

APPENDIX B

ZONES AS REGULATED BY OTHER LEGISLATIVE BODIES

SECTION 10.6 R-1F (RESIDENTIAL ONE-F) ZONE (Erlanger)

A. PERMITTED USES

1. Single-family residential dwellings (detached)

B. ACCESSORY USES

1. Customary accessory buildings and uses
2. Fences and walls, as regulated by Article XIII
3. 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
4. Governmental offices
5. Institutions for higher education, providing they are located adjacent to an arterial street
6. Institutions for human medical care - hospitals, clinic sanitariums, convalescent homes, nursing homes, and homes for the aged, providing they are located adjacent to an arterial street
7. Nursery schools, providing they are located adjacent to an arterial or collector street
8. Public and parochial schools
9. Parks, playgrounds, golf courses, community recreational centers, swimming pools, and libraries, which are operated publicly or by a non-profit organization
10. 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 five hundred (6,500) 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. Where any yard of any conditional use permitted in this zone abuts property in a single-family residential zone, a ten (10) foot wide screening area, as regulated by Section 9.17 of this ordinance, shall be required.
5. A minimum of one attached or detached garage shall be required for each dwelling unit that receives a zoning permit after September 24, 1986 for initial construction of that dwelling unit.
6. All utilities must be underground in a new subdivision when transmission lines have to be extended.

* When reviewing the regulations for the R-1F Zone, it is important to remember that other sections of the ERLANGER Zoning Ordinance (i.e., General Regulations, Sign Regulations, Off-Street Parking Requirements, etc.) must be consulted since they also apply to this zoning district.

SECTION 10.1 A-1 (AGRICULTURAL-ONE) ZONE (Kenton County)**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. 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

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 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.
- 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. Where any yard of any conditional use permitted in this zone abuts property in a single-family residential zone, a ten (10) foot wide screening area, as regulated by Section 9.17 of this ordinance, shall be required.
 - 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 (Kenton County)**A. PERMITTED USES**

1. Single-family residential dwellings (detached)

B. ACCESSORY USES

1. Customary accessory buildings and uses
2. Fences and walls, as regulated by Article XIII
3. 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. Where any yard of any conditional use permitted in this zone abuts property in a single-family residential zone, a ten (10) foot wide screening area, as regulated by Section 9.17 of this ordinance, shall be required.

* When reviewing the regulations for the R-1B Zone, it is important to remember that other sections of the Kenton County Zoning Ordinance (i.e., General Regulations, Sign Regulations, Off-Street Parking Requirements, etc.) must be consulted since they also apply to this zoning district.

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

1. Single-family residential dwellings (detached)

B. ACCESSORY USES

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

C. CONDITIONAL USES: The following uses, or any customary accessory buildings or uses, subject to the approval of the board of adjustment, as set forth in Sections 9.14 and 18.7 of this ordinance:

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

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES

1. Minimum lot area - 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. Where any yard of any conditional use permitted in this zone abuts property in a single-family residential zone, a ten (10) foot wide screening area, as regulated by Section 9.17 of this ordinance, shall be required.

* When reviewing the regulations for the R-1B Zone, it is important to remember that other sections of the Kenton County Zoning Ordinance (i.e., General Regulations, Sign Regulations, Off-Street Parking Requirements, etc.) must be consulted since they also apply to this zoning district.

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

1. Single-family residential dwellings (detached)

B. ACCESSORY USES

1. Customary accessory buildings and uses
2. Fences and walls, as regulated by Article XIII
3. 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. Where any yard of any conditional use permitted in this zone abuts property in a single-family residential zone, a ten (10) foot wide screening area, as regulated by Section 9.17 of this ordinance, shall be required.

* When reviewing the regulations for the R-1C Zone, it is important to remember that other sections of the Kenton County Zoning Ordinance (i.e., General Regulations, Sign Regulations, Off-Street Parking Requirements, etc.) must be consulted since they also apply to this zoning district.

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

1. Single-family residential dwellings (detached)

B. ACCESSORY USES

1. Customary accessory buildings and uses
2. Fences and walls, as regulated by Article XIII
3. 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. Where any yard of any conditional use permitted in this zone abuts property in a single-family residential zone, a ten (10) foot wide screening area, as regulated by Section 9.17 of this ordinance, shall be required.

* When reviewing the regulations for the R-1D Zone, it is important to remember that other sections of the Kenton County Zoning Ordinance (i.e., General Regulations, Sign Regulations, Off-Street Parking Requirements, etc.) must be consulted since they also apply to this zoning district.

SECTION 10.14 RCD (RESIDENTIAL CLUSTER DEVELOPMENT) OVERLAY ZONE
(Kenton County)

- 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.

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- 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 10.23 I-1 (INDUSTRIAL-ONE) ZONE (Kenton County)

- 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. Where any yard of any permitted use in this zone abuts a residential zone, a minimum yard requirement of seventy-five (75) feet for each side and/or rear yard which abuts said zone shall be provided, ten (10) feet of which shall be maintained by a screening area, as regulated by Section 9.17 of this ordinance.
4. A site plan, as regulated by Section 9.19 of this ordinance, shall be required for any use in this zone.

SECTION 10.17 NC (NEIGHBORHOOD COMMERCIAL) ZONE (Kenton County)**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.
4. A site plan, as regulated by Section 9.19 of this ordinance, shall be required for any use permitted in this zone.

* When reviewing the regulations for the NC Zone, it is important to remember that other sections of the Kenton County Zoning Ordinance (i.e., General Regulations, Sign Regulations, Off-Street Parking Requirements, etc.) must be consulted since they also apply to this zoning district.