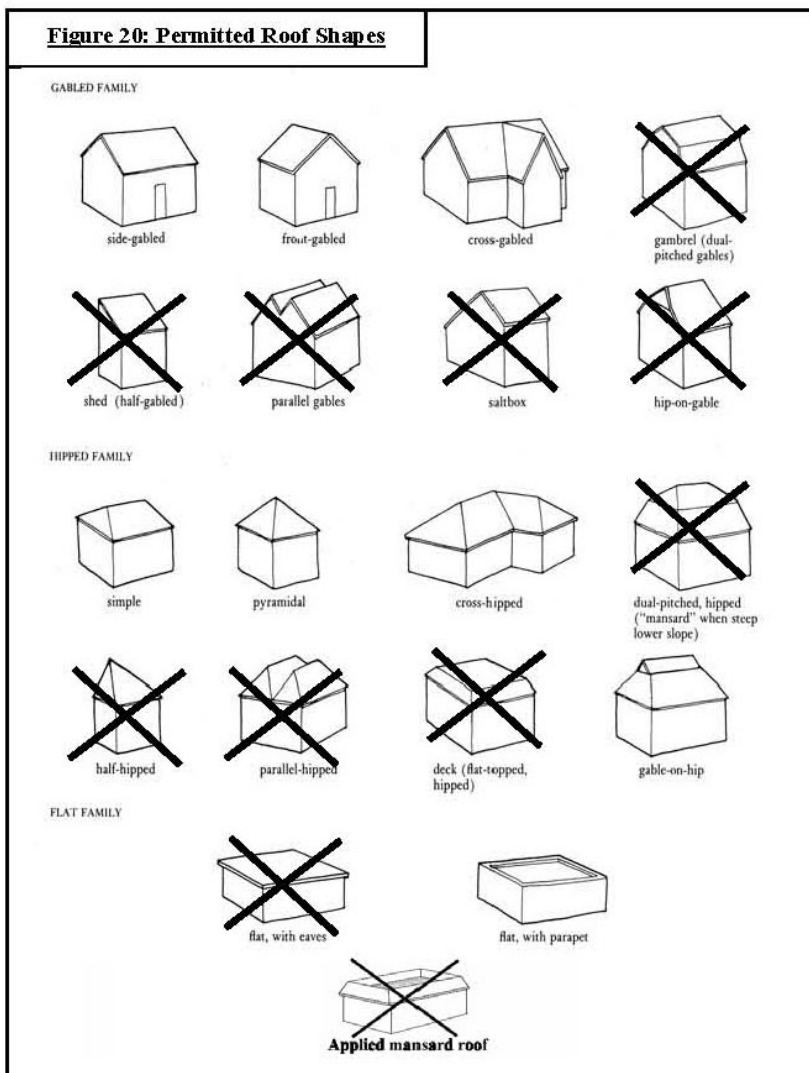
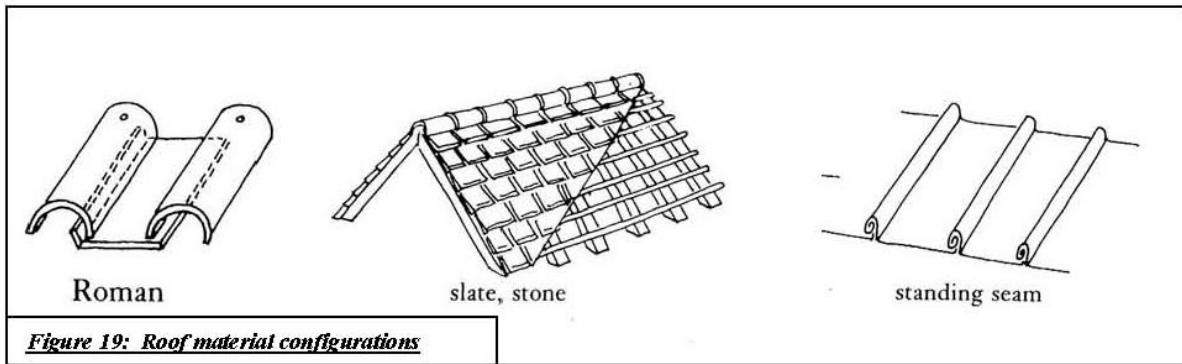
a. Materials: The following materials are permitted:

