

ORDINANCE NO. 318(02-15-17)

AN ORDINANCE OF THE CITY OF TAYLOR MILL, IN KENTON COUNTY, KENTUCKY, AMENDING THE TEXT OF THE TAYLOR MILL ZONING ORDINANCE TO AMEND SECTIONS 9.29 AND 10.19 REGARDING SOME DTM REGULATIONS

WHEREAS, the City of Taylor Mill has proposed text amendments to the Taylor Mill Zoning Ordinance to: (1) amend Section 9.29 Downtown Taylor Mill (DTM) Design and Development Standards pertaining to building location, off-street parking location, minimum development area, roof forms, landscaping buffers and on-street parking; and (2) amend Section 10.19 DTM-2 (Downtown Taylor Mill Office-Service) Zone to add convenience store, hair salon and barber shop to the list of permitted uses; amend Area and Height Regulations pertaining to off-street parking location, front, side and rear yard depth, street wall requirement and building heights; and amend gas station regulations to attendant station location, number of gas pumps, canopy height, retaining walls and walkways; and

WHEREAS, the proposed text amendments were reviewed by the Kenton County Planning Commission on February 5, 2015 in proceedings numbered PC1501-0002 thereof, pursuant to the requirements of K.R.S. 100.211, and that commission recommended approval of the proposed text amendments:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF TAYLOR MILL:

Section 1.0 – Zoning Text Amendments

The Taylor Mill zoning ordinance numbered 1977-24, as previously amended and readopted from time to time, is hereby again amended so that Sections 9.29 and 10.19 conform to the versions thereof attached hereto and incorporated herein by reference as Attachments A and B, with the text being added indicated by a single solid line beneath them, and with the text being deleted indicated by a single solid line through them.

Section 2.0 – Provisions Severable

The provisions of this ordinance are severable; and the invalidity of any provision of this ordinance shall not affect the validity of any other provisions thereof; and such other provisions shall remain in full force and effect as long as they remain valid in the absence of those provisions determined to be invalid.

Section 3.0 – Conflicting Ordinances Repealed

All ordinance or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 4.0 – Effective Date

This ordinance shall be effective as soon as possible according to law.

Section 5.0 – Publication

This ordinance shall be published in summary pursuant to K.R.S. 83A.060 (9).



DANIEL L. BELL, MAYOR

ATTACHMENT A
PC1501-0002

Proposed Text Amendment to the Taylor Mill Zoning Ordinance
Words to be added are underlined – Words to be deleted are ~~lined through~~

SEC. 9.29 DOWNTOWN TAYLOR MILL (DTM) DESIGN AND DEVELOPMENT STANDARDS

- A. **INTENT:** The following regulations are hereby established to promote the health, safety and general welfare of the Downtown Taylor Mill Zones; hereafter referred to as Downtown Taylor Mill (DTM); to ensure consistent development in a manner that promotes the goals and objectives of the *2006 Area-wide Comprehensive Plan for Kenton County* and the *2006 I-275/KY 16 Improvement Area Land Use Study*; and to provide standards for mixed-use development in Downtown Taylor Mill that will benefit the City of Taylor Mill.

The DTM Zones provide for a flexible mix of commercial uses in a pedestrian friendly environment to accommodate dense downtown commercial activity and regional and national office headquarters.

The dimensional standards and design guidelines of the DTM Zones are intended to insure that development is compatible with adjoining residential zones and uses. The standards found herein collectively promote quality development and innovative site design to create a premier community asset that will encourage various uses and site configurations ranging from a hotel and conference center to retail and office uses. In addition, flexibility is provided in return for adherence to the design standards of the DTM Zones.

- B. **ZONES REGULATED:** The regulations contained herein shall regulate:
1. Section 10.18 DTM-1 (Downtown Taylor Mill main street) Zone.
 2. Section 10.19 DTM-2 (Downtown Taylor Mill office-service) Zone.
 3. Section 10.20 DTM-3 (Downtown Taylor Mill commercial) Zone.
 4. Section 10.21 DTM-4 (Downtown Taylor Mill business park) Zone.

The boundaries of which are shown on the City of Taylor Mill Zoning Map.

- C. **SCOPE:** This section governs all land uses and development within the DTM Zones and shall take precedence over the provisions of this ordinance unless expressly provided for otherwise by this ordinance or the Kentucky Revised Statutes.
- D. **INTERPRETATION AND APPLICATION:** In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements,

adopted for the promotion of the health, safety, and general welfare. Whenever the requirements of any other lawfully adopted rules, regulations, or resolutions conflict, the most restrictive, or that imposing the higher standards shall govern.

E. DESIGN AND DEVELOPMENT STANDARDS:

1. Purpose: Design and development standards are established to create a unified image for Downtown Taylor Mill. Quality, mixed-use developments with integrated open spaces, streets, parking, and pedestrian friendly amenities are desired. To that end, the design and development standards in this section are further designed to:
 - a. Utilize decorative and long lasting building designs on all building walls facing public roadways.
 - b. Develop unique building and building configurations that fit into the overall character and design objectives of the downtown areas by requiring decorative architectural elements and unique, landmark building designs.
 - c. Place structures, except within the DTM-2 Zone, close to "main street", a collector road identified by the *2006 I-275/KY 16 Improvement Area Land Use Study*, and all streets, to create an identifiable image unique to Downtown Taylor Mill. A consistent building wall and the use of wide sidewalks and a street tree line along "main street" will ensure an attractive and functional pedestrian friendly environment.
 - d. Place parking lots in rear or side yards to make downtown structures the focal point of every development site, except that parking shall be permitted in the front, rear and side yards in the DTM-2 Zone.
 - e. Require a non-motorized transportation system for the exclusive use of pedestrians and bicyclists that provides safe linkages between retail and office uses and surrounding neighborhoods.
 - f. Incorporate sound site design techniques to minimize the intrusion on existing residential neighborhoods by saving existing vegetation where possible, placing buildings and parking lots in appropriate locations, and providing, where necessary, landscape buffer areas.
 - g. Restrict access to development parcels adjacent by requiring shared access drives and common parking lots.
 - h. Provide for low profile monument signage throughout while ensuring signage is user-friendly.
2. Minimum Development Area: The minimum development area shall be 2.5 acres, except for pre-existing lots or parcels which are landlocked by virtue of adjoining right of ways and property lines. In all DTM Zones, more than one building may be located on any one lot.
3. Ownership: All buildings and uses proposed in the DTM Zones shall be under such unified control as to ensure that the entire development will be

developed as a unified whole.

