



Request for Qualifications

Redevelopment of the former Klee property
17 Ridgeway Ave./U.S. 27, Falmouth, KY

Appendix 1: Site Zoning Code

ARTICLE 7

REGULATION FOR ZONES

SECTION 7.0 RURAL (R) ZONE:

- A. **PURPOSE:** The purpose of this district is to establish and preserve areas for agricultural, horticultural, and residential uses without permitting an type of development which would have an adverse impact upon the vitality, uses, assets or character of agricultural and residential uses in the area. The Rural Zone shall be designated by the color "Green" on the zoning map.
- B. **PERMITTED USES:**
1. Single family, two family and multi-family dwelling units.
 2. Farms of crops and livestock.
 3. Hunting.
 4. Riding and boarding stables.
 5. Bed and Breakfast facilities, as regulated by Section 6.19 of this Ordinance.
 6. Churches and other buildings for the purpose of religious worship.
 7. Underground mining.
- C. **ACCESSORY USES:** Accessory uses, buildings and structures customarily incidental and subordinate to any of the Permitted uses.
1. Privately owned parking and garage.
 2. Fences and walls.
 3. Buildings such as storage sheds, greenhouses, gazebos.
 4. Storage of recreational vehicles.
 5. Privately-owned recreational activities (not operated as a business).
 6. Privately-owned stables or other keeping and use of pets and animals.
 7. Offices for farm management and administration of agriculture services offered on the farm premises.
 8. Accessory dwelling units.
 9. Signs.
 10. Home occupations, as regulated by Section 6.7 of this Ordinance.
 11. Swimming pools, as regulated by Section 6.12 of this Ordinance.
- D. **CONDITIONAL USES:** The following uses or any customary accessory buildings and uses, subject to the approval by the Board of Adjustment, as set forth in this Ordinance:

1. Cemeteries.
2. Day care centers (Child or Adult).
3. Libraries.
4. Nursery schools and child day care facilities.
5. Public and parochial schools.
6. Publicly or privately owned and/or commercially-operated parks, playgrounds, golf courses, community recreational centers, swimming pools, tennis courts/clubs, fishing lakes, gun clubs and ranges, horse riding arenas, paintball fields, canoe rentals and petting zoos.
7. Funeral homes.
8. Meat processing plants, including slaughterhouses.
9. Kennels.
10. Repair and sales of agricultural equipment and supplies.
11. Farmers markets.
12. Recreation vehicle camping grounds provided such living arrangements are of a transient or seasonal use and such use meets the requirements of KRS 219.310- KRS 219-410.
13. Home occupations conducted in an accessory structure, otherwise meeting the requirements of Section 6.7 of this Ordinance.
14. Privately-owned recreational activities (operated as a business).

E. AREA AND HEIGHT REGULATIONS FOR PERMITTED AND CONDITIONAL USES:

1. Minimum Lot Area – no minimum requirement, except as needed to meet the requirements of this Ordinance and to meet the requirements for septic on the site as regulated by the Pendleton County Health Department or Three Rivers Health District.
2. Minimum Front Yard Depth – Fifty (50) feet.
3. Minimum Side Yard Width, on Each Side of Lot – Five (5) feet.
4. Minimum Rear Yard Depth – Five (5) feet.
5. Minimum Setback from U.S. Highway 27, regardless whether it is front, side or rear yard – One Hundred Twenty-five (125) feet.

F. OTHER DEVELOPMENT CONTROLS:

1. Off-street parking of two spaces for every dwelling unit shall be provided, and such additional spaces reasonably calculated to provide for the regular use of the property, or as otherwise required by this Ordinance.
2. No lighting shall be permitted which would glare onto any street.
3. Land used solely for agricultural purposes shall have a front yard depth of a minimum of fifty (50) feet, from any existing or proposed street or highway.

4. Any ventilation shafts, utilities, and related structures and equipment associated with underground mining shall be set back a minimum of one hundred (100) feet from any dwelling or other structure.
5. Noise from ventilation shafts and utilities related to underground mining shall be controlled by reasonably available controlled technology.

SECTION 7.1 COMMERCE ZONES: There shall be two Commerce Zones, known as the Business Zone and the Intensive Zone.

