

LUDLOW ORDINANCE NO. 2024-8

AN ORDINANCE OF THE CITY OF LUDLOW, IN KENTON COUNTY, KENTUCKY, AMENDING SECTION 70.01, ARTICLE X, AND ARTICLE XI OF THE CITY'S ZONING ORDINANCES

WHEREAS, the City of Ludlow periodically reviews its Zoning Ordinances to determine if any changes or updates need to be made;

WHEREAS, the voters of the City of Ludlow recommend revisions to the City's Zoning Ordinance to conform with the passage of Kentucky Revised Statute 218B; and

WHEREAS, the Ludlow City Council desires to amend the City's Zoning Ordinances to conform to Kentucky Revised Statute 218B.

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

SECTION I

That the Ludlow City Council hereby approves and adopts the text amendments to Section 70.01 of City's Zoning Ordinances, which are attached as **Exhibit A** and are incorporated by reference herein. The Ludlow City Council finds that the text amendments are necessary to conform to changes to Kentucky Revised Statutes and that the text amendments are in the best interest of the City.

That the Ludlow City Council hereby approves and adopts the text amendments to Article X of City's Zoning Ordinances, which are attached as **Exhibit B** and are incorporated by reference herein. The Ludlow City Council finds that the text amendments are necessary to conform to changes to Kentucky Revised Statutes and that the text amendments are in the best interest of the City.

That the Ludlow City Council hereby approves and adopts the text amendments to Article XI of City's Zoning Ordinances, which are attached as **Exhibit C** and are incorporated by reference herein. The Ludlow City Council finds that the text amendments are necessary to conform to changes to Kentucky Revised Statutes and that the text amendments are in the best interest of the City.

SECTION II

All ordinances in conflict with this ordinance shall be, and hereby are, repealed to the extent of said conflict.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

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 in summary.

Passed by the City Council this _____ day of _____, 2024.

CITY OF LUDLOW, KENTUCKY

Chris Wright, Mayor

ATTEST: _____
Laurie Sparks, City Clerk

FIRST READING: _____

SECOND READING: _____

PUBLICATION: _____

EXHIBIT A

Proposed Text Amendments to the City of Ludlow's Zoning Ordinances

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

SECTION 7.0 WORDS AND PHRASES:

For the purposes of this ordinance, certain terms, phrases, words, and their derivatives are herewith defined as follows:

Words used in the future tense include the present;

Words used in the present tense include the future;

Words used in the singular include the plural;

Words used in the plural include the singular;

Words used in the masculine include the feminine;

Words used in the feminine include the masculine;

The word "shall" is mandatory;

The word "may" shall be deemed as permissive.

ACCESSORY BUILDING, STRUCTURE, OR USE, CUSTOMARY

ACCESSORY BUILDING, STRUCTURE, OR USE, CUSTOMARY: A "customary accessory building, structure, or use" is one which:

- a. Is subordinate to and serves the principal building or principal use;
- b. Is subordinate in area, extent, or purpose to the principal building or principal use served;
- c. Contributes to the comfort, convenience, or necessity of occupants of the principal building or principal use served; and
- d. Is located on the same lot as the principal building or principal use served, with the single exception of such accessory off-street parking facilities as are permitted to locate elsewhere than on the same lot with the building or use served.
- e. Includes, but is not limited to, detached garages, sheds, barns, gazebos, patios, decks (both detached and attached), swimming pools, hot tubs, fences, retaining walls, driveways, parking lots, sidewalks, detached stairways and lifts.

[Ord. # 2021-02, adding structures to the definition, 02/11/2021]

ACCESS POINT: An access point is:

- a. A driveway, a local street, or a collector street intersecting an arterial street;
- b. A driveway or a local street intersecting a collector street; or
- c. A driveway or a local street intersecting a second local street.

AGRICULTURE: The use of land for major agricultural purposes, including agriculture, dairying, farming, floriculture, horticulture, pasturage, viticulture, and animal and poultry husbandry and the necessary accessory uses for packing, treating, or storing the produce; provided, however, that the operation of any such accessory use shall be secondary to that of the normal agricultural activities.

AIR RIGHTS: The ownership or control of that area of space at and above a horizontal plane over the ground surface of land. This horizontal plane shall be at a height above the

existing or proposed development (depending on the individual property in question) which is reasonably necessary or legally required for the full and free use of the ground surface.

ALLEY: Public rights-of-way which normally affords a secondary means of access to abutting property.

ALTERATION: Any construction, replacement, or change to the exterior of a building or structure when it is visible to the public. An Alteration shall include a proposed sign or changes to an existing sign. Painting of already painted brick or stone (this does not include never before painted brick or stone) and routine maintenance and repairs shall not be considered alterations.

[Ord. # 2021-02, adding "...already painted brick or stone...", 02/11/2021]

APARTMENT: A portion of a building consisting of a room or suite of rooms intended, designed, or used as a permanent residence by an individual or one (1) family.

APARTMENT HOUSE: See DWELLINGS, MULTI-FAMILY.

AUTOMOBILE LAUNDRY: A building or portion thereof, containing facilities for washing more than two (2) automobiles, using production line methods. The use of personnel for one or more phases of this operation in conjunction with or without complete automatic or mechanical devices does not alter its classification. For the purpose of this ordinance, coin operated devices, of the above nature, which are operated on a self-service basis shall be construed to be the same.

AUTOMOBILE AND TRAILER SALES AREAS: Any area used for the display, sale, or rental of new or used automobiles or trailers, and where only minor incidental repair of such automobiles or trailers may take place.

BASEMENT: That portion of a building between floor and ceiling, which is so located that the vertical distance from the average level of the adjoining grade to the floor below is greater than the vertical distance from the average level of the adjoining grade to the ceiling.

BILLBOARD: a sign, having an area greater than twenty-five (25) square feet, and which meets any one or more of the following criteria:

- a. a permanent structure sign which is used for the display of offsite commercial messages;
- b. a permanent structure sign which constitutes a principal, separate or secondary use, as opposed to an accessory use, of the parcel on which it is located; or
- c. an outdoor sign used as advertising for hire, i.e., on which display space is made available to parties, other than the owner or operator of the sign or occupant of the parcel (not including those who rent space from the sign owner, when such space is on the same parcel as the sign), in exchange for a rent, fee or other consideration.

BOARD: The Ludlow Urban Design Review Board as established in ARTICLE XX.

BOARD OF ADJUSTMENTS: Board of Adjustments of the legislative body.

BREW PUB: Establishments primarily engaged in the retail sale of prepared food for consumption, which includes the brewing of beer as an accessory use. The brewing operation processes the ingredients to make beer and ale by mashing, cooking, and fermenting. The brewing operation does not include the production of any other alcoholic beverage.

BUFFER AREA: Areas so planned and/or zoned which act as a buffering or separation area between two (2) or more uses or structures not compatible, due to design, function, use, or operation.

BUILDING: A structure enclosed within exterior walls or firewalls for the shelter, housing, support, or enclosure of persons, animals, or property of any kind.

BUILDING, ALTERATION OF: Any change or rearrangement in the supporting members (such as bearing walls, beams, columns, or girders) of a building, or any addition to a building, or movement of a building from one location to another.

BUILDING AREA OR LOT COVERAGE BY BUILDING: That portion of a lot or building site that can be legally occupied by the ground floor of the principal building or use and all permitted accessory uses.

BUILDING, COMPLETELY ENCLOSED: A building separated on all sides from the adjacent open space, or from other buildings or other structures, by a permanent roof and by exterior walls or party walls, pierced only by windows and normal entrance or exit doors.

BUILDING, DETACHED: A building surrounded by open space on the same lot or tract of land.

BUILDING, HEIGHT OF: The vertical distance measured from average elevation of the finished grade adjoining the building at the front building line to the highest point of the roof surfaces, if a flat roof; to the deck line of a mansard roof; and to the average height level between eaves and ridge for gable, hip, and gambrel roofs.

BUILDING INSPECTOR: The official or officials appointed by the legislative body to administer and enforce the building codes.

BUILDING PERMIT: A permit issued by the legislative body's city coordinator authorizing the construction or alteration of a specific building, structure, sign, or fence.

BUILDING, PRINCIPAL: The building on a lot used to accommodate the primary use to which the premises are devoted.

BUILDING SETBACK LINE: A line parallel to the front, side, and/or rear lot line and set back from the lot line a distance to provide the required minimum yard space, as specified in this ordinance.

BUILDING SITE: One contiguous piece of land that meets all of the provisions of the legislative body's ordinances, regulations, and codes for building on said site.

CABINET: Cabinet for Health and Family Services.

CAMPING/VACATION MOBILE UNIT: Any coach, cabin, house trailer, house car or other vehicle or structure intended for, designed for, and used for temporary human

habitation or sleeping purposes, mounted upon wheels or supports, or supported and/or capable of being moved by its own power or transported by another vehicle.

