



Commonwealth Station Steering Committee
February 12, 2013
Meeting Agenda

1. Form-Based Code Walk Through
Review some key components of form-based codes adopted by Covington and Independence.
2. Regulating Plan
Review draft regulating plans prepared by staff based on public input at the charrette and discussions by the steering committee. Review and revise boundaries as necessary, and determine which building forms should be permitted.
3. Next Steps
 - a. *Update presentation to the City Council's Administration Committee on February 19, 2013 at 6:30 pm.*
 - b. *Update presentation to the Kenton County Planning Commission on March 7, 2013 at 6:15 pm.*
 - c. *Next Steering Committee meeting: March 12, 2013*
 - i. *Regulating plan finalization*
 - ii. *Permitted uses*
 - iii. *Begin development standards and elements discussion*



**DI (Downtown Independence) Zone
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SECTION 10.20 DI (DOWNTOWN INDEPENDENCE) ZONE

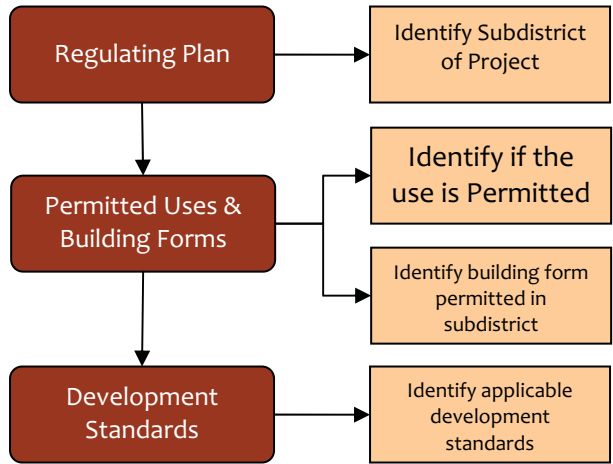
- A. **PURPOSE:** The purpose of the Downtown Independence (DI) Zone is to provide for a pedestrian friendly, mixed use corridor that is compatible with adjacent residential neighborhoods and is consistent with the *Independence Community Small Area Study's* recommended land use and transportation goals, objectives, policies, and strategies including:
1. Ensuring new development contributes positively to established residential neighborhoods and their character, and provides a transition between commercial development and adjacent residential neighborhoods.
 2. Enhancing convenience, ease, and enjoyment of transit, walking, shopping, and public gathering within the downtown.
 3. Providing an appropriate mix of commercial, office, and residential uses that work together to create a harmonious streetscape.
 4. Establishing building form and architectural standards compatible with the historic character of the area.

This zone is intended to assist in the redevelopment of the Downtown Independence area so that it may serve as a destination for residents and those who work in this area to live, work, and access retail, office, and service uses. The DI Zone regulations promote historically sensitive site design, create a sense of place within the corridor, and provide a livable environment for existing residents while enhancing the value and aesthetics of the surrounding community.

B. **CONFLICT**

1. In any case where the standards and requirements of the DI Zone conflict with those of other provisions of the Independence Zoning Ordinance, the standards and requirements of the DI Zone shall apply.
2. Illustrations in this Section are intended to illustrate building forms that are typically seen in the existing context and to demonstrate how measurements are made. They do not illustrate the full range of possible building forms or outcomes allowed within the standards. Parking areas that are shown are intended to illustrate general parking locations and access only and do not illustrate off-street parking, landscaping, or buffer requirements. In the event of a conflict between illustrations and standards in the text, the text standards shall apply.

C. HOW TO USE THE DI ZONE



D. APPLICABILITY

The requirements of the DI Zone shall be applied in accordance with Table 10.20-A. Each development shall, in themselves, comply with the regulations, but shall not require the retrofitting of the existing elements to comply with the code. For instance, an addition onto the rear of a building only would not require the front of the building to be retrofitted to meet the transparency, entry features, etc., provisions that would apply only to the front of the building. The requirements of this section shall not apply to existing single- or two-family homes that are used exclusively for residential purposes. Additions or renovations to such structures or accessory uses are permitted, subject to the zoning requirements contained herein. Existing single- and two-family homes that are partially or fully destroyed may be rebuilt as a matter of right, as long as they are not expanded beyond the footprint of the original structure.