SECTION 7.2 BUSINESS (B) ZONE:

- A. **PURPOSE:** The purpose of the Business Zone is to allow various commercial and industrial uses which are not permitted in the Rural Zone, but generally operate within a completely enclosed building. The Business Zone shall be designated by the color “Yellow” on the zoning map.

- B. **PERMITTED USES:** The following uses are permitted in the Business Zone (except that Scrap Metal facilities, Salvage Yards, Material Recycling, and Landfills shall be specifically excluded from this Zone):
 - 1. All commercial retail and service uses, including stores and shops.
 - 2. All industrial uses, including manufacturing, processing and assembly.
 - 3. All office uses.
 - 4. Billboards.
 - 5. Schools, government buildings, police and fire stations, libraries.
 - 6. Community centers, including day care facilities.
 - 7. Commercial recreation facilities.
 - 8. Churches and other buildings for the purpose of religious worship.
 - 9. All uses listed as conditional uses in the Rural Zone.
 - 10. Underground mining.

- C. **ACCESSORY USES:**
 - 1. Customary accessory structures and uses, including operations required to maintain or support any use permitted in this zone on the same lot as the permitted use.
 - 2. Fences and/or walls.
 - 3. Signs.
 - 4. One (1) dwelling unit of the property owner, owner-operator, manager or employee of the business.
 - 5. Gas pumps
 - 6. Outdoor display for sale of vehicles and farm implements.

- D. **CONDITIONAL USES:** The following uses or any customary accessory buildings and uses, subject to the approval by the Board of Adjustment, as set forth in this Ordinance:
 - 1. Outdoor storage of product or materials (except vehicles and farm implements).
 - 2. Any outdoor business operation (except gas pumps, Scrap Metal facilities, Salvage Yards, Material Recycling, and Landfills).

3. Kennels.

E. AREA AND HEIGHT REGULATIONS FOR PERMITTED AND CONDITIONAL USES:

1. Minimum Lot Area – no minimum requirement.
2. Minimum Front Yard Depth - Forty five (45) feet
3. Minimum Side Yard Width, on Each Side of Lot - Five (5) feet.
4. Minimum Rear Yard Depth - Five (5) feet.
5. Maximum Building Height – Forty (40) feet.
6. Minimum Setback from U.S. Highway 27, regardless whether it is front, side or rear yard –Sixty (65) feet on all uses located North of US 27/Main Street (Hwy 22) intersection, One-hundred and ten (110) feet on all uses located South of US 27/Main Street (Hwy 22) intersection

F. OTHER DEVELOPMENT CONTROLS:

1. Off-street parking as regulated by Article 8.
2. No lighting shall be permitted which would glare onto any street or any adjacent property.
3. Except as otherwise permitted herein, no outdoor storage of any materials, supplies, or products shall be permitted in this zone.
4. All business activities permitted within this zone shall be conducted within a completely enclosed building, with the exception of recreational activities.
5. No use producing emissions or that otherwise impacts ambient air quality beyond the boundary lines of the property not otherwise allowed by existing federal, state or local regulations shall be permitted.
6. Off Street loading and unloading area as regulated by Article 9.
7. All business operations shall be screened from adjacent residential uses.
8. Any ventilation shafts, utilities, and related structures and equipment associated with underground mining shall be set back a minimum of one hundred (100) feet from any dwelling or other structure.

ARTICLE 8

OFF-STREET PARKING AND ACCESS CONTROL REGULATIONS

SECTION 8.0 GENERAL REQUIREMENTS:

A. OFF-STREET PARKING:

In all Commerce and Downtown zones and all conditional uses in the Rural, Urban Residential and Suburban Residential Zones, off-street parking facilities for use by occupants, employees, and patrons of the building hereafter erected, altered, or extended, and all uses of the land after the effective date of this Ordinance, shall be provided and maintained as herein prescribed. Off-street parking requirements as regulated by Article 8 may be reduced or waived in the Downtown Zone by a formal act of the City Council upon its finding that adequate public or on-street parking exists at the time of the application or development in light of anticipated demand, such that the requirements of the off-street parking regulations are unnecessary or excessive.