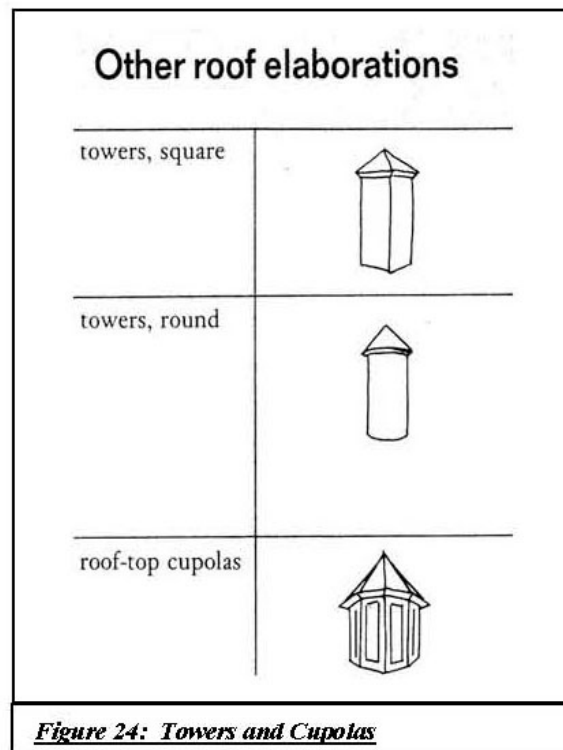
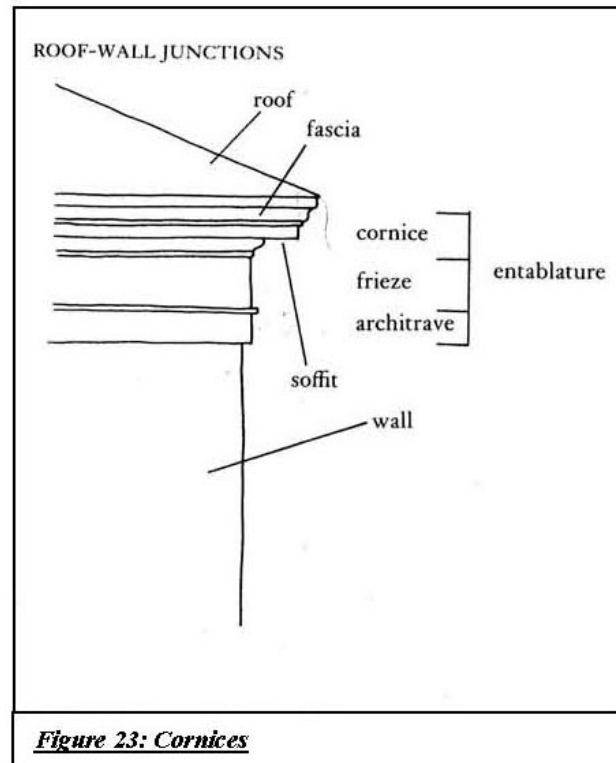
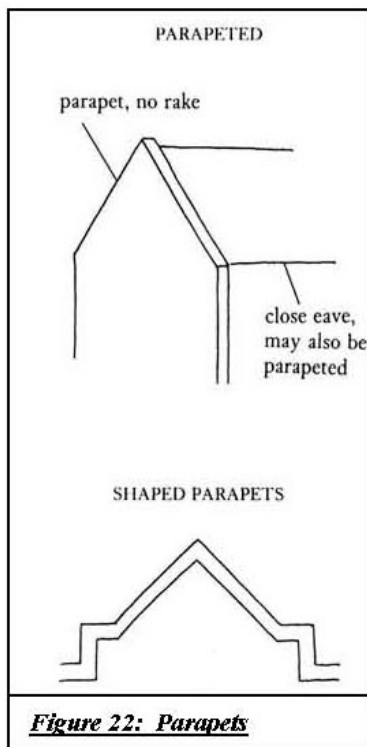
- (1) Clay or concrete (faux clay)
- (2) Tile (barrel or flat roman)
- (3) Slate (Equivalent synthetic or better)
- (4) Metal (Standing seam 5-v crimp, equivalent or better)
- (5) Shingle