Table 10.20 – A, Applicability Chart

	Development Standards					Architectural Standards								Stage II/City Council Approval	Administrative Approval
	Building Placement	Building Height	Building Width/Frontage	Off-Street Parking Placement	Permitted Uses	Transparency	Articulation/Building Massing	Required Entry Features	Roofs	Parking Requirements	Signs	Lighting	Landscaping		
Mixed Use, Commercial, Institutional, and Off-Street Parking															
New Construction	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Change of Use/Expansion of Use (within an existing building)					X					X	X	X			X
Expansion of Building Area															
0%-25% Expansion	X	X			X		X			X	X				X
26%-50% Expansion	X	X	X	X	X	X	X	X	X	X	X		X		X
51% or Greater Expansion	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Expansion of Parking Area															
Up to 10 Spaces				X						X		X			X
11 or More Spaces				X						X		X	X		X
Façade Changes (increase or decrease in windows, entry features, or material changes)					X	X	X	X	X		X	X			X
Single-Family and Two-Family															
New Construction	X	X			X			X	X						X
Change of Use					X					X					X
Addition of a Detached Accessory Structure Associated with an Existing Use	X														X
Expansion of Existing Structure (addition, deck, sun room, porch)	X														X
Major Subdivision	X	X			X			X	X					X	

E. APPLICATION AND PROCESSING

Developments within the DI Zone require review and approval in accordance with the following procedures:

1. Administrative Approval

- a. Any development that requires an administrative approval in Table 10.20-A will need to submit an application, fees, a site plan as regulated by Section 9.19 of this ordinance, and any other information that is required by the City for zoning and/or building permits.
- b. The City Administrator, or his or her designee, reserves the right to require City Council approval for developments whose scope is deemed to have an important location along the corridor, an

important significance to the City or region, or a significant impact on the corridor or surrounding areas.

- c. Any request for modifications pursuant to Section 10.20, O., must be reviewed and approved by the City Council.
- d. Prior to filing for a zoning and/or building permit, the developer, petitioner, applicant, or property owner is encouraged to attend a pre-application meeting with City staff to discuss the proposed development and identify any issues in applying the DI Zone.

2. Stage II Development Plan/City Council Approval

- a. Any development referred to the City Council for approval pursuant to Section 10.20, E., 1., b., and c., does not require a Stage II Development Plan. However, the City Council reserves the right to require a Stage II Development Plan if it is deemed to be necessary because of the scope, location, or potential impact of the project.
- b. Prior to filing for a Stage II Development Plan review, the developer, petitioner, applicant, or property owner shall attend a pre-application meeting. The pre-application meeting is intended to be an informal meeting with the City staff and with the Kenton County Planning Commission's duly authorized representative/NKAPC staff to discuss the development review process and the requirements of the zoning ordinance.

The pre-application meeting is intended to discuss the proposed development and identify any issues in applying the DI Zone. The applicant shall include a conceptual development plan encompassing the proposed street and pedestrian networks and the proposed types of land uses. The applicant should also be prepared to discuss the proposed building façades and finish materials, the area, height and amount of proposed signage, as well as other design features, if applicable. Any plans brought to the pre-application meeting do not have to be engineered drawings, but should be clear enough to convey the nature and character of the proposed development.

No person should rely upon any comment concerning a proposed development plan, or any expression of any nature about the proposal made by any participant at the pre-application meeting as a representation or implication that the proposal ultimately will be approved or rejected in any form.

- c. Following the formal submission of a Stage II Development Plan, which shall include elevation views, the KCPC's duly authorized representative/NKAPC staff shall prepare a recommendation of approval, approval with conditions, or disapproval. This recommendation shall be forwarded to the Independence City Council.
- d. The City Council 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, if applicable.

Upon City Council approval of the Stage II Plan, a copy of said plan shall be forwarded to the city's 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.