4. **Location of Business Activities:** All business activities permitted shall be conducted within a completely enclosed building, with the exception of outdoor seating areas.
5. **Maximum Building Footprint:** The maximum footprint of any commercial or mixed-use building shall be sixty thousand (60,000) square feet. Any commercial or mixed-use building exceeding sixty thousand (60,000) square feet shall be permitted but shall be required to have a minimum height of two (2) stories or thirty (30) feet.
6. **Mixed-Use Buildings.** All buildings may contain more than one permitted use. Such buildings shall be referred to as mixed-use buildings.
7. **Building Design:**
 - a. **General:** Any building elevation of any structure facing a public or private roadway shall be considered the front wall, or façade, for design purposes.
 - b. **Tripartite Configuration:** Facades shall have a tripartite (three part) configuration with a base or foundation, a middle or modulated wall, and a top portion formed by an articulated cornice or gutter. The façade shall have a recognizable base with but not limited to the following:
 - (1) **Façade Base Treatment:** Facades must have a recognizable base with (but not limited to) thicker walls, ledges or sills; Integrally textured elements such as stone or other masonry; Integrally colored and patterned elements such as smooth-finished stone; lighter or darker colored elements, mullions or panels; or planters.
 - (2) **Façade Material and Color Changes:** Materials and colors should not be changed in the same place, unless separated by a detail, such as a reveal, and change should occur along a horizontal or vertical line. The lighter material or color should occur above the heavier material or color in all cases. Buildings on corner lots or adjacent to access drives shall continue the same material and color on both sides and detail those facades similarly.
 - (3) **Horizontal Repeating Pattern:** Facades must include a repeating pattern with an expression of architectural or structural bays through a change in plane greater than or equal to one (1) wide, such as an offset, reveal, pilaster, projecting ribs, fenestration patterns, or piers. Commercial and mixed-use building façade walls must not have a blank, uninterrupted length greater than forty (40) feet without including the required change in plane and one additional

feature such as: changes in texture or pattern, or other equivalent elements that subdivide the wall into human scale proportions. All elements must repeat at intervals of less than or equal to forty (40) feet. Facades located in the DTM-4 shall follow these standards but at an interval of eighty (80) feet.

- c. **Disruption of Long Walls:** Long walls, exceeding eighty (80) feet in length, visible from a public or private roadway should include at least one change in wall plane, such as projections or recesses, having a depth of at least three (3) percent of the entire length of the façade and extending at least twenty (20) percent of the entire length of the façade.
- d. **Glass:** The use of glass as an architectural and design element is required as follows:
 - (1) Glass with a reflection greater than twenty (20) percent is prohibited.
 - (2) All glass located on the ground floor shall be clear vision glass.
 - (3) In the DTM-1 Zone, the first floor of a building shall have a minimum of fifty (50) percent and a maximum of eighty (80) percent glass.
 - (4) In all other DTM Zones, the use of glass shall be limited to fifty (50) percent on facades to avoid the excessive use of this element and a dated appearance. The first floor of buildings shall have a minimum of twenty-five (25) percent glass to provide variety, interest, and openness.
- e. **Side or Rear Walls:** Side or rear walls facing walkways or visible from a street right-of-way may include false windows and door openings defined by frames, sills and lintels, or similarly proportioned modulations, only when actual doors and windows are not feasible because of the building use.
- f. **Materials:** Acceptable building materials include but are not limited to residential-size, jumbo or utility brick (traditional red color or other neutral, non-glazed type); stone facing material; waterproof exterior insulation and finish system (EIFS, i.e., dryvit). If EIFS or dryvit is used, it shall be used only three (3) feet above any elevation of the building and should not exceed forty (40) percent of the overall non-window façade area or any wall facing a public or private roadway. Inappropriate building materials include but are not limited to heavily rusticated stone veneer, a glass curtain wall, vertical siding, standard CMU, and metal cladding.
- g. **Main Building Entrances:** Building frontages must incorporate a main entrance door. The main public entrance door shall be inviting and pronounced with lighting; distinctive building materials; and architectural elements that draw the eye to the opening such as

decorative transoms, columns, recesses, or protrusions. Entrances shall combine different colors, textures and the before mentioned architectural elements to emphasize entrances and to break the monotony of large vertical surfaces. Public entrance vistas shall be established or preserved by framing the area leading to the entrance with landscaping. It is not the intent of the landscaping or screening requirements found in this ordinance to block the view of the primary building entrances. Also, entrances should be designed with attention to pedestrian use, as well as automobile drop-off convenience.

- h. **Secondary Building Entrances:** Secondary building entrances open to the public are permitted if located on the rear wall of a building. Such entrances shall be clearly identified as open to the public and may include a wall-mounted sign of not more than six (6) square feet above the entrance.
 - i. **Architectural Details:** Incorporate recesses, off-sets, arches, colonnades, columns, pilasters, detailed trim, brick bands, and contrasting courses of material, cornices, or porches to vary building facades.
 - j. **Accents:** Use canopies, overhangs, raised parapets over the door, archways, awnings, larger openings and display windows, accent colors, and details such as tile work, moldings, pedestrian-scale lighting, and distinctive door pulls to add detail and additional interest to building designs.
 - k. **Building Colors:** Building colors must be low-reflecting, muted and neutral or earth-toned. Roof colors must be muted and compatible with the dominant building color. High-intensity colors, bright primary colors, metallic colors, black or fluorescent colors are prohibited. Shiny, glossy or reflective materials, or brighter colors may be used on building trim and accents with a cumulative surface area of less than or equal to one quarter of one (0.25) percent of a wall. Neon lighting as an architectural trim is prohibited.
 - l. **Roof Forms:** Roofs, except in the DTM-2 Zone, shall be flat or slightly sloped (for drainage). Decorative parapets or railing shall be incorporated on any façade facing a public street or access drive. The continuous plane of a roofline must be less than or equal to one hundred (100) feet.
8. **Utilities:** All new utilities shall be located below ground to minimize disruptions in utility service, reduce weather related losses, and to enhance the visual appearance of the downtown area.
 9. **Lighting:** For the purpose of providing consistent site lighting that does not produce glare and reduces the illumination of the night sky the following lighting standards shall be followed:
 - a. **General Requirements:** Light poles shall be consistent in design with the overall architectural theme of the site and shall be of a

neutral color such as bronze, black, or charcoal. Pedestrian-oriented lighting should be at smaller scales to light walkways and plazas while parking area lighting should be at larger scales to light parking areas and vehicular circulation routes.