- b. Only the following configurations and techniques are permitted (See Figure 19 and 20):
- (1) Roof shapes
 - (a) Side gabled
 - (b) Front gabled
 - (c) Cross gabled
 - (d) Simple hipped
 - (e) Pyramidal hipped
 - (f) Cross hipped
 - (g) Gable-on-hipped
 - (h) Flat with parapet
 - (2) Pitched roofs (exclusive of roofs behind parapet walls):
 - (a) The primary ridge beam shall run parallel to the street.
 - (b) Simple hip and gable roofs shall be symmetrically pitched between 25 and 50 percent.
 - (c) Mechanical equipment must be screened from view from the ground from all public use areas, adjacent to the site in question.
 - (d) Sloping roofs with a vertical rise that exceeds one-half the average height of supporting walls as measured along each facade are not permitted.
 - (3) Overhang (See Figure 21)
 - (a) Eaves must overhang at least 24 inches on primary structures.
 - (b) Rakes (gable end) must overhang at least 18 inches.
 - (c) Balconies must be minimum of four (4) feet of platform and be accessible from the interior.
- c. Parapet Roofs and Other Features (See Figure 22)
- (1) Parapets, towers, or cornices (See Figure 23 and 24), both incorporating a peaked or a flat-faced elevation shall be incorporated into each building design in the development.
 - (2) Parapet walls sufficiently high enough to screen rooftop mechanical from viewing shall conceal roofs of building structures that are generally flat.
 - (3) Parapet height shall be measured at the top of the Parapet, including any coping. An additional 3 feet in height by 12 feet

in width (or 15 percent of the façade, whichever is greater) is permitted for a section of the Parapet emphasizing the building's main street entry or a corner. Any other variations regarding building heights must receive a variance.

- (4) Facades that exceed 100 feet in length measured along the street frontage shall have variations in roofline or rooftop parapet.





3. Standards for Windows and Doors - Where clearly visible from streets, sidewalks, outdoor amenities, recreational areas or other public uses. (Exceptions include religious buildings.)

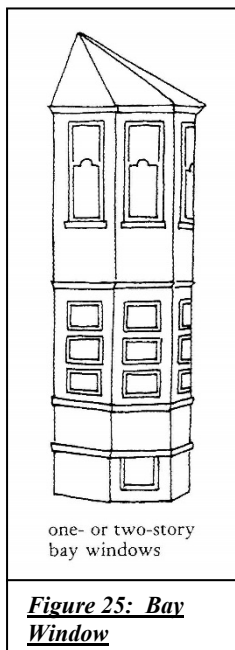
a. Materials: The following materials are permitted.

- (1) Windows of anodized aluminum, wood, clad wood, vinyl, or steel
- (2) Window glass must be clear, with light transmission at the ground story at least 90%, and at least 75% for the upper stories
- (3) Specialty windows may utilize stained or opalescent glass
- (4) Window screens shall be black or gray
- (5) Screen frames shall match window frame material or dark anodized
- (6) Doors of wood, clad wood, or metal

b. Configurations and Techniques

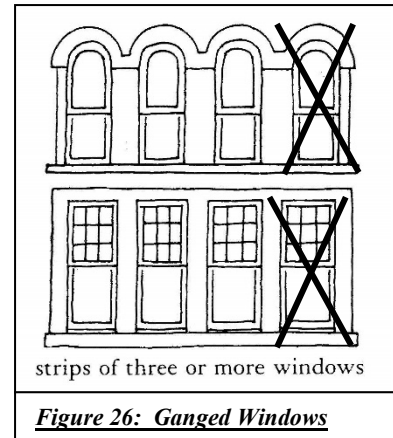
(1) The following requirements apply to all windows:

- (a) Openings for windows, windowpanes, and doors shall be taller than they are wide. Transom windows are not included in the measurements of this requirement.
- (b) Windows may be ganged horizontally (maximum 3 per group) if subdivided by a mullion, column, pier or wall section that is at least 7 inches wide.
- (c) Windows shall be no closer than 30 inches to building corners, excluding bay windows and where the building corner is also a block corner.
- (d) Bay windows shall have a minimum interior clear width at main wall of 4 feet; projection not greater than 36 inches beyond the build to line; walls and windows shall be between 90 degrees (perpendicular) and 0 degrees (parallel) relative to the primary wall from which they project. Bay windows may not project into any adjacent right-of way or property line (see Figure 25).
- (e) Exterior shutters shall be sized and mounted appropriately for the window (1/2 the width), even if inoperable.