CANNABIS BUSINESS: An entity licensed under KRS Chapter 218B as a cultivator, dispensary, processor, producer, or safety compliance facility.

CANOPY (MARQUEE): A roof-like structure open on three (3) sides serving the purpose of protecting pedestrians from rain, snow, sun, or hail, which structure projects from a building.

CARPORT: See GARAGE, PRIVATE.

CERTIFIED LOCAL GOVERNMENT: A government meeting the requirements of the National Historic Preservation Act in the implementing regulations of the U. S. Department of Interior and the Kentucky Heritage Council.

CHANGEABLE COPY SIGN, AUTOMATIC: “Automatic changeable copy sign” means a type of sign on which the copy changes automatically through the use of electronic or electro-mechanical technology. All changeable copy shall be included within the allotted face of sign square footage.

CHANGEABLE COPY SIGN, MANUAL: “Manual changeable copy sign” means any sign on which copy for all or a portion of the sign can be changed by a human being removing or rearranging letters, symbols or numerals. All changeable copy shall be included within the allotted face of sign square footage.

CHILD DAY CARE CENTER: See NURSERY SCHOOL.

CITIZEN MEMBER: Any member of the Planning Commission or Board of Adjustments who is not an elected or appointed official or employee of the legislative body.

CITY: The City of Ludlow, Kentucky.

CLINIC, ANIMAL: A building used by medical persons for the treatment of small animals on an out-patient basis only, without animal runs.

CLINIC, HUMAN CARE: A building used by medical persons for the treatment of persons on an out-patient basis only.

CLUB: An association of persons for some common objective, usually jointly supported and meeting periodically.

COMMERCIAL MESSAGE: Words, symbols, logos, pictures or any combination thereof that identify which directs attention to a business, commodity, service or entertainment sold or offered for sale or a fee.

COMMISSION (PLANNING COMMISSION OR PLANNING AND ZONING COMMISSION): The Kenton County and Municipal Planning and Zoning Commission, Kenton County, State of Kentucky.

COMPLEX (COMMERCIAL): Multiple sites that do not meet the definition of “Center, integrated” but that meet all of the following criteria: the sites are cumulatively contiguous; the sites form a defined geographic area, typically extending to public streets, highways, waterways or other natural or human-built geographic boundaries; the owners

or agents for the owners of the sites have common interests in promoting business and other activity in the defined geographic area.

COMPREHENSIVE (MASTER) PLAN: A guide for public and private actions and decisions to assure the development of public and private property in the most appropriate relationships. It shall contain, as a minimum, the following elements:

- A. A statement of goals and objectives, principles, policies, and standards;
- B. A land use plan element;
- C. A transportation plan element;
- D. A community facilities plan element;
- E. May include any additional elements such as, without being limited to, community renewal, housing, flood control, pollution, conservation, natural resources, regional impact, historic preservation, and others.

CONCEALED LIGHTING: An artificial light source intended to illuminate the face of a sign, the direct source of which is shielded from public view and surrounding properties.

CONDITIONAL USE: A use which is essential to or would promote the public health, safety, or welfare in one or more zones, but which would impair the integrity and character of the zone in which it is located, or in adjoining zones, unless restrictions on location, size, extent, and character of performance are imposed in addition to those imposed within this ordinance.

CONDITIONAL USE PERMIT: Legal authorization to undertake a conditional use, issued by the zoning administrator, pursuant to authorization by the board of adjustments, consisting of two parts:

- a. A statement of the factual determination by the board of adjustments which justifies the issuance of the permit; and
- b. A statement of the specific conditions which must be met in order for the use to be permitted.

CONFORMING USE: Any lawful use of a building, structure, lot, sign, or fence, which complies with the provisions of this ordinance.

COUNCIL: The Ludlow City Council.

CURB CUT: Any interruption, or break in the line of a street curb in order to provide vehicular access to a street. In the case of streets without curbs, curb cuts shall represent construction of any vehicular access which connects to said street.

CULTIVATOR: An entity licensed as such under KRS Chapter 218B.

DECIBEL: A unit of measurement of the intensity (loudness) of sound. Sound level meters which are employed to measure the intensity of sound are calibrated in "decibels".

DEMOLITION: Any act destroying in whole or in part or moving a landmark, or building or structure deemed by the Board to be of historic significance.

DESIGNATED PROPERTY: A landmark or a building or structure in a historic district. Designated Property shall include all lots within a historic district and the entire lot containing a landmark.

DEVELOPMENT PLAN: Written and graphic material for the provision of a development, including any or all of the following: location and bulk of buildings and other structures, intensity of use, density of development, streets, ways, parking facilities, signs, drainage of surface water, and all other conditions agreed to by the applicant.

DISPENSARY: An entity licenses as such under KRS Chapter 218B.

DISTRICT: For purposes of this ordinance, synonymous with "ZONE".

DORMITORY: A residence hall providing rooms for individuals or groups.

DWELLING: Any building which is completely intended for, designed for, and used for residential purposes, but for the purposes of this ordinance, shall not include a hotel-motel, hotel, motel, nursing home, tourist cabins, college or university dormitories, or military barracks.

DWELLING, ATTACHED, SINGLE-FAMILY: A dwelling unit which is attached to one or more dwelling units, each of which has independent access to the outside of the building to ground level and which has no less than two (2) exterior walls fully exposed and not in common with the exterior walls of any other unit.

DWELLING, DETACHED, SINGLE-FAMILY: A dwelling standing by itself and containing only one (1) dwelling unit, separate from other dwellings by open space, but shall not include mobile homes.

DWELLING, TRAILER: See MOBILE HOME.

DWELLING, TWO-FAMILY: A residential building designed, arranged, or used exclusively by two (2) families, living independently of each other.

DWELLING, MULTI-FAMILY: A residential building having three (3) or more dwelling units, as separate housekeeping units.

DWELLING UNIT: A building, or portion thereof, providing complete housekeeping facilities for one (1) person or one (1) family.

EASEMENT: A right, distinct from the ownership of the land, to cross property with facilities such as, but not limited to, sewer lines, water lines, and transmission lines, or the right, distinct from the ownership of the land, to reserve and hold an area for drainage or access purposes.

EATING ESTABLISHMENTS -- RESTAURANTS: A restaurant is an establishment selling food items ordered from a menu and prepared on the premises for immediate consumption.

- A. Carry-out -- A fast service restaurant which does not have sit down eating arrangements and consumption of food on the premises is prohibited (or discouraged).
- B. Drive-in -- A restaurant where consumption of food on the premises is encouraged (in car, no seating facilities) and where food is provided by "car-hop" or self-service.
- C. Sit-Down Restaurants -- Those restaurants which provide seating arrangements.

D. Combination -- A restaurant which provides any combination of sit down, carry out, and/or drive - in services.

ENCLOSED LOCKED FACILITY: An indoor growing space such as a room, greenhouse, building, or other indoor enclosed area that is maintained and operated by a cultivator or a producer and is equipped with locks and other security devices that permit access only by authorized agents of the cultivator or producer, as required by the cabinet.

ESSENTIAL SERVICES: The erection, construction, alteration, or maintenance, by public utilities or municipal or other governmental agencies, of underground or overhead gas, electrical, steam, or water transmission or distribution systems, collection, communication, supply, or disposal systems; including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, traffic signals, hydrants, and other similar equipment and accessories reasonably necessary for furnishing adequate service or for the public health, safety, or general welfare.

FAMILY: An individual or two (2) or more persons related by blood or marriage, or group of not more than three (3) persons (excluding servants) who need not be related by blood or marriage, living together in a single housekeeping unit as their common home for the time, as distinguished from a group occupying a boarding house, lodging house, hotel, club, fraternity or sorority house.

FAMILY CHILD-CARE HOME: Family child-care home means a private home that is the primary residence of an individual who provides full or part-time care day or night for six (6) or fewer children who are not the children, siblings, stepchildren, grandchildren, nieces, nephews, or children in legal custody of the provider.

[Ord. # 2022-4, Updating definition for compliance with Senate Bill 148 and KRS 199, 05/12/2022]

Effective on: 5/12/2022

FENCE: A structure made of wire, wood, metal, masonry, or other material, including hedges.

FILLING STATION: See SERVICE STATION.

FLOOD: A general and temporary condition of partial or complete inundation of normally dry land areas from: (a) the overflow of inland waters; (b) the unusual and rapid accumulation of runoff of surface waters from any source; and (c) mudslides (i.e., mudflows) which are proximately caused or precipitated by accumulations of water on or under the ground.

FLOOD - 100 YEAR FREQUENCY: The highest level of flooding that, on the average, is likely to occur once every 100 years.

FLOODPLAIN OR FLOOD PRONE AREA: Any normally dry land area that is susceptible to being inundated by water from any source.

FLOODWAY: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the 100-year flood without cumulatively increasing the water surface elevation more than one foot at any point.

FLOODWAY ENCROACHMENT LINES: The lines marking the limits of floodways on the official zoning map.