B. COMPUTATION OF PARKING SPACES: In determining the number of required off-street parking spaces, if such spaces result in fractional parts thereof, the number of said required spaces shall be construed to be the next highest whole number.

C. ADDITIONAL PARKING SPACES TO BE PROVIDED: Whenever the intensity of use of any building, structure, or premises shall be increased through addition of dwelling units, gross floor area, seating capacity, change of use, or other units of measurement specified herein, additional parking spaces shall be provided in the amounts hereafter specified for that use, if the existing off-street parking area is inadequate to serve such increase in intensity of use.

D. LOCATION OF OFF-STREET PARKING FACILITIES: Off-street parking facilities shall be permitted in driveways in the front, side, and rear yards, provided all requirements of this Ordinance are met, and provided that all off-street parking facilities shall be set back a minimum of five (5) feet from any street right-of-way line. All off-street parking facilities shall be located on the same lot as the building served.

E. DRIVEWAYS NOT COMPUTED AS PART OF REQUIRED PARKING AREA: Entrances, exits, or driveways shall not be computed as any part of a required off-street parking area.

- F. **OFF-STREET PARKING SPACE TO BE USED FOR PARKING ONLY:** Any vehicle parking space shall be used for parking only. Any other use of such space, including repair work or servicing of any kind, other than in an emergency, or the requirement of any payment for the use of such space, shall be deemed to constitute a separate commercial, use in violation of the provisions of this Ordinance.

- G. **NO BUILDING TO BE ERECTED IN OFF-STREET PARKING SPACE:** No building of any kind shall be erected in any off-street parking area, except a parking garage containing parking spaces equal to the requirements set forth in this section of this Ordinance or a shelter house/booth for a parking attendant, provided the number of required spaces are not reduced.

- H. **PARKING PLAN APPROVAL REQUIRED:** Plans for all off-street parking facilities, including parking garages, shall be submitted to the Zoning Administrator for review and for compliance with the provisions of this Ordinance and such other pertinent ordinances. Plans for all off-street parking facilities, including parking garages, shall be submitted as part of a Stage II Development Plan. Such plans shall show the number of spaces and arrangements of parking aisles, location of access points onto adjacent streets, provisions for vehicular and pedestrian circulation, location of sidewalks and curbs on or adjacent to the property, utilities, location of shelters for parking attendant, locations of signs, typical cross-sections of pavement, including base and sub-base, proposed grade of parking lot, storm drainage facilities, location and type of lighting facilities, and such other information or plans as the circumstances may warrant. Where such parking plans include provisions for access points to adjacent streets, then said plans shall also be prepared in accordance with the requirements of Section 11.3 of this Ordinance.

SECTION 8.1 DESIGN AND LAYOUT OF OFF-STREET PARKING AREAS:

- A. **SIZE OF OFF-STREET PARKING SPACES:** For the purposes of this Ordinance, one (1) off-street parking space shall be a minimum of nine (9) feet in width and twenty (20) feet in length, exclusive of access drives and aisles. Such parking spaces shall have a vertical clearance of at least seven (7) feet.

- B. **WIDTH OF ACCESS DRIVES:**
 - 1. All off-street parking areas shall be laid out with the following minimum aisle or access drive widths:
 - a. Ninety (90) degree (perpendicular) parking - Twenty-two (22) feet (either one (1) or two (2) way circulation).