(2) The following requirements apply to all upper-story windows:

- (a) Windows shall be double-hung, single-hung, awning, or casement windows.
- (b) Fixed windows are permitted.
- (c) Egress windows may be installed according to the appropriate building code.



(3) Shopfront (ground floor) windows and doors:

- (a) Single panes of glass not larger than 8 feet in height by 4 feet wide.
- (b) Ground floor windows shall not be made opaque by window treatments (excepting operable sunscreen devices within the air conditioned space) and shall allow a minimum 50 percent of surface view into the building for a depth of at least 20 feet.

(4) Doors

- (a) Double-height entryways (those that span more than one story) are not allowed.
- (b) Entryways may be set at a 45-degree (45°) angle to the door and shall have a clear view of the interior as shown in Figure 27.



N. STREET WALL STANDARDS

1. Materials

- a. Native stone (carved with local and traditional techniques) and equivalent imitation stone
- b. Metal – Wrought iron, welded steel and/or aluminum (black) (chain link fence is not permitted).
- c. Brick

- d. Stucco on concrete block (or poured) only with brick or stone coping.
- e. A combination of materials; i.e. stone piers with brick infill panels.

2. Configurations and Techniques

- a. Stucco Street Walls shall have a hardy species of climbing vine planted along them.
- b. Metal work may additionally be treated to imitate a copper patina.
- c. All Street Wall facades shall be as carefully designed as the building façade, with the finished side out, i.e. the “better” side facing the street.

O. RETAINING WALL STANDARDS

- 1. Materials: When retaining walls are used, the following materials may be used:
 - a. Native stone and equivalent cultured/imitation stone (carved with local and traditional techniques)
 - b. Brick

2. Configurations

- a. Walls not designed and approved by a registered professional engineer may not exceed four (4) feet in height. Walls greater than six (6) feet in height must be screened in a planting bed of not less than 10 feet in width, parallel to the exposed side of the retaining wall, with one of the following:
 - (1) 1 tree per 35 linear feet, or fraction thereof, from List A (shade trees), plus double row hedge from List E (evergreen/broadleaf shrubs)*
 - (2) 1 tree per 20 linear feet, or fraction thereof, from List B (flowering and non-flowering trees), plus a double row hedge from List E (evergreen/broadleaf shrubs)*

* Plant lists can be found in the Planting Manual and Landscape Regulation Guidelines within the text of the Fort Wright Zoning Ordinance.

- b. A series of smaller retaining walls is preferable to one large wall, provided that the series of walls can be built without excessive removal of vegetation during construction, and must be re-vegetated.

P. COLORS

1. Building Wall Colors

- a. Colors chosen for the building facades shall be of the same color palette/shade regardless of whether the structure is used as single or multi tenant space.
- b. Colors chosen for the building exteriors shall be taken from an earth tone color palette or substitute as acceptable by the city. Colors may allow for national identity, with approval from the city.
- c. Brick shall approximate the color of bricks made from regional clays.
- d. Primary colors shall not be used for building walls unless they are a muted tone.
- e. Neon colors are not allowed.

Commentary: Schemes with building walls of more than one color are discouraged except where materials are different, such as when a decorative stucco door surround is used. Where different wall materials allow two-tone schemes, similar colors and tones are recommended.

2. Roof Colors

- a. Natural colors or substitute as acceptable by the city.

3. Trim Colors

- a. For windows, soffits, cornices, moldings, etc.: whites or dark saturated cool colors (greens, blues), bronze or substitute as acceptable by the city. Aluminum windows, screen frames, etc. shall be bronze anodized.
- b. Schemes may have no more than two trim colors.
- c. Entry doors are permitted a greater color latitude, subject to approval by the city.
- d. Brick and stone shall be left their natural color.

