



LUDLOW ORDINANCE NO. 2020-9

AN ORDINANCE OF THE CITY OF LUDLOW, IN KENTON COUNTY, KENTUCKY, AMENDING THE TEXT OF THE LUDLOW ZONING ORDINANCE TO ADD EVENT CENTER AND ENTERTAINMENT FACILITIES AS A CONDITIONAL USE IN THE I-1 ZONE (INDUSTRIAL-ONE).

WHEREAS, City Administrative Officer, Scott Smith, on behalf of the City of Ludlow, submitted an application requesting that the Kenton County Planning Commission review and make recommendations on proposed text amendments to the Ludlow Zoning Ordinance to add event center and entertainment facilities to as a conditional use in the I-1 Zone (Industrial-One); and

WHEREAS, Planning and Development Services of Kenton County reviewed the application and recommended that the proposed text amendments be approved; and

WHEREAS, the Kenton County Planning Commission, upon reviewing the recommendations of Planning and Development Services of Kenton County and after holding a public hearing, voted to approve the text amendments on the basis that the text amendments are consistent with the I-1 Zone and the Comprehensive Plan.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF LUDLOW, KENTUCKY, AS FOLLOWS:

SECTION I

That the Ludlow City Council hereby approves and adopts the text amendments to Section 10.12 of the Ludlow Zoning Ordinance attached as **Exhibit A** and incorporated by reference herein (the "Text Amendments"), on the following bases:

- (1) The Text Amendments are authorized by KRS §100.203(1).
- (2) The Text Amendments are consistent with the I-1 Zone. The Text Amendments will permit event center and entertainment facilities as a conditional use in the I-1 Zone supporting the economic development of Ludlow.

SECTION II

Any and all ordinances in conflict with this ordinance shall be, and hereby are, repealed to the extent of said conflict.

SECTION III

If any part of this ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this ordinance are severable.

OFFICIAL

SECTION IV

That this ordinance shall become effective upon its passage and shall be published under KRS §83A.060(9) and other applicable law. The ordinance may be published by summary.

Passed by City Council on November 12, 2020.

CITY OF LUDLOW, KENTUCKY

By: Joshua C. Boone
Joshua Boone, Mayor

ATTEST:

Laurie Sparks
Laurie Sparks, City Clerk

FIRST READING: 10/8/2020

SECOND READING: 11/12/2020

PUBLICATION: _____

EXHIBIT A

Proposed Text Amendments to Ludlow Zoning Ordinance

Words to be deleted are [~~lined through~~] – Words to be added are **underlined**.

ARTICLE X

ZONES

Section 10.12 I-1 (Industrial-One) Zone

A. PERMITTED USES: The following uses are permitted providing all uses are in compliance with the performance standards as set forth in ARTICLE XV of this ordinance:

1. The assembling, compounding, manufacturing, packaging, or processing of the following uses:
 - a. Animated and/or illuminated billboards and other commercial advertising structures
 - b. Candy and confectionery products, food and beverage products, except the rendering or refining of fats and oils, and excluding poultry and animal slaughtering and dressing
 - c. Cigars and cigarettes
 - d. Cosmetics, pharmaceuticals, and toiletries
 - e. Electric appliances, television sets, phonographs, household appliances
 - f. Electrical machinery, equipment, and supplies
 - g. Fountain and beverage dispensing equipment
 - h. Furniture
 - i. Instruments for professional, scientific, photographic, and optical use
 - j. Metal products, and metal finishing, excluding the use of blast furnaces or drop forges
 - k. Musical instruments, toys, novelties, jewelry, rubber or metal stamps
 - l. Office equipment

- m. Pottery and figurines
 - n. Products from the following previously prepared materials:
bone, cellophane, cork, feathers, felt, fibers, fur, glass, hair, horn,
leather, paper, precious or semi-precious metals, plastics,
rubber, shell, steel, tin, tobacco, wood, wool, yarn
 - o. Textile products, including asbestos products, canvas and
burlap, clothing, cotton products, hosiery and knitting mills,
rope and twine
- 2. Bottling and canning works
- 3. Brewing or distilling of liquors
- 4. Building materials, sales yards
- 5. Bus line shops and storage
- 6. Carting, express, and hauling services
- 7. Contractors' offices and accessory storage yards, including storage of
general construction equipment and vehicles
- 8. Crating services
- 9. Fire stations
- 10. Freight terminals, excluding the handling of coal, coke, or grain
- 11. Governmentally owned and/or operated city, county, and state garages
- 12. Industrial engineering and consultant offices
- 13. Laboratories, offices, and other facilities for research, both basic and
applied, conducted by, or for, an industrial organization or concern,
whether public or private
- 14. Laundry and dry cleaning plants, involving laundering and dry cleaning
of articles delivered to the premises by commercial vehicles
- 15. Machine shops
- 16. Printing, engraving, and related reproduction processes
- 17. Public utilities' rights-of-way and pertinent structures
- 18. Publishing and distribution of books, newspapers, and other printed
materials
- 19. Railroad facilities, exclusive of marshaling yards, maintenance, and
fueling facilities
- 20. Schools for industrial or business training

21. Truck terminals

22. Warehousing or wholesaling

B. ACCESSORY USES

1. Customary accessory building 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. CONDITIONAL USES: The following uses and their customary accessory buildings or uses subject to the approval of the Board of Adjustment as set forth in Sections 9.14 and 18.7 of this ordinance:

1. Event Center and Entertainment Facilities, subject to the following standards:

- a. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII.
- b. The facility must have an access point from an arterial street.
- c. Any outdoor event and dining areas shall be designated to clearly identify the limits of outdoor dining area.
- d. Seating in the outdoor event and dining area shall not exceed 50 percent of the maximum indoor seating capacity of the restaurant.
- e. Sound amplifying systems shall not be permitted before 10:00 a.m. and after 10:00 p.m.

- f. Such area shall not be permitted to locate within any minimum required front, side, or rear yard setback.
- g. Outdoor event and dining areas shall only be operated between 11:00 a.m. and 9:00 p.m. on Sundays through Thursdays, and 11:00 a.m. and 11:00 p.m. on Fridays and Saturdays.
- h. No lighting shall be permitted which would glare from this zone onto any street, or into any residential zone.
- i. Where any yard of any conditional use in this zone abuts a residential zone, a minimum yard requirement of twenty-five (25) 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.
- j. A site plan, as regulated by Section 9.19 of this ordinance, shall be required for any conditional use permitted in this zone.

[C]D. AREA AND HEIGHT REGULATIONS

- 5. 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
- 6. Minimum lot area within minimum tract - One (1) acre
- 7. Minimum lot width at building setback line - One hundred fifty (150) feet
- 8. Minimum front yard depth - Fifty (50) feet
- 9. Minimum side yard width on Each Side of Lot - Twenty-five (25) feet
- 10. Minimum rear yard depth - Fifty (50) feet. No rear yard is required where a rail spur forms the rear property line
- 11. Maximum building height - Forty (40) feet or three (3) stories.

[D]E. OTHER DEVELOPMENT CONTROLS

12. Off-street parking and loading and/or unloading shall be provided in accordance with ARTICLE XI and ARTICLE XII of this ordinance.
13. No lighting shall be permitted which would glare from this zone onto any street or into any adjacent property.
14. 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.
15. A site plan, as regulated by SECTION 9.19 of this ordinance, shall be required for any use in this zone.
16. No motor vehicle which is inoperable or trailer which is usable or unusable shall be stored or used for storage of any items therein on any lot or parcel of ground in this zone unless it is within a completely enclosed building.