- b. Sixty (60) degree (angle) parking - Fifteen (15) feet (one-way circulation only).
 - c. Forty-Five (45) degree (angle) parking - Thirteen (13) feet (one way circulation only).
 - d. Thirty (30) degree (angle) parking - Eleven (11) feet (one way circulation only).
 - e. Zero (0) degree (parallel) parking - Twelve (12) feet (one way circulation only).
- 2. Except as herein provided, the minimum width of access drives or aisles, as provided for in Section 8.1, B., 1. of this Ordinance, shall be required whether the access drive or aisle provides access to an off-street parking area or individual off-street parking spaces.
 - 3. When any combination of these types of parking is used (facing the same aisle) the most restricted aisle or access drive width requirements shall prevail. In addition, a two (2) foot overhang may be permitted on the external sides of a parking area.
 - 4. If the width of the parking space is increased over nine (9) feet, the drive aisle width can be decreased proportionally (two (2) foot width in drive aisle per one (1) foot increase in space width) except that a drive aisle for two-way traffic may not be decreased below twenty (20) feet in width and a drive aisle for one-way traffic may not be decreased below eleven (11) feet in width.
- C. ACCESS TO OFF-STREET PARKING SPACES: Each required off-street parking space shall be connected with a deeded public right-of-way by means of aisles or access drives. The off-street parking area shall be so designed to ensure that all maneuvering into and out of each off-street parking space shall take place entirely within property lines of lots, garages, and/or storage areas.
- D. OFF-STREET PARKING AREAS IN COMMERCE AND DOWNTOWN ZONES: All such off-street parking areas shall have a protective wall and/or bumper blocks around the perimeter of said off-street parking area and shall be so designed that all vehicles leaving the facility will be traveling forward to approaching traffic. All off-street parking areas shall be effectively screened on each side adjoining or fronting on any property situated in a zone permitting single-family residential dwellings, as regulated by Section 6.11 of this Ordinance. Ground cover shrubs and trees shall be located and maintained so as to not interfere with vehicular and pedestrian traffic on the property or with sight distance clearance at entrances and exits.

- E. LIGHTING: Any lighting used to illuminate off-street parking areas shall not glare upon any right-of-way or adjacent property.
- F. PAVING OF NEW OFF-STREET PARKING AREAS: Except as provided below in this paragraph, all new off-street parking areas shall be paved with asphalt concrete or Portland Cement concrete. Alternative hard surface paving systems, including decorative pavers, may be used, provided that the system and materials used will have the same or greater load bearing strength as asphalt concrete or cement concrete. The Zoning Administrator may, however, allow parking lots to be paved with gravel for a period of up to one (1) year to allow settling when such lot is constructed on a former building site, or when weather conditions prevent immediate paving with a hard surface. Under no circumstances shall an off-street parking area be used for more than one (1) year without being paved in accordance with the above requirements. EXCEPTION: Upon written application to the Zoning Administrator, waiver of the paving requirement may be temporarily or permanently granted by the Zoning Administrator for parking areas to be used as follows: (1) when the following conditions are met: (a) only by owners, operators and employees of the business, and not customers or consumers, (b) only when the parking facility will service limited or minimal quantities of traffic, and (c) only in remote or rural areas not easily visible to the general or traveling public; or (2) for the annual Woolfest and for parking at athletic fields located in flood plains.

SECTION 8.2 SPECIFIC OFF-STREET PARKING REQUIREMENTS:

- A. The amount of required off-street parking for uses, buildings, or additions, and changes in intensity of uses thereto, shall be determined according to the following requirements, and the space, so required, shall be stated in the application for a zoning and building permit and shall be reserved for such use. Where more than one use is located in the same building, each individual use shall be in accordance with the off-street parking requirements of this section of this Ordinance.
 - 1. Residential: Two (2) parking spaces for each dwelling unit, rented room, and family.
 - 2. Non-residential: One (1) parking space for each employee on shift of largest employment; plus the following as applicable:
 - a. one space for each for each 200 feet of gross floor space for office, retail and service operation.
 - b. one space for every two (2) students in school.

- c. one space for each customer/client/user which the facility is designed to serve at fullest capacity.
 - d. one space for every four (4) available seats in an auditorium, church, gymnasium or other place of assembly.
 - e. Restaurants: one (1) space for every fifty (50) square feet of dining floor area **or** one (1) space per two (2) seat accommodations at maximum capacity, whichever is greater.
- B. If the foregoing requirements result in an excessive number of parking spaces based on a well-reasoned study submitted by the owner or operator of a facility, the Zoning Administrator shall have authority to modify the foregoing requirements, to a number justified by said study, provided that the study adequately identifies the proposed uses, their use at peak conditions, and proposes adequate parking for employees and the general public, without the requirement of using off-site parking. In the event that any such facility, after developed and utilized, presents parking inadequacy problems, the Zoning Administrator shall require the owner or operator to provide additional parking as determined by this Ordinance or have their zoning permit revoked and be subject to penalties for violation of this Ordinance after issuance of a notice letter of violation.