- b. **Continuity:** All lighting, including but not limited to building lighting, security lights, and architectural lights should be from the same family of fixtures to maintain continuity throughout the DTM Zones.
- c. **Vehicular Area and Pedestrian Lighting:**
 - (1) Light fixtures should be spaced at regular intervals and offer continuous ground plane overlap.
 - (2) Light fixtures shall be located at least two (2) feet and preferably five (5) feet back from the curb of a public right-of-way.
 - (3) Lighting should be used in combination with signage standards and other elements where possible.
 - (4) Lighting should be coordinated with street tree plantings for proper integration.
 - (5) Lighting should be maintained along the length of both sides of the public and private roadways.
- d. **Glare Reduction and Lighting Levels:**
 - (1) All non-decorative lighting shall be fully shielded lights that do not emit light rays at angles above the horizontal plane as certified by a photometric test report.
 - (2) Decorative, pedestrian scale lights are encouraged in areas of pedestrian activity. All decorative lights over ten (10) feet in height shall be shielded to avoid light spillage on adjacent property and road rights-of-way.
 - (3) Where lighting abuts a residentially used or zoned property, the maximum illumination at the property line shall not exceed 0.5-foot candles. Where lighting abuts a non-residentially used or zoned property, the maximum illumination at the property line shall not exceed 1-foot candle. Lighting shall in no case exceed 6-foot candles.
 - (4) Lighting located on the building wall must be fully shielded to direct the light downward.
- e. **Prohibited Lighting:**
 - (1) Neon accent lighting is prohibited on buildings and structures.
 - (2) Light poles shall not exceed thirty (30) feet in height.
 - (3) Bare metal light poles and elevated "sonotube" type concrete bases are prohibited.

- 10. **Coverage and Open Space Requirements:** Not more than seventy-five

(75) percent of the area of any development area shall be covered with any combination of buildings, pavement, or other impervious surfaces.

11. Landscaping and Buffering: Section 9.17, Landscape Regulations shall govern in addition to the following provisions:
 - a. Applicability: For the purposes of determining applicable landscaping and screening requirements, all uses permitted and conditionally permitted, including mixed-uses, shall be considered commercial and professional office land uses.
 - b. General Requirements: The following general requirements shall apply to all landscaping and buffering elements.
 - (1) General Location: Plantings shall be located so as to provide shade and to reduce heat gain from hard surface.
 - (2) References: This section includes references to planting material types (e.g., List A, List B, and List C, etc.). Definitions and standards for these planting material types are defined in Section 9.17 of this ordinance.
 - (3) Massing: Shrubs required by Section 9.17 and this section shall be clustered in an informal manner to create a massing effect.
 - (4) Ground Cover and Lawn: Ground cover or lawn shall be planted on all areas not covered by other plant materials.
 - c. Zones or Land Uses Adjacent to Residential Zones or Land Uses: ~~When~~Except in the DTM-2 Zone, when a zone or land use adjoins a residential zone or land use, a 30-foot wide planting strip shall be provided. Plant materials and planting options include the following:
 - (1) 1 tree per 35 linear feet, or fraction thereof, from List A (shade trees), plus double row hedge from List E (evergreen/broadleaf shrubs).
 - (2) 1 tree per 20 linear feet, or fraction thereof, from List B (flowering and non-flowering trees), plus double row hedge from List E (evergreen/broadleaf shrubs).
 - (3) 1 tree per 40 linear feet, or fraction thereof, from List A (shade trees), plus a hedge from List D, plus a 6 foot wall, fence, or earth mound.
 - (4) 1 tree per 40 linear feet, or fraction thereof, from List B (flowering and non-flowering trees), plus a hedge from List D, plus a 6 foot wall, fence, or earth mound.
 - (5) Double row, staggered planting of trees from List C (evergreen/broadleaf shrubs) at 15 feet on center.
 - d. Interior Landscaped Area: In addition to the plant material requirements for interior landscaped areas outlined in the Landscape Requirements Table (Table 9-1), five (5) shrubs per two

hundred fifty (250) square feet of landscaped area from either List D (deciduous shrubs) or List E (evergreen/broadleaf shrubs) shall be provided. Ground cover shall be planted on all areas not covered by other plant material. Landscape areas along the perimeter of the parking area, or in any part of a required yard, shall not be counted as interior landscaped areas.

e. **Dumpster Screening:**

- (1) Dumpster shall be located in the side or rear yards screened on three (3) sides with a screen wall that is consistent in appearance with the façade of the principal building.
- (2) The screen walls shall be at least six (6) feet in height or at least one (1) foot above the height of the enclosed trash receptacle. The fourth side of the trash enclosure shall be screened with a decorative gate that is the same height of the other three (3) screen walls. Bollards shall be installed at the enclosure opening to prevent damage to the screen walls or gate.
- (3) Evergreen plant materials shall be planted around the trash receptacle screen wall to further screen the trash receptacle and screen wall from view of any public or private roadway.

f. **Equipment and Loading Areas Screening:**

- (1) **Location:** Proper placement of utilitarian features enhances the effectiveness of screening. Mechanical equipment such as transformers, compressors, HVAC systems, chillers and communications equipment shall be located on the top or rear of buildings and fully screened from pedestrians and adjacent property.
- (2) **Screening of Equipment:** Ground-mounted or wall-mounted equipment shall be screened with planting beds, evergreen plantings, an opaque fence or low masonry screen wall, or combination thereof. Roof-mounted equipment shall be screened from public view and from adjacent property. The screening treatment shall be integrated within the overall building design with the use of complementary materials, colors, and architectural style of the building.
- (3) **Screening of Other Site Elements:** Pipes, conduit, and cables shall be limited to the back façade of building if conditions do not allow for them to be enclosed with the building itself. They shall be located as far away from public view as practical. Exterior stairs, if any, shall be located to a rear or side of a building not facing a public or private roadway to minimize the visibility of the stairs.