FLOOR AREA, GROSS: The sum of the gross horizontal area of the several floors of a dwelling unit or units exclusive of porches, balconies, and garages, measured from the exterior faces of the exterior walls or from the centerline of walls or partitions separating dwelling units.

For uses other than residential, the gross floor area shall be measured from the exterior faces of the exterior walls or from the centerlines of walls or partitions separating such uses and shall include all floors, lofts, balconies, mezzanines, cellars, basements, and similar areas devoted to such uses.

The gross floor area shall not include floors used for parking space when such parking pertains to a residential, commercial, or office used in the same structure.

FRATERNITY OR SORORITY: A club or social activity officially associated with and recognized and supervised by an institution for higher education whose membership is limited exclusively to students of the said institution.

FRATERNITY/SORORITY HOUSE: A building used by a fraternity or sorority to provide living quarters for some or all members as well as to provide study, meeting, recreational and other facilities.

FRONTAGE: All the property abutting one (1) side of the right-of-way of a street, measured along the right-of-way line of the street between the intersecting lot lines. In no case shall the line along an alley be considered as acceptable frontage. For purposes of this definition, frontage for a building wall shall be measured for the wall that is most nearly parallel to that street. In no case shall the same building wall be considered to have more than one frontage.

GARAGE, PRIVATE: A building used for the storage of vehicles and clearly accessory to the principal use permitted.

HISTORIC DISTRICT: An area of architectural, historical, or cultural significance that meets one or more of the criteria contained in SECTION 20.1, F., 1., of this ordinance and that has been designated by Council.

HOLIDAY DECORATIONS: Decorative elements of a temporary nature intended for the acknowledgement of a holiday or holiday season, exclusive of decorations, which contain business, product sales, or service advertising content. Holiday decorations shall not be considered "signs."

HOME OCCUPATION: An accessory use customarily conducted entirely within a dwelling, as permitted herein and further meeting all requirements of this ordinance.

HOSPITAL (HUMAN CARE): A building used by medical persons for treatment of persons generally on an in-patient basis.

HOSPITAL (ANIMAL): A building used by medical persons for treatment of animals generally on an in-patient basis and may have outside runs.

HOTEL-MOTEL: A building or buildings to be used for the temporary abiding place for travelers and transient guests.

HOUSE TRAILER: See MOBILE HOME.

INVENTORY OF HISTORIC PROPERTIES AND SITES: A catalog of historical sites.

JUNK YARD: An open area where waste materials are bought, sold, exchanged, stored, shredded, baled, packed, disassembled, etc., including, but not limited to, scrap metals, paper, rags, rubber tires, bottles, inoperative motor vehicles, etc.

KENNEL: Any area specifically used for the raising, boarding, or harboring of small domestic animals.

LABORATORY, MEDICAL OR DENTAL: A building or a portion of a building used for providing bacteriological, biological, medical, x-ray, pathological, and similar analytical or diagnostic services to doctors or dentists.

LANDMARK: A building or structure of architectural, historical, or cultural significance that meets one or more of the criteria contained in SECTION 20.1, F., 1., of this ordinance and that has been designated by Council.

LAUNDROMAT: A business that provides washing, drying, and/or ironing machines for hire to be used by customers on the premises.

LEASABLE AREA, GROSS: The total floor area designed for tenant occupancy and exclusive use, including basements, mezzanines, and upper floors, if any, expressed in square feet and measured from the centerline of joint partitions and from outside wall faces.

LEGIBLE: A sign or message is "Legible" when it can be understood by a person with an eighth-grade education (or more). Where this Article requires a determination of "visibility" or "legibility," the standard shall be based on the eyesight of an adult eligible to receive a Kentucky driver's license (wearing any corrective lenses required by such license). Where the height of the person is material to the determination, the person shall be presumed to be more than five feet and less than six feet tall.

LEGISLATIVE BODY: City of Ludlow, Kentucky.

LIVESTOCK: Domestic animals of types customarily raised or kept on farms for profit or other productive purposes.

LOADING AND/OR UNLOADING SPACE: A space used for the temporary standing, loading and/or unloading of vehicles.

LOT: A parcel of land or any combination of several lots of record, occupied or intended to be occupied by a principal building or a building group, as permitted herein, together with their accessory buildings or uses and such access, yards, and open spaces required under this ordinance.

LOT AREA: The total area of a horizontal plane bounded by the front, side, and rear lot lines, but not including any area occupied by rights-of-way, the waters of any lake or river, and shall be in one (1) zone only.

LOT, CORNER: A "corner lot" is a lot situated at the intersection of two streets or on a curved street on which the interior angle of such intersection or curved streets does not exceed one hundred thirty-five (135) degrees.

LOT, DEPTH OF: The distance measured in the mean direction of the side lot lines from the midpoint of the front lot lines to the midpoint of the rear lot lines.

LOT, DOUBLE FRONTAGE: A lot other than a corner lot that has frontage on more than one (1) street.

LOT, INTERIOR: A lot other than a corner lot with only one (1) frontage on a deeded and occupied public right-of-way.

LOT LINE, FRONT: The common boundary line of a lot and a street right of-way line. In the case of a corner lot or a double frontage lot, the common boundary line and that street right-of-way line toward which the principal or usual entrance to the main building faces.

LOT LINE, REAR: The boundary line of a lot which is most nearly opposite the front lot line of such lot. In the case of a triangular or wedge shaped lot, for measurement purposes only, a line ten (10) feet in length within the lot parallel to and at the maximum distance from the front lot line. In the case of a corner lot, providing that all requirements for yard space are complied with, the owner may choose either side not abutting a street as the rear lot line, even though it is not opposite the front lot line. Once the choice has been made, it cannot be changed unless all requirements for yard space can be complied with.

LOT LINE, SIDE: Any boundary line of a lot, other than a front lot line or rear lot line.

LOT OF RECORD: A designated fractional part or subdivision of a block, according to a specific recorded plat or survey, the map of which has been officially accepted and recorded in the office of the appropriate county clerk, state of Kentucky.

LOT WIDTH: The width of the lot as measured along the building front setback line.

MICROBREWERY: Establishments engaged in on-site brewing of beer and sales of beer by the glass for on-premise consumption. These establishments are primarily used for the production of beer and ale and may include retail and food service as an accessory use. The brewing operation processes the ingredients to make beer and ale by mashing, cooking, and fermenting. The brewing operation does not include the production of any other alcoholic beverage.

MICRO-DISTILLERY: Establishments primarily engaged in on-site distillation of spirits and may include retail and food service as an accessory use. The distillery operation processes the ingredients to make spirits by mashing, cooking, and fermenting. The micro-distillery operation does not include the production of any other alcoholic beverage.

MINIMUM FRONT YARD DEPTH: The minimum distance required by this ordinance to be maintained within the lot between a line parallel to the front lot line, as defined herein, and the front lot line.

MINIMUM REAR YARD DEPTH: The minimum distance required by this ordinance to be maintained within the lot between a line parallel to the rear lot line, as defined herein, and the rear lot line.

MINIMUM SIDE YARD WIDTH: The minimum distance required by this ordinance to be maintained within the lot between a line parallel to the side lot line, as defined herein, and the side lot line.

MOBILE HOME: Any coach, cabin, mobile home or other mobile structure in a single unit which is intended, designed, and used for the fixed residence of a person, family, or a household, mounted upon wheels or supports, or supported and/or capable of being moved or transported by another vehicle. For the purpose of this ordinance, the removal of wheels and/or the attachment of a foundation to said mobile structure shall not change its classification.

MOBILE HOME PARK: Any lot, parcel, or premises, subdivided, designed, maintained, intended, and/or used to accommodate ten (10) or more mobile homes, and meets the requirements as specified in this ordinance. For the purpose of this ordinance, any lot or premises used for the wholesale or retail sale of mobile homes shall not be included within this definition. Double width mobile structures, which are fabricated on individual chassis with wheels and are designed to be joined shall be considered a mobile home for purposes of this ordinance.

MODULAR HOUSING: Housing manufactured off-site, often mass-produced, and designed so that sections are interchangeable. For purposes of this ordinance, this definition shall not include mobile homes.

N/A: Where used in the sign regulations, the particular requirement is “not applicable.”

NEIGHBORHOOD: A geographical area containing residences or a combination of residences and businesses, which geographical area meets all of the following criteria:

- a. The area shall consist of at least 20 acres that are geographically contiguous;
- b. The area shall have direct access from local streets to one or more collector and/or arterial streets;
- c. The area shall not be part of another designated neighborhood for which permits for which permanent entrance signs have been issued; and
- d. The area shall either have been developed as one planned complex, subdivision or center, or it shall have established its identity as a neighborhood through activities of a community association, neighborhood festivals or other continuing activities separate from the desire for an entrance sign.