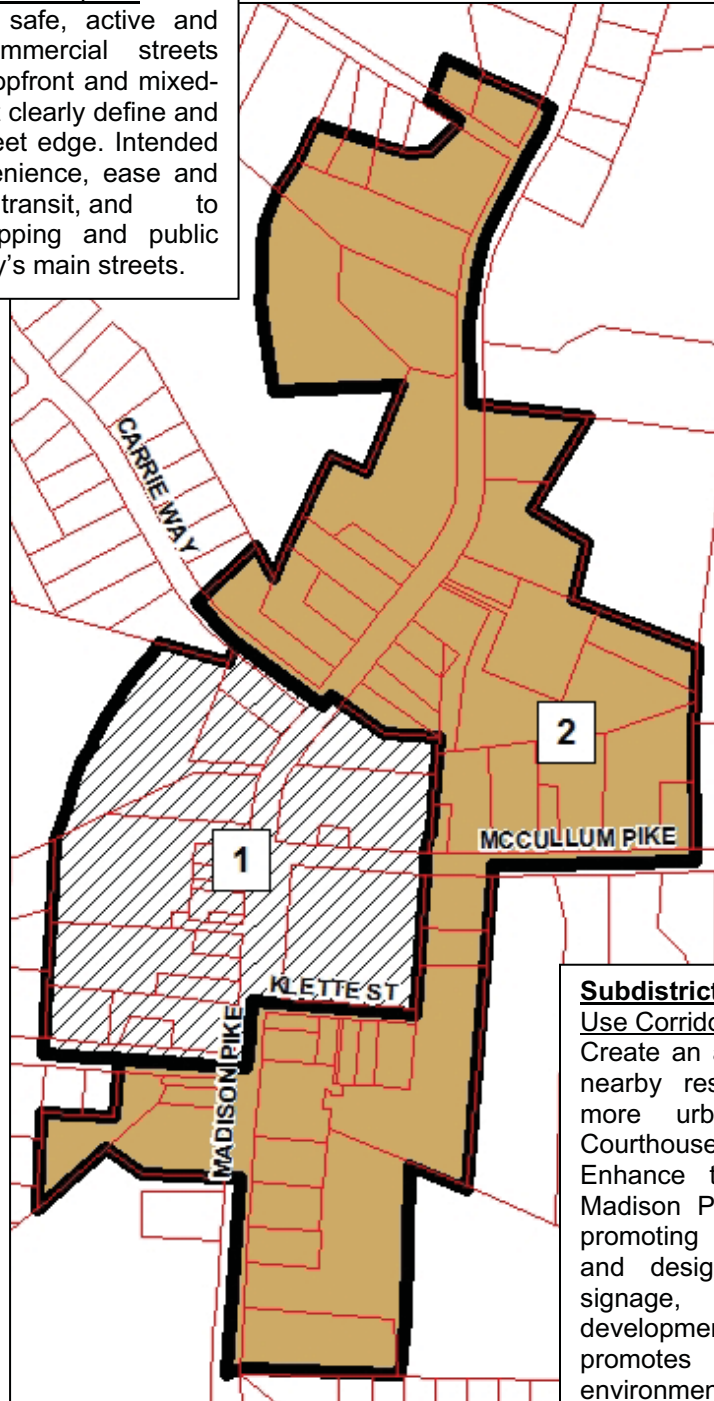
- e. Compliance with these regulations shall be evaluated based on the intent of the Ordinance, how well the development conforms to the regulations and whether it is consistent with the city's goals and plans.
3. Applications for a map amendment to the DI Zone shall include a development plan in accordance with the requirements of Section 9.20, A., Stage I Plan Requirements.

F. REGULATING PLAN

The Regulating Plan is the guiding map for the implementation of the DI. The regulating plan shows the subdistricts that govern the development standards for each property.

Subdistrict 1: Courthouse Square
 Intended to promote safe, active and pedestrian-scaled commercial streets through the use of shopfront and mixed-use building forms that clearly define and activate the public street edge. Intended to enhance the convenience, ease and enjoyment of transit, and to promote walking, shopping and public gathering along the city's main streets.

Figure 10.20-1, Regulating Plan



Subdistrict 2 – Transition Mixed Use Corridor
 Create an area that transitions from nearby residential districts to the more urban character of the Courthouse Square subdistrict. Enhance the urban character of Madison Pike/McCullum Pike while promoting sustainable development and design through landscaping, signage, and mixed use development standards that promotes a safe pedestrian environment.