g. **Vehicular Use Area Perimeter Landscaping:** Vehicular use areas shall have a five (5) foot perimeter screening easement and shall

utilize one of the following planting options:

- (1) 1 tree per 40 linear feet, or fraction thereof, from List A (shade trees), plus 8 shrubs per 40 linear feet, or fraction thereof, from either List D (deciduous shrubs) or List E (evergreen/broadleaf shrubs).
- (2) 1 tree per 25 linear feet, or fraction thereof, from List B (flowering and non-flowering trees), plus 8 shrubs per 40 linear feet, or fraction thereof, from either List D (deciduous shrubs) or List E (evergreen/broadleaf shrubs).

h. **Street Frontage Landscaping:** Street trees shall be planted to meet the following tree density requirements and shall be placed within the street right-of-way or within an easement immediately adjacent to the street right-of-way as follows:

- (1) **Adjacent to "main street":** 1 tree per 40 linear feet from List A (shade trees), B (flowering and non-flowering trees), or F (street trees). Trees shall be planted in planter block measuring 6 feet deep by 12 feet long and shall be adjacent to the right-of-way. The area between planter boxes shall be paved to allow for pedestrian circulation throughout the DTM Zones.
- (2) **Adjacent to all other Right-of-Ways:** 1 tree per 40 linear feet from List A (shade trees), B (flowering and non-flowering trees), or F (street trees). Trees shall be planted in a landscaped strip with a width of not less than 5 feet.

i. **Landscaping Adjacent to Access Drives:** All access drives shall provide a fifteen (15) foot wide planting area adjacent to the access drive consisting of one (1) ornamental tree or evergreen per 40 linear feet, or fraction thereof, from List B (flowering and non-flowering trees) or List C (evergreen/broadleaf trees), plus 10 shrubs per 40 linear feet, or fraction thereof, from either List D (deciduous shrubs) or List E (evergreen/broadleaf shrubs).

j. **Detention/Retention Plantings:** Where detention/retention basins can be viewed by pedestrians or are along a public or private roadway, these areas should be planted with a minimum 30 shrubs per 100 linear feet from either List D (deciduous shrubs) or List E (evergreen/broadleaf shrubs), measured at the high water level. Plants should be massed in naturalistic groupings.

k. **Seasonal Landscaping:** Seasonal amenities such as portable planters, street trees or other landscaping are encouraged, so long as pedestrian movement is not hindered.

12. **On-Street Parking:** ~~On~~Except in the DTM-2 Zone, on-street parking facilities shall be provided on all publicly dedicated local streets. The number of on-street parking spaces provided shall count towards the total

number of required off-street parking spaces. On-street parallel parking spaces shall be a minimum of eight (8) feet in width and twenty-three (23) feet in length.

13. Off-Street Parking and Loading: Article XI, Off-Street Parking and Access Control Regulations and Article XII, Off-Street Loading and/or Unloading Regulations shall govern in addition to the following provisions.
 - a. For all uses in the DTM-1, DTM-2, DTM-3 and DTM-4 Zones, a ten (10) percent reduction in the required number of off-street parking spaces is allowed.
 - b. Location of Off-Street Parking Facilities: Off-street parking facilities in the DTM-1 Zone shall only be permitted in the rear yard. Off-street parking facilities in the DTM-2, Zone shall be permitted in front, side and rear yards of lots or parcels located in the DTM-2 Zone, with not more than four (4) rows of parking located in any one side yard. Off-street parking facilities in the DTM-3 Zone, and DTM-4 Zone shall be permitted only in side and rear yards, with not more than two (2) rows of parking in the DTM-2 Zone and not more than four (4) rows of parking in the DTM-3 and DTM-4 Zones located in any one side yard.
 - c. Building Entrance Access: The location of required off-street parking facilities in the DTM-1, DTM-2, DTM-3, and DTM-4 Zones shall be within six hundred (600) feet of the building entrance to which they are intended to serve.
 - d. Similar Uses: Where a use is not specifically mentioned in this ordinance, the standards for a similar listed use, as determined by the zoning administrator, shall be applied. Professional publications, including Parking Generation (Institute of Transportation Engineers), may provide guidance in determining appropriate parking standards for similar uses.
 - e. Interparcel Access Requirements: For all uses located in the DTM-1, DTM-2, DTM-3, and DTM-4 Zones, the property owner shall grant an access easement to each adjoining property owner located in the DTM-1, DTM-2, DTM-3, and DTM-4 Zones. The purpose of the easement is to facilitate movement of customers and their vehicles from establishment to establishment (lot to lot) without generating additional turning movements on a public or private roadway. Such interparcel access easements shall be recorded and reference to deed book and copy of such recorded easement shall be provided to the city commission. Setbacks, curb, and perimeter landscaping requirements shall not apply to the interparcel access easement area. The interparcel access easement shall be provided subject to the following provisions:
 - (1) The interparcel access easement shall permit automobile access from the adjoining property to driveways and parking areas intended for customer or tenant use; but the use of

- parking spaces may be restricted to the owner's customers and tenants only.
- (2) The granting of such easement shall be effective upon the granting of a reciprocal easement by the adjoining property owner.
 - (3) Upon the availability of access to driveways and parking areas of the adjoining lot, the pavement or other surfacing of the owner's driveways and parking areas shall be extended to the point of access on the property line.
 - (4) The location of vehicular connections across a property line should be mutually determined and constructed by both property owners. In the case of coordination problems or any factors preventing construction of an interparcel connection, the city commission shall determine the location of connection to be constructed by property owners.
 - (5) Where the proposed land use is such that adverse impact of the required easement on the use of the property would outweigh the reduced impact on the public street provided by the reciprocal easements, the city commission may waive the requirement for access easements, in whole or in part, administratively.
- f. **Shared Parking:** Whenever possible, commercial and office uses in Downtown Taylor Mill shall share parking in common lots. Shared parking represents an arrangement whereby two or more commercial or office uses provide their required off-street parking in the same parking lot, thereby reducing the number of individual parking lots and the number of curb cuts required to serve such lots.
- (1) **Incentives:** Incentives are provided for shared parking arrangements. The following reductions in the number of off-street parking spaces required are allowed when multiple commercial and/or office uses provide off-street parking in the same parking lot, as follows:
 - (a) A maximum forty (40) percent reduction is allowed when four (4) or more commercial and/or office uses are involved.
 - (b) A maximum thirty (30) percent reduction is allowed when three (3) or more commercial and/or office uses are involved.
 - (c) A maximum twenty (20) percent reduction is allowed when two (2) or more commercial and/or office uses are involved.
 - (2) **Required Agreements:** An agreement providing for shared use of parking facilities and interparcel access must be filed

with the city commission, in a form approved by the city commission. Shared parking facility privileges will continue in effect only as long as the agreement remains in force. If the agreement is no longer in force, then parking must be provided as otherwise required by this chapter.