NITA measure of luminance. One nit is equal to one candela per square meter (1cd/m²). Ten thousand nits are equal to one stilb. A candela, on which the definition is based, is a unit of measurement of the intensity of light. Part of the SI system of measurement, one candela (cd) is the monochromatic radiation of 540THz with a radiant intensity of 1/683 watt per steradian in the same direction. Another way of putting it is that an ordinary wax candle generates approximately one candela.

NONCONFORMING LOT: A lot which was lawfully created but which does not conform to the minimum area or dimensional requirements specified for the zone in which it is located.

NONCONFORMING USE OR STRUCTURE: An activity or a building, sign, fence, structure, or a portion thereof, which lawfully existed before the adoption or amendment

of this ordinance, but which does not conform to all of the regulations contained in this ordinance, or amendments thereto, which pertain to the zone in which it is located.

NOXIOUS MATTER OR MATERIALS: Matter or material which is capable of causing injury to living organisms by chemical reaction or is capable of causing detrimental effects upon the physical or economic well-being of individuals as determined by the appropriate health department.

NURSERY: Any building or lot, or portion thereof, used for the cultivation or growing of plants and including all accessory buildings.

NURSERY SCHOOL/DAY CARE CENTER: Any building used for the daytime care or education of preschool age children with or without compensation, and including all accessory buildings and play areas.

NURSING HOME: A health establishment which provides nursing care under the direction of a Kentucky licensed physician to patients who, for reason of illness or physical infirmities, are unable to care for themselves properly.

ODOROUS MATTER: Any matter or material that yields an odor which is offensive in any way to a person with reasonable sensitivity.

OUTDOOR DISPLAY AREA: An area utilized to display a variety of types of products sold on the premises.

PARKING AREA, OFF-STREET: An open, surfaced area, other than the right-of-way of a street, alley, or place, used for temporary parking of motor vehicles.

PARKING BUILDING OR GARAGE: A building, or portion thereof, designed, intended, and used exclusively for the temporary parking of motor vehicles which may be publicly or privately owned and/or operated.

PARTICULATE MATTER: Any material, except uncombined water, which exists in a finely divided, suspended form as a liquid or solid at standard conditions.

PDS: Planning and Development Services of Kenton County.

PERFORMANCE STANDARDS: Criteria established to control building enclosure, landscaping, noise, odorous matter, exterior lighting, vibration, smoke, particulate matter, gasses, radiation, storage, fire, and explosive hazards, and humidity, heat, or glare generated by or inherent in, uses of land or buildings.

PLANNED UNIT DEVELOPMENT (PUD): A large scale, unified land development which permits a mixture of land uses, clustering of residential units of varying types, and common recreation/open spaces, through flexible regulations which encourage creative design to preserve the natural features and foliage of the site.

PRESERVATION PLAN: Guidelines and/or regulations for the rehabilitation of certain sites, structures and/or areas to incorporate them into a livable community.

PROCESSOR: An entity licensed as such under KRS Chapter 218B.

PRODUCER: An entity licensed as such under KRS Chapter 218B.

RAILROAD RIGHTS-OF-WAY: A strip of land within which the railroad tracks and auxiliary facilities for track operation are normally located, but not including freight

depots or stations, loading platforms, train sheds, warehouses, car or locomotive shops, or car yards.

RESIDENTIAL CLUSTER DEVELOPMENT (RCD): A large scale, unified land development which permits a clustering of attached and detached single-family residential dwellings, with common recreation/open spaces, through flexible regulations which encourage creative design to preserve the natural features, foliage, and other characteristics of the site.

REST HOME: Any building, institution, residence, or home used as a place of abode for the reception and care of three (3) or more persons, who by reasons of age, mental, or physical infirmities, are not capable of properly caring for themselves.

ROUTINE MAINTENANCE AND REPAIRS: Any work, the purpose of which is to correct deterioration or to prevent deterioration of a designated historic property. The work shall restore the property to its appearance prior to deterioration or shall result in the protection of its present appearance. The work shall involve the use of the same building materials or available materials that are as close as possible to the original. Work that changes the external appearance of the property shall be considered an alteration for purposes of this subchapter.

SAFETY COMPLIANCE FACILITY: An entity licensed as such under KRS Chapter 218B.

SCHOOLS, PAROCHIAL: An institution or a place for instruction or education belonging to and maintained by a religious organization.

SCHOOLS, PRIVATE: An institution or a place for instruction or education belonging to and maintained by a private organization.

SCHOOLS, PUBLIC: An institution or place for instruction or education belonging to and maintained under public authority and open to the public for their attendance.

SECTION 106 REVIEW: The process set forth in National Historic Preservation Act of 1966, 16 U.S.C. 470, et. seq., as amended, and 36 C.F.R. Section 800, which requires federal agencies to consider the effects on historic properties of any project carried out by them or that receives federal financial assistance, permits, or approvals.

SEPARATE (LIGHTING OR ILLUMINATION): A prohibition on separate illumination for a sign does not prohibit indirect, incidental illumination that spills over from a light serving another lawful purpose.

SERVICE FACILITIES, PUBLIC UTILITIES: Service facilities include all facilities of public utilities operating under the jurisdiction of the Public Service Commission, or the Department of Motor Transportation, or Federal Power Commission, and common carriers by rail, other than office space, garage and warehouse space and include office space, garage space and warehouse space when such place is incidental to a service facility.

SERVICE STATION: Any building, structure, or land, used for the dispensing, sale, or offering for sale, at retail, of any automobile fuels, oils, or accessories and in connection with which is performed general automotive servicing other than body work.

SIGN: Any device, fixture, placard or structure, including its component parts, which by display of a visual image draws attention to an object, product, place, activity, opinion, idea, person, institution, organization or place of business, or which identifies or promotes the interests of any person, and which is visible from any public street, road, highway, right-of-way or parking area.

SIGN, ANIMATED: a sign which uses movement or change of lighting to simulate action or motion.

SIGN, DETACHED: Any sign erected on a freestanding frame, foundation, mast or pole and not attached in any way to any building. Every face of a freestanding sign shall be considered as a separate sign for purposes of computing the sign area.

SIGN, DIRECTORY: Any sign providing way-finding information by identifying occupants of specific buildings or units within a building and, where necessary, providing directions for finding such building or unit.

SIGN, MARQUEE: A sign that is on a permanent roofed structure that projects beyond a building, sometimes into public property, to provide protection from the weather.

SIGN, PRINCIPAL: The main freestanding sign on a site. The term is used to distinguish such a sign from other freestanding signs that may be allowed on multi-tenant or large sites.

SIGN, TEMPORARY: A sign which is not permanently affixed. This definition is intended to include all devices such as banners, pennants, flags, searchlights, twirling or sandwich type signs, sidewalk or curb signs and balloons or other air or gas filled figures.

SIGN, WINDOW: A sign affixed to or installed inside a window and clearly legible to persons outside the building. Note that signs that are installed behind windows but that are legible from other private property or from driving lanes of adjacent streets will be subject to limitations on window signs but will also be regulated as wall signs.

SITE: One or more lots or parcels of land that, for purposes of the Zoning Ordinance, are used as a single unit. As an example, but not by way of limitation, a site may include more than one "lot" as shown on a subdivision plat, but, for zoning purposes, the permissible use, setbacks and yard requirements are determined for the larger "site" and not for the individual "lots."

SOUND LEVEL METER: An instrument standardized by the American Standards Association for measurement of intensity of sound.

STATE HISTORIC PRESERVATION OFFICE OR SHPO: The Kentucky program approved by the U.S. Secretary of Interior for the purpose of carrying out the provisions of the National Historic Preservation Act of 1966, 16 U.S.C. 470a, et. seq., and is also the Kentucky Heritage Cabinet established pursuant to KRS 171.381.

STORY: That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between such floor and the ceiling next above it. For purposes of this ordinance, a basement shall not be counted as a story.

STORY, HALF: A story under a gable, hip, or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls are not more than three (3) feet above the floor of such story.

STREET, PRIVATE: A paved private roadway which affords access to abutting property for private users of such property. For the purposes of density calculations, a private street shall constitute the areas of its paved surface and sidewalks or the private right-of-way if designated on the recorded plat.

STREET, PUBLIC: A public roadway, constructed within the boundaries of an officially deeded and accepted public right-of-way, which affords principal means of access to abutting property. For purposes of density calculations, a public street shall constitute all of the area within the public right-of-way.

STREET, ARTERIAL: Public thoroughfares which serve the major movements of traffic within and through the community, as identified in the adopted comprehensive plan.

STREET, COLLECTOR: Public thoroughfares which serve to collect and distribute traffic, primarily from local to arterial streets.

STREET, EXPRESSWAY: A divided arterial highway for through traffic with full or partial control of access, and generally with grade separations at major intersections.

STREET, FREEWAY: A divided multi-lane highway for through traffic with all crossroads separated in grades and with full control of access.

STREET, FRONTAGE ROAD (SERVICE OR ACCESS ROAD): A street adjacent to a freeway, expressway, or arterial, street separated therefrom by a dividing strip and providing access to abutting properties.