G. BUILDING FORMS

Figure 10.20-2, Residential Building Forms

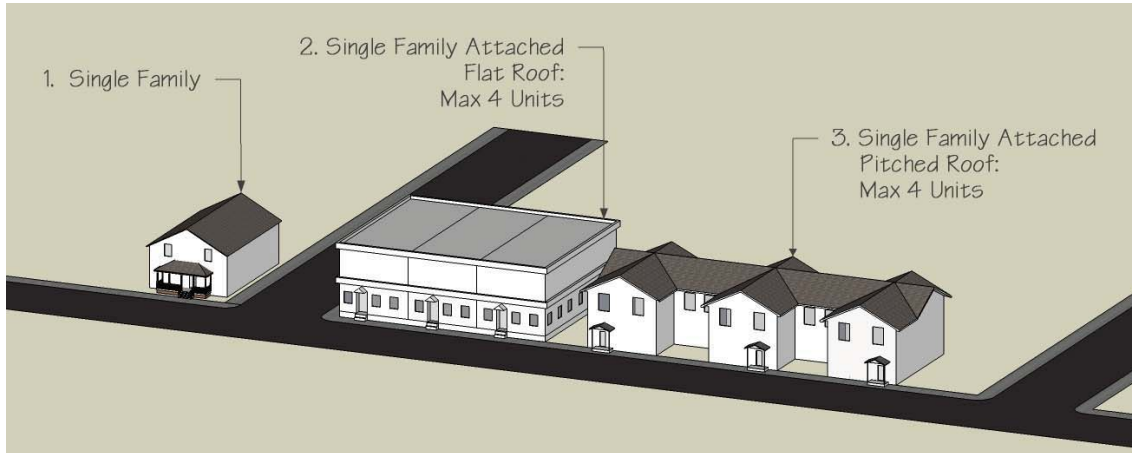
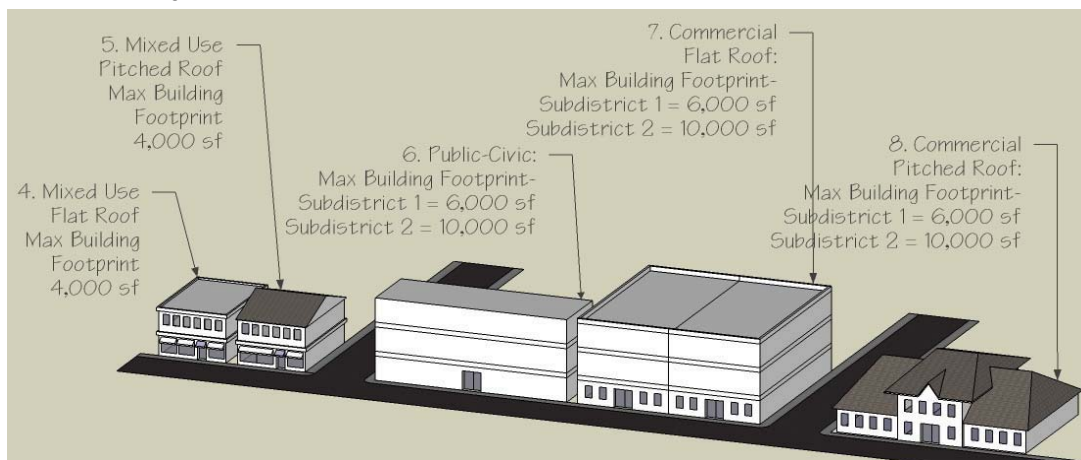


Figure 10.20-3, Commercial Building Forms



H. DEVELOPMENT STANDARDS

The Development Standards for each Subdistrict are divided into two parts. The tables contain specific development standards for each subdistrict where the building form is permitted. The illustrations are graphical representations of the standards and should be used to facilitate the understanding of each table. The letters in each table correspond to the letters in the accompanying illustrations.

Forms - Key	
Single Family	1
Single Family Attached, Flat Roof	2
Single Family Attached, Pitched Roof	3
Mixed Use, Flat Roof	4
Mixed Use, Pitched Roof	5
Public-Civic	6
Commercial, Flat Roof	7
Commercial, Pitched Roof	8

Table 10.20-B - Standards

SUBDISTRICT 1 - Courthouse Square

Building Placement		
Setbacks	Min	Max
A Front	0'	15'
B Side*	0'	15'
C Rear	15'	

*If shared drive is provided, then max is 20'

Building Height		
	Min	Max
D	2 stories	3 stories

Building height must be comprised of actual stories, not merely façade treatment.

Façade Transparency Facing a Public Street		
E Ground Floor	60% Minimum	
F Upper Floors	40% Minimum	
Max length of blank wall	30'	

Building Width/Frontage	
75% of primary structure width must be within 15' of front property line. (see figure 10.20-5)	

Required Entry Features (must choose one*)		
Entry Feature	Building Form	
G Canopy	4,5,6	
Gallery	4,6	
Recessed Entry	4,6	
Corner Entry	4,5,6	
Awning	4,5,6	
Arcade	4,5,6	
Stoop	4,5	

*If outdoor dining area is provided, then Entry Feature is not required

Off-street Parking		
Location		
H Front Setback	15'	
I Side Setback	0'	
J Rear (adjacent to Residential)	10'	
K Rear (adjacent to other than residential)	5'	

*Number of off-street parking spaces shall be determined by the applicant as shown on the Stage II Development Plan.