- g. **Reserved Parking:** Up to five (5) percent of the total number of required off-street parking spaces and associated access drives may be reserved or set-aside for additional parking area for future use if needed. Such areas shall be approved by the city commission and shall be shown on plans to be approved and marked as "reserved parking for future use".
- h. **Pedestrian Circulation:** A safe transition shall be provided for people walking from parking lots to the building, or for pedestrians or bicyclists using a public pathway to the building entrance. The design of the parking lot should minimize areas where vehicular traffic moves in the same space with pedestrians. Walkways shall be curbed and elevated higher than parking lots to separate pedestrians from vehicular traffic. Predominant pedestrian access ways where pedestrians and vehicles intersect frequently shall be treated with unique pavement material or colors to provide definition between pedestrian and vehicular use areas.
- i. **Bicycle Parking:** Off-street parking of bicycles shall be provided as follows:

 - (1) For all uses there shall be one bicycle parking space for each twenty (20) automobile parking spaces or fraction thereof required in this section.
 - (2) Uses allowed to have reduced parking through Shared Parking provision of this Section shall nevertheless be required to provide bicycle spaces or lockers in the amount of one for each ten (10) automobile parking spaces or fraction thereof that would otherwise be required without the shared parking provision.
 - (3) The dimensions of each bicycle parking space shall accommodate the dimensions of a standard adult-sized bicycle, and shall measure no less than two (2) feet in width and six (6) feet in length. In addition to meeting these special requirements, bicycle parking racks must accommodate the use of popular locking devices used by bicyclists, including U-shaped locks.
 - (4) Whenever possible, the racks should be placed within fifty (50) feet of principal building entrances where bicyclists would naturally transition to pedestrian mode. The rack placement would ideally allow for visual monitoring by people within the building and/or people entering the building. The placement of the racks should minimize conflicts with both pedestrians and motorized traffic. All

bicycle parking provided should be on concrete, and located a minimum of two (2) feet from a parallel wall and three (3) feet from a perpendicular wall.

- j. **Cart Corrals:** Cart corrals shall be of durable, non-rusting, all-season construction and shall be designed and colored to be compatible with the architecture and materials of the principal building served.
14. **Site Access:** Sidewalks and walkways facilitate the safe movement of people and provide the primary access to buildings. Automobile access to individual building lots shall be minimized and common or shared parking lots should be utilized whenever possible.
- a. **Sidewalks shall be provided as follows:**
 - (1) A sidewalk with a minimum width of eight (8) feet is required between the curb and the building façade. At least five (5) feet of unobstructed pedestrian access shall be maintained at all times.
 - (2) Americans with Disabilities Act standards shall apply.
 - (3) Seasonal pedestrian activities and amenities, including outdoor seating and eating areas, sidewalk sales, and bicycle racks are encouraged so long as pedestrian access is not limited.
 - b. **Curb cuts shall be limited.** Whenever possible, curb cuts shall allow for access to a common or shared parking area or for an access drive.
15. **Signage:** Article XIV, Sign Regulations shall govern in addition to the following provisions.
- a. **General Requirements:** The following general requirements shall apply to all signs located in the DTM-1, DTM-2, DTM-3, and DTM-4 Zones:
 - (1) **Illumination:** When illumination is permitted, either by Article XIV, Sign Regulations or this section, the method of illumination shall be from a concealed lighting source. Internally illuminated signs are prohibited.
 - (2) **Ground Signs.** When permitted, ground signs shall be provided as follows:
 - (a) Ground signs shall consist of a low profile sign face that is placed on a solid base that extends a minimum of one (1) foot above the ground and extends at least seventy-five (75) percent of the length and width of

- the sign. The above ground portions of the sign base shall be considered part of the total allowable height of a ground sign.
- (b) The sign style shall complement the architecture of the building it advertises.
 - (c) Landscaping consisting of shrubs, flowers, and/or accent stones shall be provided around the base of all monument signs.
 - (d) Lighting shall consist of concealed ground lighting and shall be flush with the grade or obscured by landscaping.
- (3) **Material:** Sign materials should be compatible with the design of the façade on which they are placed. The selected materials should also contribute to the legibility of the sign and should be durable. Whenever possible, signs should be constructed of natural materials such as metal or wood.
- (4) **Placement:** Signs should not obscure architectural features; instead, their design should be integrated with the design of the building as follows:
- (a) Signs shall fit within the existing façade features, shall be confined to signable areas, and shall not interfere with door and window openings, conceal architectural details, or obscure the composition of the façade.
 - (b) Signs should be mounted in locations that respect the design of a building, including the arrangement of bays and openings.
 - (c) Wall-mounted signs on friezes, lintels, spandrels, and fascias over storefront windows should be sized to fit within these surfaces and not extend above, below or beyond them. Typically, a wall-mounted sign should be centered on a horizontal surface over a storefront opening or series of windows.
- (5) **Sign Design Creativity:** Imaginative and innovative sign designs are considered a community enhancement. Signs make a positive contribution to the surrounding environment, as well as help identify and define downtown Taylor Mill as follows:
- (a) Creative, detailed, artistic, and unique signage is encouraged and will be considered in the context of the building on which the sign will be located, surrounding uses, sign design (color, materials, scale, and detailing).
 - (b) The use of icons, symbols, graphic logos or designs that represent a service, occupation or product are