STREET, LOCAL: Roadways which are designed to be used primarily for direct access to abutting properties and feeding into the collector street system.

STRUCTURAL ALTERATION (SIGNS): As it applies to signs, any change in supporting members of a building or structure, such as foundation, bearing walls, columns, beams or girders. For a sign, any change in or replacement of supporting members of a sign structure, such as foundation, columns, beams or girders shall be considered a structural alteration.

STRUCTURE: Anything constructed or erected, the use of which requires permanent location in or on the ground or attachment to something having a permanent location in or on the ground, including such as: buildings, mobile homes, signs, fences, etc.

SUBDIVISION: The division of a parcel of land into two or more lots or parcels for the purpose, whether immediate or future, of sale, lease, or building development, or if a new street is involved, any division of a parcel of land; providing that a division of land for agricultural purposes into lots or parcels of five acres or more and not involving a new street shall not be deemed a subdivision. The term includes resubdivision and when appropriate to the context shall relate to the process of subdivision or to the land subdivided.

SURPLUS PROPERTIES: Properties owned by the City.

SWIMMING POOL, OUTDOOR: Any structure or device of any kind that is intended for swimming purposes, including but not limited to: any pool or tank of any material or type of construction, or any depression or excavation in any natural or constructed material, or any dike or berm of any material or type of construction; including all appurtenances to such structure or device and all appliances used in connection therewith; which structure or device is intended to cause, or would cause, if completely filled, the retaining of water to a greater depth than eighteen (18) inches at any point. Any such structure or device shall be deemed to be included within the meaning of the term "structure" as used in this ordinance.

Outdoor swimming pools shall be deemed to consist of the following classes: private, semi-public, public, and commercial, as follows:

- a. Private: when consisting of an accessory structure appurtenant to a one-family or a two-family dwelling and used only as such by persons residing on the same lot and their private guests.
- b. Semi-public: when consisting of an accessory structure appurtenant to a multiple dwelling, hotel, motel, church, school, club, etc., and used only as such by persons who reside or are housed on the same lot or who are regular members of such organizations.
- c. Public: a swimming pool operated by a unit of government for the general public.
- d. Commercial: a swimming pool operated for profit, open to the public upon payment of a fee.

TAVERN: Any establishment selling alcoholic and nonalcoholic beverages by the drink for consumption on the premises.

TRAILER: See CAMPING/VACATION MOBILE UNIT.

UNDERTAKING: As used in Section 106 Review a project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including those carried out by or on behalf of a Federal agency; those carried out with Federal financial assistance; and those requiring a Federal permit, license or approval.

USE, PERMITTED: A use which may be lawfully established, if permitted, in a particular zone provided it conforms with all requirements of such zone.

VARIANCE: A departure from dimensional terms of this ordinance pertaining to the height, width, or location of structures, and the size of yards and open spaces where such departure meets the requirements of KRS 100.241 to 100.247.

VEHICLE: Any device meeting the definition of "motor vehicle" under KRS. §186.010.

YARD DEPTH, FRONT: An area extending the full width of the lot or building site measured between a line parallel to the street right-of-way line intersecting the foremost point of any building excluding steps and unenclosed porches and the front lot line, as defined herein.

YARD DEPTH, REAR: An area extending across the full width of the lot and measured between a line parallel to the rear lot line, as defined herein, which intersects the rearmost point of any building excluding steps and unenclosed porches and the rear lot line.

YARD WIDTH, SIDE: An area between any building and the side lot line, as defined herein, extending from the front to the rear yard, or on through lots or building sites from one front lot line to the other front lot line.

ZONE: An established area within the city for which the provisions of this ordinance are applicable. (Synonymous with the word "DISTRICT".)

ZONING ADMINISTRATOR: The official or officials appointed by the legislative body to administer and enforce the provisions of this ordinance.

EXHIBIT B

Proposed Text Amendments to the City of Ludlow's Zoning Ordinances

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

ARTICLE X ZONES

SECTION 10.9 NC (NEIGHBORHOOD COMMERCIAL) ZONE

A. PERMITTED USES: The following retail and service businesses:

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, including doctors, dentists, lawyers, and other professional

offices

33. Opticians and optical goods
34. Package liquor and wine store, excluding drive-ins
35. Paint and wallpaper store
36. Pet shop, excluding boarding and outside runs
37. Police and fire stations
38. Post office
39. Radio and television store, including repair
40. Residential dwelling units, on upper floors only
41. Service stations (including auto repairing, providing all repair except that of a minor nature -- e.g., change of fan belt, minor carburetor adjustment, tire removal and/or replacement, windshield wiper replacement, etc. -- is conducted wholly within a completely enclosed building and providing further that such service station is located adjacent to an arterial street, as identified in the adopted comprehensive plan).
42. Shoe store and shoe repair
43. Sporting goods
44. Studios for professional work or teaching of any form of fine arts, photography, music, drama, or dance
45. Tailor shop
46. Toy store
47. Variety store, including notions and "five and ten" stores
48. Brewpub
49. Microbrewery
50. Micro-distillery
- 51. Medical Cannabis Dispensary**

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. CONDITIONAL USES

1. Outdoor dining in connection with a restaurant, subject to the following minimum requirements:
 - a. Such outdoor dining area shall be designated to clearly identify the limits of outdoor dining area.
 - b. Seating in the outdoor dining area shall not exceed 25 percent of the maximum indoor seating capacity of the restaurant.
 - c. Sound amplifying systems shall not be permitted.
 - d. Such area shall not be permitted to locate within any

minimum required front, side, or rear yard setback.

- e. Outdoor dining areas shall only be operated between 11:00 a.m. and 9.30. p.m. on Sunday through Thursday, and 11:00 a.m. and 10:30 p.m. on Friday and Saturday.

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

1. Minimum lot area - Two thousand five hundred (2,500) square feet
2. Minimum lot width at building setback line - Twenty-five (25) feet
3. Minimum front yard depth - None
4. Minimum side yard width - None. 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

E. OTHER DEVELOPMENT CONTROLS

1. Off-street parking and loading and/or unloading shall be provided in accordance with [ARTICLE XI](#) and [ARTICLE 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. Where any yard of any use permitted in this zone abuts a residential zone, a minimum yard requirement of fifty (50) 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.
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 outdoor dining, off-street parking and loading and/or unloading areas.
7. A site plan, as regulated by [SECTION 9.19](#) of this ordinance, shall be required for any use permitted in this zone.
8. No motor vehicle which is inoperable or trailer which is usable or unusable shall be stored on any lot or parcel of ground in this zone unless it is within a completely enclosed building.
9. Brewpubs: The area used for brewing, including brewing and keggings,

shall not exceed thirty (30%) percent of the total floor area of the commercial space. The brewery shall not produce more than 4,000 barrels or 124,000 gallons of beer or ale per year. No brewing equipment or storage is permitted on the exterior of the building.

10. Microbreweries: The brewing operation does not include the production of any other alcoholic beverage. The brewery shall not produce more than 15,000 barrels or 460,000 gallons of beer or ale per year. No brewing equipment or storage is permitted on the exterior of the building.
11. Micro-distilleries: The distilling operation does not include the production of any other alcoholic beverage. Distilleries are not permitted within 500 feet of schools or within 100 feet of residential uses, excluding residential uses located in a non-residential zone.

SECTION 10.10 SFC (SPECIAL FUNCTION COMMERCIAL) ZONE

A. PURPOSE: To provide for a unique mix of commercial, recreation, entertainment and assembly facilities which require access to arterial streets and which can accommodate physical environmental limitations.

B. PERMITTED USES

1. Recreational Boat harbors and marinas, including boat fueling, service and repairs, sale of boat supplies, grocery store, and restaurant, all primarily oriented to persons using the harbor or marina;
2. Public or private Boat landing or launching facilities
3. Country clubs, club houses, and lodges
4. Eating and drinking places, excluding drive-ins
5. Off-street parking areas
6. Publicly owned and/or operated parks and/or recreation areas
7. Recreational uses, other than those publicly owned and/or operated
- 8. Medical Cannabis Dispensary**

C. ACCESSORY USES

1. Customary accessory buildings and uses
2. Fences and/or walls, as regulated by [ARTICLE XIII](#)
3. Signs, as regulated by [ARTICLE XIV](#)
4. Dwelling unit of resident caretaker, as regulated by [SECTION 9.25](#).