Building Massing		
Building Division	Minor	Major
	20'	50'

Horizontal articulation - see section 10.20.J.1

Permitted Uses	
	Forms
Animal Services	4,5
Art galleries & studios	4,5,6
Building maintenance services	4,5
Business equipment sales & services	4,5
Business support services	4,5
Colleges & Universities	6
Communication service	4,5
Cultural exhibits & libraries	4,5,6
Day care	4,5
Eating/drinking establishments	4,5
Entertainment	4,5
Financial Services	4,5
Food & Beverage sales, retail	4,5
Hospital	6
Medical service	4,5
Neighborhood retail sales & service	4,5
(for reference, see NC Zone Permitted Use List)	
Office	4,5
Personal improvement service	4,5
Pharmacy/Drug Store	4,5
Postal services	4,5,6
Religious Assembly	6
Laundry service	4,5
Residential (Upper floors only)	4,5
Safety Services	4,5,6
Schools	6

Figure 10.20-4, Subdistrict 1 Standards

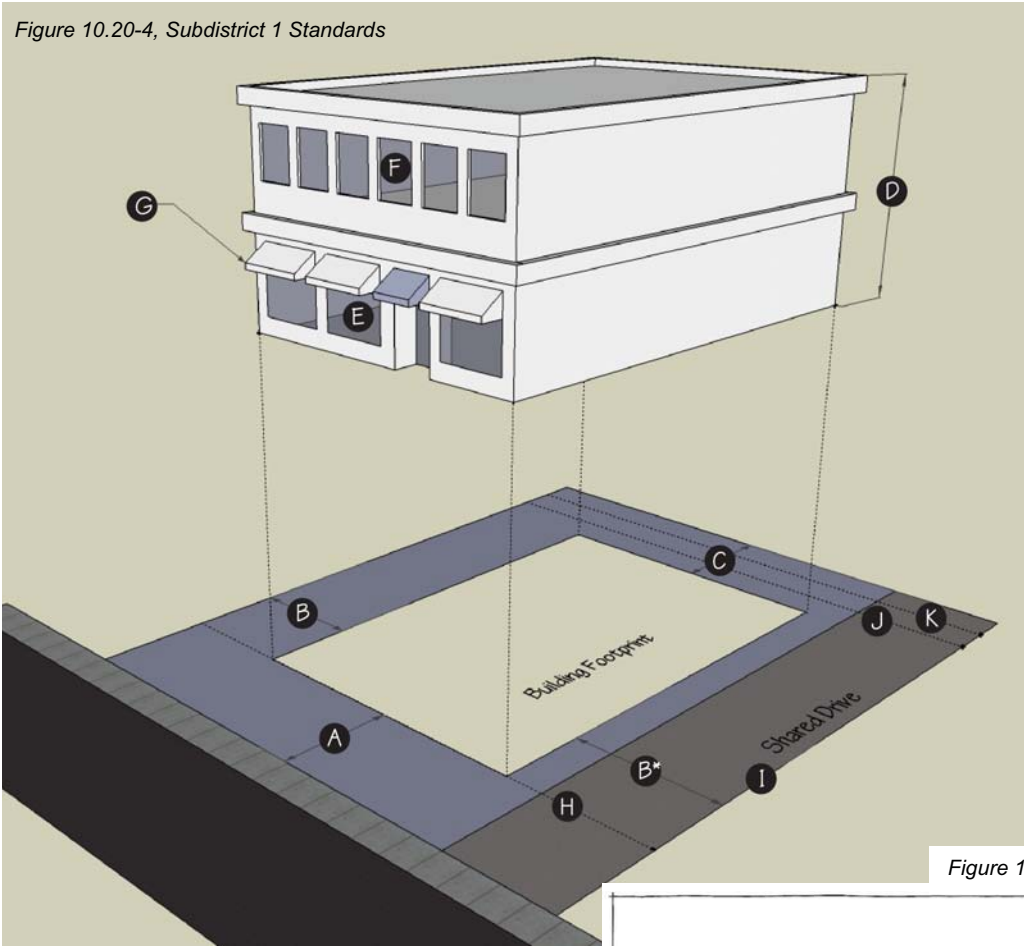


Figure 10.20-5, Building Width/Frontage

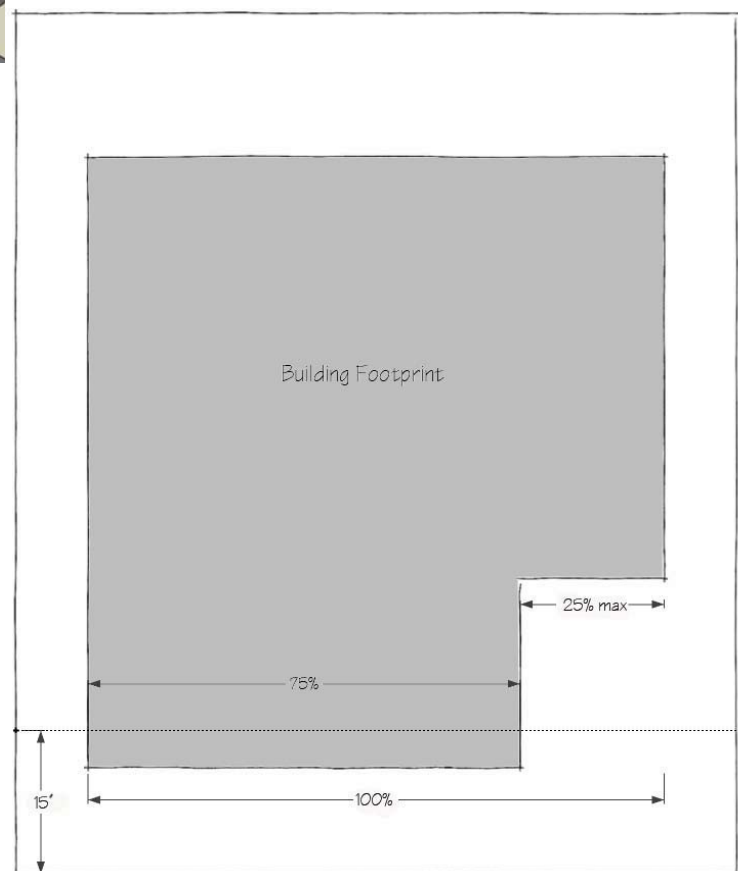


Table 10.20-C - Standards

SUBDISTRICT 2 - Transition Mixed Use Corridor

Building Placement

Setbacks	Min (feet)	Max (feet)
L Front	0	50
M Side	0	
N Side (adjacent to residential)	20	
O Rear	15	

Building Height

Form	Min	Max
P 1,2,3	1 story	2 stories
4,5,6,7,8	1 story	3 stories

Building height must be comprised of actual stories, not merely façade treatment.

Façade Transparency Facing a Public Street*

Q Ground level	50% Min
R Upper levels	25% Min

Max length of blank wall 40 feet
*Excludes residential forms

Req Required Entry Features (must choose one)

Entry Feature	Building Form
S Canopy	4,5,6,7,8
Gallery	4,6,7
Recessed Entry	4,6,7,8
Corner Entry	4,5,6,7,8
Awning	4,5,6,7,8
Arcade	4,5,6,7,8
Porch	1,2,3
Stoop	1,2,3,4,5

*If outdoor dining area is provided, then Entry Feature is not required

Off-street Parking

Location	(feet)
T Front Setback	5
U Side Setback	0
V Side setback (adjacent to residential)	10
W Rear (adjacent to Residential)	10
X Rear (adjacent to other than residential)	5

*Required number of off-street parking spaces may be reduced by up to 50% of the Specific Off-Street Parking Requirements, as shown in Section 11.2.

Building Massing*

Building Division	50' Max
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*Excludes residential and public-civic forms
Horizontal articulation - see section 10.20.J.1