- preferred.
- (c) Signs should convey one message only in the simplest manner possible.
- b. **Permitted Signs in DTM Zones:** The following classes of signs, as defined in Section 14.6, Classification of Signs may be erected and maintained:
- (1) Class 1 (Flat or window sign, single faced only)
 - (2) Class 2 (Flat, window, or projecting sign, single or double faced)
 - (3) Class 4 (Flat, window, or ground sign, single or double faced; to be used temporarily for advertising development, new construction, or the sale, lease, rental, remodeling and re-building of designated structures or a designated land area)
 - (4) Class 5 (Individual letters only, single faced only) and/or Class 6 (Flat sign, single faced only). A combination of Classes 5 and 6 signs may be used provided that the combined total number of square feet of the sign area used shall not exceed one (1) square foot of area for each horizontal linear foot of building wall upon which the sign or signs are located.
 - (5) **Access Drive:** One (1) ground sign shall be permitted at the entrance to any access drive as follows:
 - (a) Ground signs shall be single or double faced with a maximum size of single sign area of sixty (60) square feet and a maximum height above grade at top of sign of fifteen (15) feet.
- c. **Permitted Signs in the DTM-3 Zone:** In addition to permitted signs identified above, one (1) signature wall sign shall be permitted for a hotel and conference center building or office building as follows:
- (1) The sign shall be placed beneath the roof line of the building wall facing the interstate highway.
 - (2) The wall sign shall not extend above the roof line of the building that it is attached to.
 - (3) The sign area shall not exceed one (1) square foot per lineal frontage, and in no case shall exceed two hundred (200) square feet.
- d. **Permitted Signs in the DTM-4 Zone:** In addition to permitted signs identified above, ground signs shall be permitted in the DTM-4 Zone as follows:
- (1) Ground signs shall be single or double faced with a

maximum size of single sign area of fifteen (15) square feet and a maximum height above grade at top of sign of eight (8) feet.

- e. **Additional Permitted Signs:** In addition to permitted signs identified above, the following signs shall also be permitted:
- (1) **Wall-Mounted Display:** A wall-mounted display featuring a menu or description of items for sale within a retail or commercial space shall be contained within a shallow weather-proof wood or metal case, with the text clearly visible through a glass front. The display case shall be attached the building wall, next to the main entrance, at a height of approximately five (5) feet, shall not exceed a total sign area of two (2) square feet, and may be lighted if the lighting source is not visible.
 - (2) **Sandwich Board Sign:** One sandwich board sign per business establishment shall be permitted as follows:
 - (a) The area of the signboard, single-sided, shall not exceed five (5) square feet.
 - (b) The signboard shall be constructed of wood, chalkboard or finished metal.
 - (c) Letters may be painted or handwritten.
 - (d) The sign shall be located within four (4) feet of the main entrance to the business and its location shall not interfere with pedestrian or vehicular circulation.
 - (e) The information displayed shall be limited to daily specials and hours of operation.
 - (f) The sign shall be removed at the end of the business day.
 - (3) **Multi-Tenant Directory Sign:** In addition to other signage, one directory sign shall be permitted at the main entrance of a multi-tenant building that displays the name and suite number of each business or commercial establishment as follows:
 - (a) Individual letters and/or rows of text shall not exceed one (1) inch in height.
 - (b) The total directory area shall not exceed six (6) square feet.
 - (c) The sign material must have a professional appearance and be made of cast metal or other approved durable material.

ATTACHMENT B
PC1501-0002

SECTION 10.19 DTM-2 (DOWNTOWN TAYLOR MILL OFFICE – SERVICE) ZONE

- A. **PURPOSE** The purpose of the DTM-2 Zone is to provide small to medium sized retail, office, and service uses that cater to the daily convenience shopping and service needs of the community and surrounding employment centers consistent with the *Comprehensive Plan's* and *I-275/KY 16 Land Use Plan's* development, land use and transportation goals, objectives, policies and strategies. This zone permits a more intensive range of commercial uses than the DTM-1 Zone. Development standards in this zone are similar to the DTM-1 Zone but slightly relaxed to provide additional flexibility for businesses not wishing to locate in a "main street" style environment. Provisions for bicycle and pedestrian accessibility and circulation are required within the DTM-2 Zone to reduce automobile trips, provide a livable environment for existing residents, and enhance the value and aesthetics of the surrounding community.
- B. **PERMITTED USES:**
1. Apparel shop
 2. Art gallery, picture framing
 3. Art supplies
 4. Bakery and bakery goods store, provided the product are sold exclusively on the premises
 5. Bicycle sales and service
 6. Book, stationery, or gift shop
 7. Camera and photographic supplies
 8. Candy store, soda fountain, ice cream store
 9. Clothing store
 10. Community centers, publicly owned and/or operated
 11. Copy services
 12. Delicatessen
 13. Drug store
 14. Drive-through facilities, in accordance with the use standards provided in this Section
 15. Dry cleaning and laundry pick-up station
 16. Eating and drinking establishments, outdoor patio dining is permitted
 17. Existing single-family residential dwellings
 18. Florist shop
 19. Food store and supermarkets
 20. Furniture store
 21. Gasoline station, in accordance with the use standards provided in this Section
 22. General merchandise and grocery store
 23. Glass, china, or pottery store
 24. Governmental offices

25. Grocery and convenience store(s)
26. Hardware store
27. Health club/fitness center
28. Hobby shop
29. Household and electrical appliance store, including incidental repair
30. Interior decorating studio
31. Jewelry store, including repair
32. Leather goods and luggage store
33. Libraries
34. Meat store, butcher
35. Music, musical instruments, and records, including incidental repair
36. Nursery school
37. Opticians and optical goods
38. Package liquor and wine store
39. Pet shop, excluding boarding and outside runs
40. Police and fire stations
41. Post office
42. Professional offices, including:
 - a. Medical and dental
 - b. Banks and other financial institutions, including savings, loan, and finance companies
 - c. Legal
 - d. Accounting
 - e. Engineering
 - f. Architecture
 - g. Interior design
 - h. Marketing
 - i. Employment service
 - j. Administrative and managerial
 - k. Medical laboratory
 - l. Education service
 - m. Office equipment and computer service
 - n. Telecommunications
 - o. Data processing
 - p. Corporate and regional corporate offices
 - q. Investment services office
43. Radio and television store, including incidental repair
44. Shipping and mail service
45. Shoe sales and repair
46. Spas, hair salons and barber shops
47. Sporting goods
48. Stores producing jewelry, leather goods, candles, and similar merchandise when merchandise is sold only on the premises and when no more than four (4) persons are involved in the production of such merchandise
49. Studios for professional work or teaching of any form of fine arts, photography, music, drama, or dance

50. Tailor shop
51. Toy store
52. Travel agency
53. Variety store, including notions and "five and ten" stores
54. Video sales and rental

C. ACCESSORY USES

1. Customary accessory uses.
2. Fences and walls, as regulated by Article XI and Article XIII of this ordinance.
3. Signs, as regulated by Article XIV and Section 9.29 of this ordinance.