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

1. Minimum lot area - Twenty thousand (20,000) square feet. In the case of this zone, more than one principal building, as defined herein may be permitted on one lot
2. Minimum lot width at building setback line - One hundred (100) feet

3. Minimum front yard depth - Fifty (50) feet
4. Minimum side yard width - Fifty (50) feet
5. Minimum rear yard depth - Fifty (50) feet
6. Maximum building height - Thirty-five (35) feet

E. OTHER DEVELOPMENT CONTROLS

1. A site plan, as regulated by **SECTION 9.19** of this ordinance shall be required for any use permitted in this zone.
2. Any activity that may be located in the floodplain of any watercourse shall be in accordance with the requirements of **SECTION 9.25** of this ordinance.
3. Dwellings, including cabins, rooming houses, and mobile homes are not permitted in this zone, except as provided under Subsection C.
4. Off-street parking and loading and/or unloading shall be provided in accordance with **ARTICLE XI** and **ARTICLE XII**.
5. No outdoor storage of any material (usable or waste) shall be permitted in this zone, except within enclosed containers.
6. No motor vehicle which is inoperable or mobile home or trailer shall be stored or used for storage in this zone.
7. No use producing objectionable odors, noise, or dust shall be permitted within five hundred (500) feet from the boundary of any residential zone.

SECTION 10.11 IP (INDUSTRIAL PARK) ZONE

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

1. The manufacturing, compounding, processing, packaging, or assembling of the following materials:
 - a. Animated and/or illuminated billboards and other commercial advertising structures
 - b. Candy and confectionery products, food and beverage products, except the rendering or refining of fats and oils excluding poultry and animal slaughtering and dressing
 - c. Cigars and cigarettes
 - d. Cosmetics, pharmaceuticals, and toiletries
 - e. Electric appliances, television sets, phonographs, household appliances
 - f. Electrical machinery, equipment and supplies
 - g. Fountain and beverage dispensing equipment
 - h. Furniture
 - i. Instruments of professional, scientific, photographic, and optical use

- j. Metal products and metal finishing, excluding the use of blast furnaces or drop forgers
 - k. Musical instruments, toys, novelties, jewelry, rubber or metal stamps
 - l. Office equipment
 - m. Pottery and figurines
 - n. Products from the following previously prepared materials: paper, glass, cellophane, leather, feathers, fur, precious or semi-precious metals, hair, horn, shell, tin, steel, wood, plastics, rubber, bone, cork, felt, fibers, yarn, wool, tobacco
 - o. Textile products including canvas and burlap, clothing, cotton products, hosiery and knitting mills, rope and twine
2. Bottling and canning works
 3. Crating services
 4. Fire stations
 5. Governmentally owned and/or operated city, county, and state garages
 6. Industrial engineering consultant offices
 7. Laboratories, offices, and other facilities for research, both basic and applied, conducted by or for any industrial organization or concern, whether public or private
 8. Machine shops
 9. Printing, engraving and related reproduction processes
 10. Publishing and distribution of books, newspapers, and other printed material
 11. School for industrial or business training
 12. Warehousing or wholesaling
 - 13. Medical Cannabis Cultivation**
 - 14. Medical Cannabis Processing**
 - 15. Medical Cannabis Producing**
 - 16. Medical Cannabis Safety Compliance Facility**

B. ACCESSORY USES:

1. Customary accessory structures and uses, including operations required to maintain or support any use permitted in this zone on the same lot as the permitted use, such as maintenance shops, power plants, and machine shops
2. Uses, as listed below, located and entered from within any use permitted in this zone as a convenience to the occupants thereof, and their customers, providing such accessory uses shall not exceed ten (10) percent of the gross floor area of the permitted uses in the building and no exterior advertising displays shall be visible from outside the building:

- a. Cafeterias
 - b. Coffee shops or refreshment stands
 - c. Soda or dairy bars
3. Fences and/or walls, as regulated by ARTICLE XIII of this ordinance
 4. Signs - only business and identification signs pertaining to the identification, use or occupation of the building, structure, or premises, as regulated by ARTICLE XIV of this ordinance, will be allowed in this zone. Advertising signs, as defined herein, are not permitted in this zone

C. AREA AND HEIGHT REGULATIONS:

1. Minimum Tract for Development - Five (5) acres, except where area restrictions are less, as identified in the adopted comprehensive plan; however, development of a smaller tract adjacent to an existing approved site may be permitted providing the proposed development conforms to and extends the original development as if the new site has been a part of the originally approved site plan layout.
2. Minimum Lot Area Within Minimum Tract - One (1) acre
3. Minimum Lot Width at Building Setback Line - One hundred fifty (150) feet
4. Minimum front yard depth -
 - a. When abutting a major arterial (as defined in the adopted comprehensive plan) - Seventy-five (75) feet
 - b. On internal roads - Fifty (50) feet
5. Minimum side yard width -
 - a. In internal parts of the park - Twenty-five (25) feet
 - b. Where the side yard is adjacent to a major arterial (as defined in the adopted comprehensive plan) - Seventy-five (75) feet
6. Minimum rear yard depth - In internal parts of the park - Fifty (50) feet. No rear yard shall be required where a rail spur line forms the rear property line
7. Maximum Building Height - Forty (40) feet

D. OTHER DEVELOPMENT CONTROLS:

1. Off - street parking and loading and/or unloading areas shall be provided in accordance with ARTICLE XI and ARTICLE XII of this ordinance.
2. Outdoor storage of materials, supplies, and products is permitted only to the side and rear of the property, and shall be screened from the view of adjacent properties in accordance with SECTION 9.17 of this ordinance. All storage shall be designated on the site development plan.
3. No lighting shall be permitted which would glare from any use located within this zone onto any street or into any adjacent property.

4. Where any yard of any use permitted in this zone abuts a residential zone, a minimum yard requirement of seventy - five (75) feet shall be provided, ten (10) feet of which shall be maintained by a screening area, as regulated by SECTION 9.17 of this ordinance.
5. A site plan, as regulated by SECTION 9.19 of this ordinance, shall be required for any use in this zone.
6. No outdoor storage of any waste material shall be permitted in this zone, except within enclosed containers.

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
- 23. Medical Cannabis Cultivation**
- 24. Medical Cannabis Processing**
- 25. Medical Cannabis Producing**
- 26. Medical Cannabis Safety Compliance Facility**

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 [SECTION 9.14](#) and [SECTION 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 [ARTICLE XI](#) and [ARTICLE 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 the 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 permit in this zone.

2. Museums, subject to the following standards:

- a. A museum is a not-for-profit, permanent institution in the service of society that researches, collects, conserves, interprets and exhibits tangible and intangible heritage. Open

to the public, and accessible. They operate and communicate ethically, professionally and with the participation of communities, offering varied experiences for education, enjoyment, reflection, and knowledge sharing.

- b. Off-street parking and loading and/or unloading shall be provided in accordance with [ARTICLE XI](#) and [ARTICLE XII](#).
- c. Any outdoor event and dining areas shall be designated to clearly identify the limits of the 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 is 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, such 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 permit in this zone.

D. AREA AND HEIGHT REGULATIONS

1. Minimum tract for industrial development - Twenty-five (25) acres, except where area restrictions are less, as identified in the adopted comprehensive plan; however, development of a smaller tract adjacent to an existing approved site may be permitted providing the proposed development conforms to and extends the original development as if the new site has been a part of the originally approved site plan layout
2. Minimum lot area within minimum tract - One (1) acre
3. Minimum lot width at building setback line - One hundred fifty (150) feet
4. Minimum front yard depth - Fifty (50) feet
5. Minimum side yard width on Each Side of Lot - Twenty-five (25) 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 or three (3) stories.

E. OTHER DEVELOPMENT CONTROLS

1. Off-street parking and loading and/or unloading shall be provided in accordance with [ARTICLE XI](#) and [ARTICLE 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.
5. 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.

[Ord. # [2020-9](#), Amending the text to add Event Center and Entertainment Facilities as a conditional use, 11/12/2020; Ord. # [2022-10](#), Amending the text to add museums as a conditional use in I-1 Zones, 12/08/2022; Ord. # [2023-1](#), Amending Ordinance 2022-10 adding museums as a conditional use in I-1 Zones, 02/09/2023]

[SECTION 10.13 WD \(WATERFRONT DEVELOPMENT\) ZONE](#)

- A. **PURPOSE:** The purpose of this Zone is to provide for the combining of residential uses, retail and service uses, public parks/recreation areas, marinas and other river-oriented activities within a planned development. Such development is intended to be designed to provide for an internally oriented group of activities which are functionally integrated relative to land uses, vehicular and pedestrian circulation and the arrangement of structures. In addition, the intent of the zone is to promote flexibility in design and planned diversification in the relationships between location of and types of uses and structures; promote the advantages of modern large scale site planning for community development through the efficient use of land, facilitating a more economic arrangement of buildings, circulation systems, land uses, and utilities; preserve to the greatest extent possible, the existing landscape features and amenities, and to utilize such features in a harmonious fashion; provide for more usable and suitably located open space facilities and common facilities than would otherwise be provided under conventional land development procedures, but always with the intention of furthering the public health, safety, and general welfare.
- B. **GENERAL:** A Waterfront Development (WD) Zone may be permitted provided that all conditions or provisions of this section of the ordinance, the applicable requirements of the subdivision regulations and any additional requirements as

may be determined necessary to provide for the most efficient layout of the WD and its proper integration with the surrounding development are met; and a public hearing is held on the WD application.