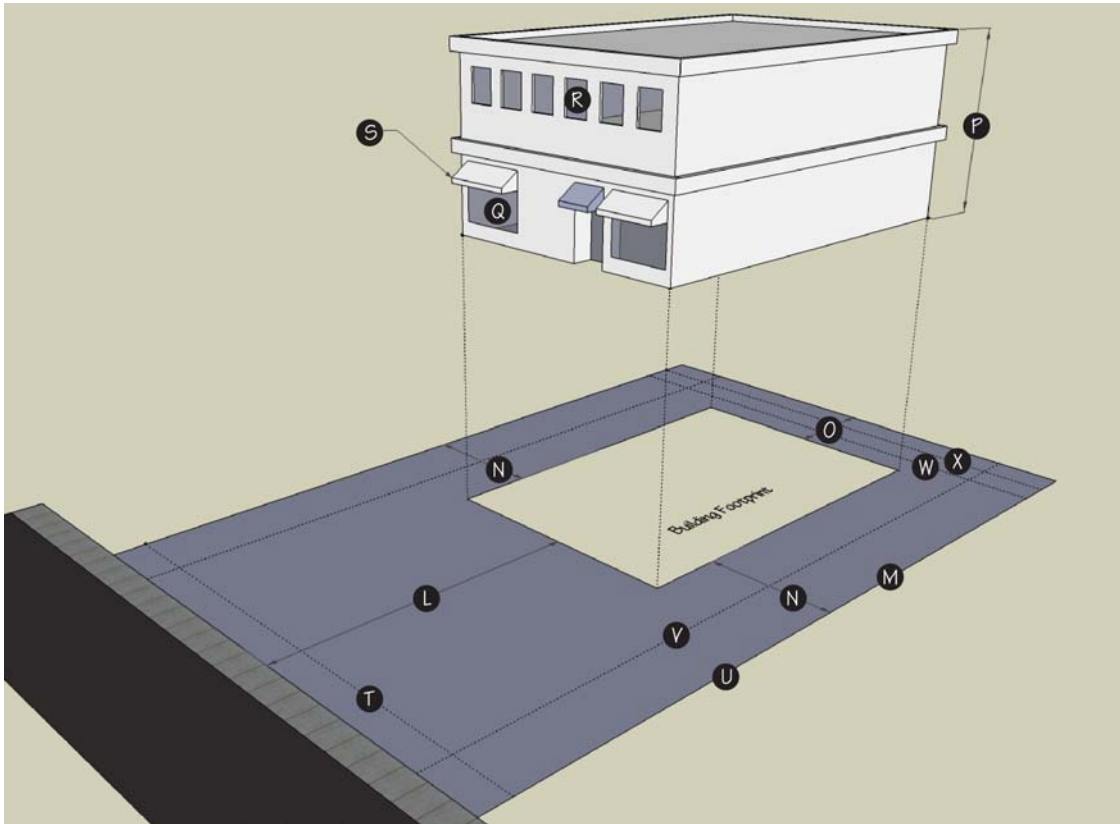
Permitted Uses

	Forms
Animal Services	4,5,7,8
Art galleries & studios	4,5,6,7,8
Building maintenance services	4,5,7,8
Business equipment sales & services	4,5,7,8
Business support services	4,5,7,8
Colleges & Universities	6,7,8
Communication service	4,5,7,8
Cultural exhibits & libraries	4,5,6
Day care	4,5,6,7,8
Eating/drinking establishments (excluding drive-thrus)	4,5,7,8
Entertainment	4,5,7,8
Financial Services	4,5,7,8
Food & Beverage sales, retail	4,5,7,8
Funeral & internment services	4,5,7,8
Hospital	6,7,8
Lodge or private club	4,5
Lodging	4,5,7,8
Medical service	4,5,7,8
Neighborhood retail sales & service (for reference, see NC Zone Permitted Use List)	4,5,7,8
Office	4,5,7,8
Personal improvement service	4,5,7,8
Pharmacy/Drug Store	4,5,7,8
Postal services	4,5,6,7,8
Religious Assembly	6
Laundry service	4,5,7,8
Residential	1,2,3,4,5
Safety Services	4,5,6,7,8
Schools	5,6,7

Conditional Uses

Service stations, including minor repairs conducted within a completely enclosed building	4,5,7,8
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Figure 10.20-6, Subdistrict 2 Standards



I. ACCESSORY USES AND STRUCTURES

1. Accessory uses and structures are regulated by Section 9.10.C of this ordinance.
2. Off-street parking is regulated by Article 11 of this ordinance, except as modified by Tables 10.20-B and 10.20-C.
3. Off-street loading/unloading is regulated by Article 12 of this ordinance.
3. Fences and walls, as regulated by Article 13.
4. Signs, as regulated by Section 14.13 of this ordinance.

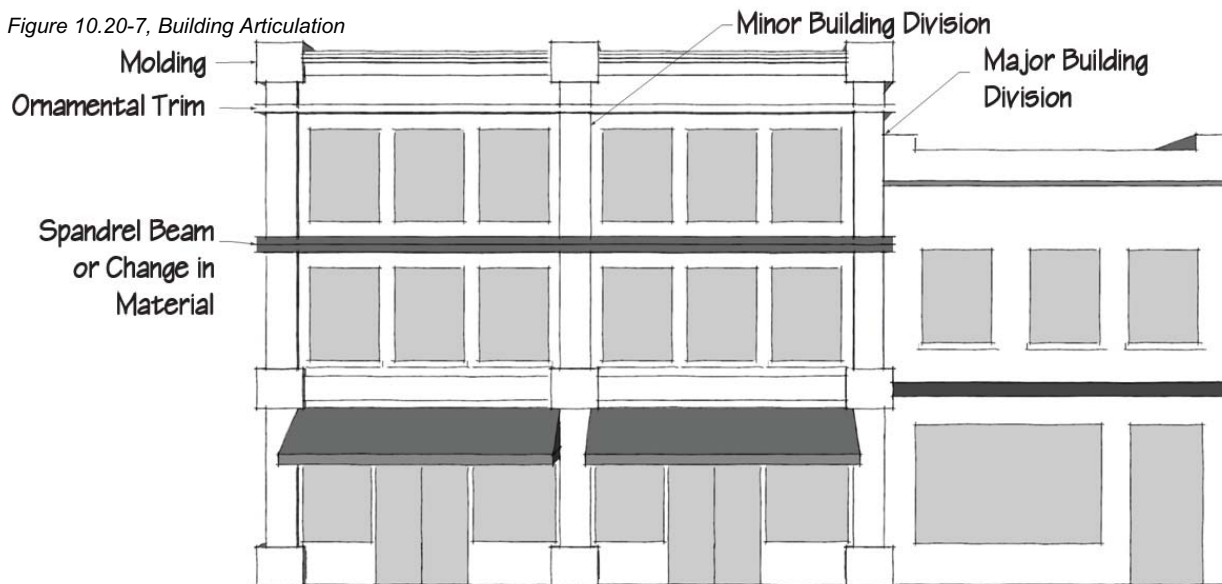
J. ARTICULATION (SEE ALSO TABLES 10.20-B AND 10.20-C)