D. AREA AND HEIGHT REGULATIONS

1. **Building Placement:** In the DTM-2 Zone, the street wall should be more relaxed than in the DTM-1 Zone. While minimal building setbacks allow for buildings directed towards the street, parking is permitted to be located in the front, the back and the side yard. Through the use of reduced curb cuts and by providing pedestrian walkways and street trees, the DTM-2 Zone creates a pedestrian-friendly environment while allowing design flexibility with regards to the location of parking lots. Appropriate site accommodations shall be made for off street parking and loading and landscaping and buffering requirements. Off street parking shall be permitted in front yard, side yard and rear yards in accordance with the provisions of Section 9.29.
 - a. **Minimum Front Yard Depth:** Buildings shall be constructed to a zero-minimum forty-five (45') foot front yard setback (or "build-to" line) from all public streets, except in the following circumstances.
 - (1) ~~The build-to line~~two sides of a corner lot or parcel which front on a public right of way shall be adjusted to provide~~considered a front yard for a street tree planter box with a purposes of determining minimum internal planting area width of six (6) feet~~set back requirements.
 - (2) The build-to line shall be adjusted to ensure a minimum sidewalk width of eight (8) feet is available, ~~measured between edge of street tree planter box to the proposed façade.~~
 - (3) Slight variations in the setback may be allowed at building entrances to architecturally pronounce the location and importance of building entrances to pedestrians.
 - (4) A larger setback is permitted when the resulting area is used as a pedestrian amenity, including formally landscaped plazas, courtyards and outdoor seating areas for restaurants, cafes, ~~and coffee shops. Pedestrian spaces located within the front yard setback must be surrounded on~~

~~three sides by building walls unless located at a corner ice cream and coffee shops.~~

- b. ~~Minimum Side Yard Depth: Buildings shall be constructed~~No restrictions, except when adjacent to a zero foot setback (or "build-to" line) from all side property lines to create a continuous building street wall between walls, road, highway or other right of way, when the required depth shall be the same as required for a minimum front yard depth in this zone. In the event a side yard is provided, it shall never be less than fifteen (15') feet, except in the following circumstances:
- ~~(1) When a zone or land use adjoins a residential zone or land use, a 30-foot wide planting strip shall be provided as required in Section 9.29.~~
 - ~~(2)~~(1) Appropriate site accommodations shall be made for off-street parking and loading and landscaping ~~and buffering requirements.~~ Off-street parking shall be permitted in front, side, and rear yards, including along the perimeter of a building, in accordance with the provisions of Section 9.29.
 - ~~(3)~~(2) A formal pedestrian-only walkway is provided that connects off-street parking areas located to the rear of a site to the storefront and walkway system located adjacent to storefronts. A minimum six (6) feet and a maximum of ten (10) feet in walkway width is required. ~~The opening shall be framed overhead by an architectural element extending over the walkway. The opening as seen from the public right of way shall be architecturally compatible with the overall street façade.~~ Lighting fixtures shall be provided in the walkway area with lighting fixtures placed at regular intervals to provide continuous ground plane overlap.
 - ~~(4)~~(3) Formal open spaces, plazas, or outdoor seating may be developed ~~between or adjacent to buildings, thus interrupting the continuous building street wall.~~ Such areas shall be accessible to the public or shall serve an adjacent business. ~~The design of such spaces shall ensure that parking to the rear of buildings is effectively screened through the use of fences, walls, or evergreens or a combination thereof. Such screening materials shall be in accordance with the provisions of Section 9.17, Landscape Regulations and Section 9.29.~~
 - ~~(5)~~(4) Curb cuts onto arterial or collector streets shall be limited to no more than one (1) per block face. Such curb cuts shall allow vehicular access to common parking lots located to the front, side or rear of buildings.
- c. ~~Minimum Rear Yard Depth: A rear zero-fifteen (15') foot setback (or "build-to" line) is permissible but appropriate site~~

accommodations shall be made for dumpsters, mechanical equipment, off-street parking and loading, landscaping and buffering ~~(including a 30-foot wide planting strip when a DTM zone or land use adjoins a residential zone or land use as provided in Section 9.29)~~, and on-site storm water detention management facilities.

- 2. Building Mass and Bulk: Relative building size or mass in relation to adjacent buildings provides design continuity throughout downtown Taylor Mill.
 - a. Building Height and Stories:
 - (1) In order to achieve a degree of building scale compatibility ~~and to create a consistent and prominent street wall,~~ buildings in the DTM-2 Zone shall be a maximum of four (4) stories in height or sixty (60) feet.
 - (2) Building height deviation among adjacent buildings along the same block shall be minimized. ~~The height of adjacent buildings shall not deviate by more than two (2) stories.~~

E. OTHER DEVELOPMENT CONTROLS

- 1. Site Plan. A site plan, as regulated by Section 9.19 of this ordinance shall be required for any use in this zone.
- 2. Standards and Requirements. Buildings and uses in the DTM-2 Zone shall be subject to all applicable standards and requirements set forth in this ordinance, including the following standards and requirements of Section 9.29:

Subsection	Standard or Requirement
E, 2	<u>Minimum Development Area, except for pre-existing parcels or lots which are landlocked by virtue of adjoining right of ways and property lines.</u>
E, 3	Ownership
E, 4	Location of Business Activities
E, 5	Maximum Building Footprint
E, 6	Mixed-Use Buildings
E, 7	Building Design
E, 8	Utilities
E, 9	Lighting
E, 10	Coverage and Open Space Requirements
E, 11	Landscaping and Buffering
E, 12	On-Street Parking
E, 13	Off-Street Parking and Loading
E, 14	Site Access
E, 15	Signage

F. **USE STANDARDS:** This section provides standards for specific land uses permitted by this ordinance. These standards are intended to apply in addition to all other requirements of this ordinance.