C. APPLICATION AND PROCESSING: Applications for Waterfront Development Zone shall be processed as follows in two stages:

1. **STAGE I** -- Applications for a map amendment to zone an area for Waterfront Development shall be accompanied by a development plan, in accordance with the Stage I Plan Requirements, provided for within **SECTION 9.20, A.**, of this ordinance. If an area, however, is zoned WD at the time the original zoning for the area is established (through annexation) the submission of the Stage I development plan for review by the planning commission and the legislative body, shall not be required until the area is proposed to be developed.

a. The planning commission shall hold a public hearing on the proposed application (development plan Stage I and where applicable, the zoning map amendment), in accordance with the requirements of KRS Chapter 424, and review said application with regard to its compliance with the stated purposes of the WD Zone, the required elements of the Stage I Plan and other applicable requirements of this section. Upon holding such hearing, the planning commission shall make one of the following recommendations to the legislative body: approval, approval with conditions, or disapproval. The planning commission shall submit along with their recommendations, a copy of the Stage I Plan and the bases for their recommendation.

b. The legislative body shall, within forty-five (45) days after receiving the recommendations of the planning commission, review said recommendations and take action to approve, or disapprove said WD 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 WD Zone shall require that development be in conformance with the Stage I approved plan.

The legislative body shall forward a copy of the approved plan to the planning commission for further processing, in accordance with the requirements for Stage II Plan and Record Plat.

Zoning Map Amendment - Upon approval of the WD Zone, the official zoning map shall be amended by adding the area

as identified in the application or as shown on the Stage I Approved Plan.

2. STAGE II - PLAN & 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 and the legislative body for its review and approval. Except for the manner of submission and processing, the subdivision regulations may be waived, where applicable, and the requirements of SECTION 9.20, B. and C., shall be substituted therefore. Those requirements not specifically waived by the planning commission shall conform with the subdivision regulations.
 - a. The planning commission, or its duly authorized representative, shall review the submitted Stage II Plan with regard to its compliance with the required elements of SECTION 9.20, B., for Stage II plans, other applicable elements of this ordinance and other applicable regulations, and its conformity with the Stage I approved plan. Minor adjustments from the Stage I approved plan may be permitted, provided that the adjustments do not change land uses, increase overall density, significantly alter circulation patterns (vehicular and pedestrian) or decrease the amount and/or usability of open space or recreation areas, or conflict with other applicable requirements of this ordinance (e.g., parking requirements). The planning commission, or its duly authorized representative, upon completion of its review of the proposed Stage II Plan, 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 II Plan and the bases for their recommendation.
 - b. The legislative body shall, within 45 days after receiving the recommendations of the planning commission, review said recommendations and take action to approve or disapprove the Stage II Plan. 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., 2., a., above.

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

- c. Upon approval of the Stage II Plan, the planning commission, or its duly authorized representative, shall review the submitted Record Plat, if applicable, with regard to its compliance with the required elements of [SECTION 9.20, C.](#), for Record Plats, the applicable requirements of the subdivision regulations, and its conformance with the Stage II approved plan.

Upon 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. **PERMITTED USES:** One or more of the following uses may be permitted. Said uses shall be clearly delineated on the Stage I and II Plans:

1. Residential -- including Single-family attached and detached, and two family and multi-family
2. Restaurants, eating and drinking places, including entertainment facilities, excluding drive-ins
3. Retail sales and services businesses (includes permitted uses in the Neighborhood Commercial Zone, [SECTION 10.9, A](#))
4. Publicly owned and/or operated parks and/or recreational areas
5. Private recreational uses other than those publicly owned and/or operated
6. Marinas and other related uses

7. Medical Cannabis Dispensary

E. **ACCESSORY USES**

1. Customary accessory buildings and uses

F. **AREA REQUIREMENTS**

1. No WD Zone shall be permitted on less than 10 acres of land. However, an area of less than 10 acres may be zoned WD, provided it is adjacent to an area with an existing approved Stage I development plan and is currently zoned WD. In addition, an area of less than 10 acres may be zoned WD, provided the proposal is consistent with the officially adopted Waterfront Development Plan.
2. The minimum area for submission of a Stage I Development Plan, within an existing WD Zone, shall be not less than 5 acres. However, a Stage I Development Plan may be submitted for an area of less than 5 acres, provided is consistent with the officially adopted Waterfront Development Land Use Plan for the area in question, and said Stage I Development Plan is in agreement with all other requirements of the WD Zone.

- G. Access shall be provided to the site via a major arterial or collector street, as identified within the locally adopted comprehensive plan.
- H. HEIGHT, YARD, AND SETBACK REGULATIONS: Requirements shall be as approved in the plan.
- I. OFF-STREET PARKING AND LOADING AND/OR UNLOADING: Off-street parking and, when applicable, loading and/or unloading facilities shall be provided in accordance with [ARTICLE XI](#) and [ARTICLE XII](#) of this ordinance.
- J. FENCES, WALLS, AND SIGNS: The location, height, and type of all fences, walls, and signs shall be as approved in the plan.
- K. EROSION AND SEDIMENTATION CONTROL: Effective erosion and sedimentation controls shall be planned and applied in accordance with [SECTION 9.7](#) of this ordinance.
- L. OPEN SPACE/RECREATION AREA: At least twenty percent (20%) of the total acreage of the proposed WD development shall be retained as open space or recreation areas. Such open space/recreation areas shall be physically situated so as to be readily accessible, available to, and usable by all activities within the WD development. Open space and recreation areas shall be that part of the total project exclusive of buildings, parking areas, access drives and streets. At such time as the Stage II Development Plan for a particular development is submitted to the planning commission, notwithstanding Section 10.13, C., 2., a., open space requirements of less than 20% may be considered for the development if: unusual topographic conditions exist, unique treatment of parking areas is provided for, and unique conditions and circumstances exist on or adjacent to the site.
- M. CRITERIA: The applicant shall be required to submit information so that the proposed development plan can be evaluated against the following criteria:
1. Agreement with the various elements of the Area-Wide Comprehensive Plan and where applicable, the Officially adopted Waterfront Development Land Use Plan by the planning commission or the city legislative body, or other adopted plan.
 2. Extent to which the proposed development plan is consistent with the purpose of the WD Zone.
 3. Adequacy of the proposed site, considering such factors as the sufficiency of the size of the site to comply with the established criteria, the configuration of the site, and the extent to which the site is formed by logical boundaries (based on topography, natural features, streets, relationship of adjacent uses, etc.).
 4. Nature and extent of the proposed uses in relation to the unique characteristics of the site; the current or anticipated need for such use(s) and the specific size and locale of the market area from which the specific uses of the site will draw or serve; and the extent to which the proposed development economically impacts the Ludlow community.
 5. Extent to which the proposed design, as indicated in the Stage I Plan,

is compatible and coordinated with existing and/or proposed development contiguous to the site. Compatibility and coordination with existing and/or proposed development shall be reviewed in terms of intensity of land use type in relation to the general character of the surrounding areas, including coordination of vehicular and pedestrian circulation; the scale (e.g., height and mass of structures) of the proposed development; location of open spaces and size of setbacks; provisions of screening areas or utilization of natural features; the transition of land use types based on the proposed design; and the impact of the proposed development on adjacent uses, such as noise, visual impact, hours of operation, traffic circulation, etc.

6. Amount of traffic that would be generated by the proposed operation and the ability of the existing highway system to adequately handle said traffic. Where deficiencies exist, proposed traffic improvements that would correct such deficiencies shall be considered.
7. Extent to which the design of the internal street system provides for the efficient and safe movement of traffic within and adjacent to the site.
8. Extent to which all necessary public utilities and facilities are available to service the development including police and fire protection, water and sewer services, and other services normally provided within the area. Where deficiencies exist, improvements that would correct such deficiencies may be considered.

N. **AMENDMENTS:** Any amendments to plans, except for the minor adjustments which may be permitted by the planning commission, shall be made in accordance with the procedure required by Subsection C, of this section.

O. **EXPIRATION:** Development plans within the WD Zone shall be subject to the time constraints, as noted below. Upon expiration of said time period and extensions thereto, the legislative body may initiate a request for a public hearing by the planning commission, in accordance with the requirements of KRS Chapter 100, for the purpose of determining the appropriateness of the approved development plan. A public hearing may be initiated if either of the following conditions apply:

1. Stage II Plan has not been approved by the planning commission within a period of 24 consecutive months from the date of the Stage I approved plan, except as agreed upon for the phasing of development by the legislative body; provided that an extension may be permitted upon approval of the legislative body or their duly authorized representative if sufficient proof can be demonstrated that prevailing conditions have not changed appreciably to render the Stage I approved plan obsolete.
2. Substantial construction has not been initiated within a period of twelve (12) consecutive months from the date of approval of the Stage II plan by the planning commission; provided that an extension may be permitted upon approval of the legislative body, or its duly authorized representative, if sufficient proof can be demonstrated that the construction was delayed due to circumstances beyond the applicant's

control, and that prevailing conditions have not changed appreciably to render the Stage I approved plan obsolete. The amount of construction constituting initiating substantial construction shall be as approved in the Stage II approved plan.