Q. ACCESSORY STRUCTURES

1. Accessory structures shall have the same architectural detail, elements, materials and roof design as the principal structure.
2. Size, placement and screening of accessory structures:

- a. Storage areas, refuse areas, mechanical equipment, and gas pumps with associated canopies, shall not be visible from the street.
 - b. Use of wing walls and other similar structures is required.
3. Drive through windows
 - a. Drive through, drive up, or drive in windows are not permitted.
4. Automated teller machines (ATMs)
 - a. ATMs are permitted only if incorporated into the primary building.
 - b. ATMs shall not be accessible via drive aisles or drive-thrus, must be walk up only.

R. LIGHTING STANDARDS

1. Plan Requirements
 - a. A lighting plan shall be submitted for review including details of, but not limited to, the number and location of all luminaries, height of poles, intensity, lighting patterns and details of lighting fixtures.
 - b. All lighting fixtures/poles shall be black tapered poles.
2. Specifications
 - a. No flashing, traveling, animated, neon or intermittent lighting shall be permitted whether such lighting is for temporary or for long-term duration. No fluorescent lights (except compact fluorescent bulbs that screw into standard sockets) may be used on the exterior of buildings.
 - b. Floodlights or directional lights (max. 75-watt bulbs) may be used to illuminate parking garages and maintenance areas, but must be shielded or aimed away from the property line. Floodlighting shall not be used to illuminate building walls (i.e. no up-lighting) or parking areas.
 - c. All luminaries designed for entryways and decorative purposes on nonresidential and multifamily residential buildings and structures that exceed 2,000 lumens shall have fixtures that cut off light from direct view.
3. Street Lighting
 - a. Lighting along State Route 17



- (1) Street lighting standards shall meet the IES (Illuminating Engineering Society of North America) illumination recommendations for Roadway Lighting by providing a uniformity ratio of 3:1 along arterial roadways, 4:1 along collector roadways and 6:1 along local roadways. The height and spacing of the lighting fixtures shall be designed to achieve the uniformity ratio specified in the IES standards.
- (2) All fixtures along State Route 17 in the district shall be of the Holophane (A company that manufacturers and supplies lighting products), “revitalization series”. The fixture shall be black in color, be fitted with a high renaissance base type and a pendant mount teardrop type lighting fixture (see Figure 28).
- (3) No cobra or shoebox type lighting fixtures shall be permitted along the corridor in the district.
- (4) The fixtures shall be installed within the median.

b. Lighting interior streets/driveways within development

- (1) All lighting fixtures shall be fitted with metal halide or high-pressure sodium “Acorn” full cut-off or cut-off type luminaire.
- (2) The maximum permitted height of lighting fixtures shall be 12 feet.
- (3) The fixtures shall be located in the verge strip area between the sidewalk and the street.
- (4) When lighting fixtures are placed along mixed-use buildings with residential uses on top floors an attempt shall be made to place the fixtures in areas without fenestrations.

4. Lighting for Off Street Parking

- a. The limits of minimum illumination in the parking areas shall in no case be less than 0.2-foot candles, unless otherwise required by the city where pedestrian security and site entrance issues arise.
- b. The following requirements for minimum and maximum illumination apply:

Table 5: Minimum and Maximum Illumination

Primary Use*	Maximum permitted illumination at property line (in foot candles)	Maximum permitted height of luminaries (in feet)	Minimum Maintained illumination at site (in foot candles)
Commercial	0.5 (0.2 where adjacent to residential areas)	20	0.2
Residential	0.2	12	-

* If the use is 60% or greater on the site.

- c. All outdoor lighting shall be reduced by 25% during non-operating hours in mixed-use areas.
- d. All luminaries utilized shall be designed to have full cutoff or cutoff type fixtures to shield light from the direct view of an observer at ground level at the property line.
- e. All lighting must be located on poles or at ground level and must be directed toward the property interior.

5. Lighting for Pedestrian Walkways/Bikeways

- a. Pedestrian walkways/bike lanes adjacent to roadways shall maintain a minimum average illuminance level based on the primary use (See Table 7).
- b. Pedestrian walkways and bikeways away from roadways shall be lit and shall maintain an average illuminance level no less than 0.5 foot-candles.
- c. The maximum lighting levels in any pedestrian area (excluding building entrances) shall not exceed a maintained level of 3 foot-candles.