1. **Drive-Through Facilities:** Drive-through facilities are auto-oriented uses that detract from the pedestrian-friendly and human-scale environment planned in Downtown Taylor Mill. However, in recognition of the need to balance business interests with overall downtown revitalization goals, drive-through facilities are permitted in limited circumstances when all of the following requirements are satisfied:

- a. Drive-through facilities shall be accessory to banks and other financial institutions, drug store, and restaurant uses, whether such uses are principal or accessory uses.
- b. Ingress and egress to the drive-through shall not be provided directly from KY 16, Taylor Mill Road, or arterial or collector streets.
- c. In no circumstances shall a new curb cut be approved to provide access to a drive-through facility.
- d. Drive-through facilities shall be located at the rear or side of buildings and must be completely screened from all adjacent right-of-ways.
- e. Only one stacking lane per drive-through facility is permitted.
- f. Ingress and egress to any drive-through facility shall not unreasonably interfere or unreasonably conflict with on- or off-site pedestrian or vehicular circulation.

2. **Gasoline Stations:** Gasoline stations are auto-oriented uses that detract from the pedestrian-friendly and human-scale environment planned in Downtown Taylor Mill. However, in recognition of the need to balance business interests and community convenience with overall downtown revitalization goals, gasoline stations are permitted in limited circumstances when all of the following requirements are satisfied:

- ~~a. Attendant stations shall be located close to the street right-of-way to help define the street edge.~~
- ba. No more than four gas pumps are permitted between the attendant station building and an abutting street right-of-way, provided, however, in the circumstance where a lot or parcel is a corner lot which fronts on two (2) separate right of ways, seven (7) gas pumps shall be permitted between the building and the abutting street right of ways. Additional pumps are permitted to the side and rear of the attendant station.
- ~~e. Canopy height shall not exceed the height of the attendant station.~~
- eb. Canopy support structures shall be clad with brick masonry or stone when visible from a public or private roadway.
- ec. Flush mount canopy lights are prohibited. Canopy lights shall be recessed into the canopy.

- fd. A raised landscape planting bed ~~with a thirty (30) inch masonry retaining wall~~ is required when gasoline pumps are located adjacent to a public right-of-way.
- ~~g. An unobstructed~~ e. A walkway shall be provided between the public sidewalk and building entrances if the gas station includes a convenience store.
- h. All building walls visible from a public or private roadway shall use similar building materials and architectural details and treatments as the front building wall.

Certification

The undersigned, Gena M. Forsyth, Assistant City Clerk/Special Events Coordinator of City of Taylor Mill, in Kenton County, Kentucky, hereby certified as follows:

1. The foregoing Ordinance No. 318 (2-15-17) was introduced in writing and read to the City Commission of the City of Taylor Mill at regular or special meetings thereof on the 11th day of January, 2017 and the 15th day of February, 2017, at which quorums were present; and said Ordinance was enacted by the City Commission of the City of Taylor Mill upon the affirmative vote of at least a majority of a quorum thereof, at the meeting thereof on the 15th day of February, 2017, with the vote of each member of the City Commission entered upon the official record of such meeting; and
2. After the passage and adoption of the foregoing Ordinance by the City Commission of the City of Taylor Mill, it was submitted to the Mayor of the City of Taylor Mill who approved said Ordinance by affixing his signature thereto within ten (10) days after the submission thereof to him; and
3. The foregoing Ordinance was published on the 28th day of February, 2017 in the Kentucky Enquirer, a newspaper qualified therefore, pursuant to the provisions of K.R.S. Chapter 424.


Gena Forsyth, Assistant City Clerk/
Special Events Coordinator

ENQUIRER MEDIA

PART OF THE USA TODAY NETWORK

Advertiser:

TAYLOR MILL CITY OF
5225 TAYLOR MILL RD
TAYLOR MILL KY 41015

AFFIDAVIT OF PUBLICATION

Newspaper: CIN-EN Kentucky Enquirer

LEGAL NOTICE
ATTACHED

STATE OF OHIO

RE: Order #:0001958883

Account #:CIN-619651
Total Cost of Ad: \$172.82

Last Run Date :02/28/2017

I, *Dave Saugis*

Of the The Enquirer, a newspaper printed in Cincinnati, Ohio and published in Cincinnati, in said County and State, and of general circulation in said county, and as to the Kentucky Enquirer published in Ft. Mitchell, Kenton County, Kentucky, who being duly sworn, depose and saith that the advertisement of which the annexed is a true copy, has been published in the said newspaper times, once in each issue as follows:

02/28/17

Subscribed and sworn to me this 7th day of March, 2017

 Candice Butchko

NOTARY PUBLIC



Candice Butchko
Notary Public, State of Ohio
My Commission Expires
December 6, 2021

Cincinnati Enquirer

Kentucky Enquirer

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LEGAL NOTICE
TAYLOR MILL ORDINANCE NO. 318 (2-15-17)

TITLE

AN ORDINANCE OF THE CITY OF TAYLOR MILL IN KENTON COUNTY KENTUCKY AMENDING THE TEXT OF THE TAYLOR MILL ZONING ORDINANCE TO AMEND SECTIONS 9.29 AND 10.19 REGARDING SOME DTM REGULATIONS

NARRATIVE

Taylor Mill Ordinance No. 318 was enacted on February 15, 2017; and it is an ordinance that: (1) amends Section 9.29 Downtown Taylor Mill (DTM) Design and Development Standards pertaining to building location, off-street parking location, minimum development area, roof forms, landscaping buffers and on-street parking; and (2) amends Section 10.19 DTM-2 to add convenience store, hair salon and barbershop to the list of permitted uses; amend Area and Height Regulations pertaining to off-street parking location, front, side and rear yard depth, street wall requirements and building heights; and amend gas station regulations to attendant station location, number of gas pumps, canopy height, retaining walls and walkways

TAXES OR FEES

No section of Taylor Mill Ordinance No. 318 imposes any tax or fee.

KY, Feb 28, '17 #1958883