EXHIBIT C

Proposed Text Amendments to the City of Ludlow's Code of Ordinances

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

ARTICLE XI PARKING AND LOADING STANDARDS

SECTION 11.2 SPECIFIC OFF-STREET PARKING REQUIREMENTS:

The amount of off-street parking space required 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 the ordinance.

SPECIFIC OFF-STREET PARKING REQUIREMENTS	
TYPES OF USES	
A. Airport, railroad passenger stations and bus terminal	One (1) parking space for each four (4) seating accommodations for waiting passengers, plus one (1) parking space for each two (2) employees on shift of largest employment.
B. Automobile laundries	One (1) parking space for each employee, plus one (1) space per owner or manager, and reservoir space equal to five (5) times the capacity of the facility.
C. Automobile Service stations	One (1) parking space for each gas pump island, plus two (2) parking spaces for each working bay, plus one (1) parking space for each employee on shift of largest employment.
D. Beauty parlor and/or barber shops	Two (2) parking spaces per barber and/or beauty shop operator.
E. Bowling establishments	Five (5) parking spaces for each lane, plus one (1) parking space for each two (2) employees on shift of largest employment.
F. City and/or county government	One (1) parking space for each two hundred (200) square feet of gross floor area.
G. Commercial or trade schools	One (1) parking space for each two (2) students, based on design capacity of the school, plus one (1) parking space for each employee.
H. Convalescent homes, nursing homes, rest homes, homes for the aged, and orphanages	One (1) parking space for each two (2) beds, plus one (1) parking space for each two (2) employees or staff members, including nurses, on shift of largest employment, plus one (1) parking space per doctor.
I. Dance halls, pool and billiard halls, and exhibition halls without fixed seats	One (1) parking space for each one hundred (100) square feet of floor area used for dancing or assembly, or one (1) parking space for each four (4) persons, based on design capacity, whichever is greater, plus one (1) parking space for each two (2) employees on shift of largest employment.
J. Dormitories, Fraternities, Sorority Houses, and other group housing	One (1) parking space per each two (2) residents, plus one (1) parking space per owner or operator, plus one (1) parking space per employee, or one (1) parking space for each two (2) seats for membership meetings, whichever is greater, based on design capacity.
K. Dwellings:	
One-Family	Two (2) parking spaces.
Two-Family	Four (4) parking spaces, with individual access for each dwelling unit, or a joint access in which no parking is permitted on the access drive.
L. Dwellings:	
(1) Multi-Family	One and one-half (1-1/2) parking spaces for every one (1) bedroom dwelling unit\ and two (2) parking spaces for every dwelling unit with two (2) or more bedrooms.
(2) Multi-Family designed for occupancy by elderly persons only	One (1) parking space for every two (2) dwelling units
M. Establishments for sale and consumption on the premises of alcoholic beverages, food, refreshments, or for take home food service	One (1) parking space for each two (2) employees on shift of largest employment plus one parking space for each: <ul style="list-style-type: none"> A. Thirty (30) square feet of gross floor area in a drive-in restaurant; B. One hundred forty (140) square feet of gross floor area in a carry-out restaurant; C. Sixty-five (65) square feet of gross floor area or two (2) seating accommodations, based on maximum capacity, whichever is greater, in a

SPECIFIC OFF-STREET PARKING REQUIREMENTS

SPECIFIC OFF-STREET PARKING REQUIREMENTS	
TYPES OF USES	
	combination restaurant: D. Three (3) seating accommodations, based on maximum seating capacity, in a sit-down restaurant.
N. Fire stations	One (1) parking space for each person on duty on largest shift.
O. Hospitals	One (1) parking space for each two (2) beds, plus one (1) parking space for each two (2) employees or staff members, including nurses, on shift of largest employment, plus one (1) parking space per doctor.
P. Laundromats	One (1) parking space for each two (2) washing machines, plus one (1) parking space for each employee.
Q. Libraries, museums, and art galleries	One (1) parking space for each four (4) seats in rooms for public assembly or one (1) parking space for each fifty (50) square feet of gross floor area for use by the public, whichever is greater, plus one (1) parking space for each two (2) employees on shift of largest employment.
R. Medical offices and/or clinics	Five (5) parking spaces for each practitioner, plus one (1) parking space per each two (2) employees, or one (1) parking space for each two hundred (200) square feet of gross floor area in the building, plus one (1) parking space for each two (2) employees, whichever is greater.
S. Mortuaries or funeral homes	One (1) parking space for each four (4) seats in the main chapel or public assembly area, based on maximum seating capacity, plus one (1) parking space for each funeral vehicle and employee, or in the case of no fixed seats, one (1) parking space for each fifty (50) square feet of floor area in parlor or service rooms, or one (1) parking space for each four (4) persons, based on design capacity of the building, whichever is greater, plus one (1) parking space for each funeral vehicle and employee.
T. Offices for professional, business, and financial, real estate, and business purposes, other than medical offices and/or clinics	Three (3) parking spaces per one thousand (1,000) square feet of gross leasable area.
U. Post offices	One (1) parking space for each two hundred (200) square feet of gross floor area, plus one (1) parking space for each two (2) employees on shift of largest employment, plus one (1) parking space for each vehicle operating from the premises.
V. Private clubs, boarding houses, and lodge halls	One (1) parking space for each guest sleeping room, or one (1) parking space for each four (4) fixed seats in the main assembly area, whichever is greater, plus one (1) parking space for each two (2) employees, or in the case of no fixed seats, one (1) parking space for each two (2) employees.
W. Retail and personal service stores	Four (4) spaces per one thousand (1,000) square feet of gross leasable area.
X. Schools – elementary, junior high, and equivalent, private or parochial schools	One (1) parking space per teacher and administrator or one (1) space for each four (4) seats in the auditorium, stadium, and other places of assembly or facilities available to the public, based on maximum seating capacity, whichever is greater.
Y. Schools – senior high, trade and vocational, colleges and universities, and equivalent, private or parochial	Six (6) spaces for each room to be used for class instruction or administrative offices, or one (1) parking space for each four (4) seats in the auditorium, stadium, and other places of assembly or facilities available to the public, based on maximum seating capacity, whichever is greater.
Z. Shopping centers	Four (4) parking spaces per one thousand (1,000) square feet of gross leasable area.
AA. Stadium and sports arenas	One (1) parking space for each four (4) seats, based on maximum seating capacity, plus one (1) parking space for each two (2) employees on shift of largest employment.
BB. Theaters, auditoriums, churches, and places of assembly with fixed seats	One (1) parking space for each four (4) seats, based on maximum seating capacity, plus one (1) additional parking space for each two (2) employees on shift of largest employment.

SPECIFIC OFF-STREET PARKING REQUIREMENTS

TYPES OF USES	
CC. Theaters, auditoriums, churches, and places of assembly without fixed seats	One (1) parking space per four (4) people in designed capacity of building, or one (1) parking space per one hundred (100) square feet in main auditorium or assembly area, whichever is greater, plus one (1) parking space for each two (2) employees on shift of largest employment.
DD. Tourist homes, cabins, motels or hotels, excluding areas used for meeting rooms and places of assembly	One (1) parking space for each sleeping room or suite, plus one (1) parking space for each two (2) employees on shift of largest employment.
EE. Industrial establishments, including manufacturing, research and testing laboratories	Two (2) parking spaces for each three (3) employees – the total number of parking spaces being the total number of employees on any two (2) consecutive shifts having the largest number of employees, based on design capacity, plus one (1) parking space for each company vehicle operating from the premises.
FF. Wholesale establishments, warehouses, and storage buildings	One (1) parking space for each employee, plus one (1) parking space for each company vehicle operating from the premises.
GG. All other uses not listed herein	<p style="text-align: center;">Based on a study to be prepared by the owner or operator; number of spaces to be required determined according to</p> <ul style="list-style-type: none"> a. type of use and estimated number of total trips generated during peak conditions (inbound and outbound); b. estimated parking duration per vehicle trip (turn-over rates); c. based on estimated number of trips generated and average parking duration per trip, calculate number of spaces required; d. estimated number of employees - (one (1) parking space to be provided for each two (2) employees based on shift of maximum employment).
<u>HH. Cultivation</u>	<u>One (1) parking space for each employee on shift of largest employment</u>
<u>II. Processing</u>	<u>One (1) parking space for each employee on shift of largest employment</u>
<u>JJ. Producing</u>	<u>One (1) parking space for each employee on shift of largest employment</u>
<u>KK. Dispensary</u>	<u>One (1) parking space per 300 square feet</u>
<u>LL. Safety Compliance Facility</u>	<u>One (1) parking space per 1,000 square feet</u>