Table 6: Average Illuminance

Primary Use	Minimum Average Illuminance Level In foot candle
Commercial	1
Mixed Use	0.5
Residential	0.2

- d. The uniformity ratio shall not exceed 4:1 except where increased pedestrian security is desired in which case the uniformity ratio shall not exceed 5:1.
- e. Luminaries shall have a low brightness with an internal shield and prismatic refractor such as a 50-watt metal halide lamp with Aromat electronic ballast or a 55-watt induction lamp. Their aesthetic

character shall be appropriate for the surrounding buildings and landscape, as approved by the plan.

- f. Civic greens, squares and pedestrian walkways shall include luminaries of a particular “period” or architectural style (except when adjacent to residential buildings) such that:

- (1) If the fixtures are not cut off luminaries, the maximum output shall not be more than 2,000 lumens (60 watts incandescent).
- (2) Maximum pole height of luminaires shall not exceed 12 feet.

- g. Decorative bollard lighting may be used in place of pole-mounted fixtures to direct light towards walkways/bikeways within public open space or civic areas. The height of decorative bollards shall not exceed 4 feet.

6. Lighting For Recreational Fields

- a. All luminaries must have a cut off angle less than 90 degrees and shall be turned off when not in use.
- b. No illumination for the purposes of sports activity shall be permitted after 11:00 p.m. unless already in progress prior to 9:00 p.m. or otherwise approved by the city.
- c. Luminaire specifications shall be determined based on the class of play for the athletic field in question based on the IESNA RP-6-01 (Recommended Practice for Sports and Recreational Area Lighting).

7. Lighting For Gas Stations

- a. Outdoor sales and gas station canopies must utilize canopy lights that are fully recessed into the canopy or are fully shielded by the canopy.
- b. The minimum average minimum illuminance levels for Exterior Service Canopies listed in Table 8 shall be maintained to meet the values set forth in IESNA RP-33-99, Table 8: Service Station or Gas Pump Area Average Illuminance Levels.
- c. The total under canopy initial bare lamp lumens used for illuminating Exterior Service Canopies shall have a maximum output limit not to exceed 25 lumens per square foot of canopy area. Lighting limit shall include all canopy-mounted luminaires, as well as any signage or illuminated panels below the canopy.

Table 7: Minimum Average Illuminance

Service Station Component	Minimum Average Illuminance (in footcandles)
Approach	2.0
Driveway	2.0
Pump Island Area	10.0
Building Façade	3.0
Service Areas	3.0
Landscape Highlights	2.0

S. SIGNAGE STANDARDS

1. Article XIV of the Fort Wright Zoning Ordinance applies with the following additional regulations:
 - a. Façade signs are permitted only within the area between the first story and the second story, but no higher than 25 feet, and no lower than 10 feet above the adjacent grade.
 - b. Non-illuminated names of buildings, dates of erection, monument statues, tablets when carved into stone, concrete, metal, or any other permanent type of construction and integral part of an allowed structure are permitted, not larger than five (5) square feet in size.
 - c. Pole signs and cabinet type façade signs are not permitted.
 - d. Flashing, traveling, animated or intermittent lighting are not permitted.
 - e. No illuminated signage is permitted which would glare into residential units within multi-use structures.
 - f. Pedestrian-oriented signs
 - (1) Pedestrian oriented signs are signs that are designed for and directed toward pedestrians so that they can easily and comfortably read the sign, as they stand adjacent to the business (see Figure 29).
 - (2) One (1) pedestrian-oriented sign is permitted per business for facades facing the public street and the required recreational corridor area.
 - (3) Signs of this type shall be erected on or attached to and not parallel to a building.



Figure 29: Pedestrian-oriented signs.

- (4) Signs must not be placed lower than ten (10) foot above grade.
- (5) Signs must not exceed four (4) square feet in size and not extend beyond the building wall more than twenty-four (24) inches.

2. Finish Materials

- a. All exterior materials will be of high quality, durable, and easy to maintain, and provide for longevity of use. Permitted finish materials include:
- b. Masonry
- c. Wood; painted, stained or natural
- d. Metal
- e. Plastic, when used for individual letters and symbols only