1. Horizontal Articulation

Any building three stories in height shall incorporate horizontal articulation on all street-facing building walls to promote compatibility with adjacent smaller scale buildings, reduce perceived building mass and support an active pedestrian environment at the street level.

- a. **Horizontal Articulation Elements**
Horizontal articulation shall be provided using one or more of the following elements in a band along at least 70% of the horizontal width of any building wall facing a primary or secondary street:
- (i) **Horizontal molding:** A molding, ornamental trim or sill that projects a minimum of 3" from the primary wall surface.
 - (ii) **Stepback:** A minimum 3' horizontal stepback in the vertical wall plane from the floor below.
 - (iii) **Spandrel Beam:** A horizontal fascia that defines the structure between two floors.
 - (iv) **Change in Material:** A clear change in material, texture or color.

Figure 10.20-7, Building Articulation



2. Vertical Articulation

All buildings shall incorporate vertical articulation on all street-facing building walls longer than 50 feet to promote compatibility with adjacent smaller scale buildings, reduce perceived building mass and support an active pedestrian environment at the street level. Vertical articulation elements may include wall offsets, pilasters, columns or the appearance of building separation.

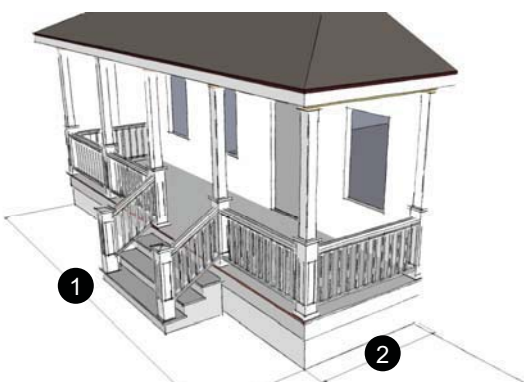
K. ROOFS

1. **Materials:** The only material not permitted is corrugated metal. Standing seam metal roofs are permitted.

2. Configurations and techniques: The only configurations and techniques not permitted are mansard and gambrel roofs. Permitted styles must also comply with building form.
 - a. Mechanical equipment on roofs must be screened from view from the ground from all public use areas adjacent to the site in question.
 - b. Facades that exceed 100 feet in length measured along the street frontage shall have variations in roofline or rooftop parapet. Possible variations include, but are not limited to: color; height; changes in materials; projections; and changes in layout

L. ENTRY FEATURES

1. A single entry feature from the required list must be included for the building facade facing the primary street. The required entry feature must meet the design standards for one entry feature as defined below.
 - a. Encroachment of required entry feature into required Right-of-Way shall require approval from the appropriate agency.
2. An access ramp may be added to any required entry feature. Such ramps may exceed the maximum permitted width for an entry feature.

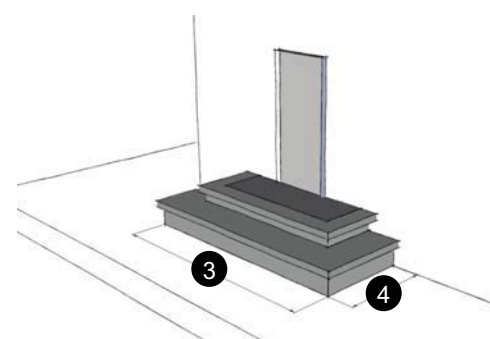


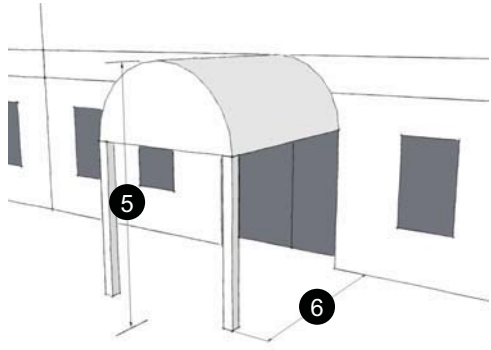
3. **Front Porch**
 A one or two-story structure attached to a building to shelter an entrance or to serve as a semi-enclosed space, roofed and open-sided.

PORCH CONFIGURATION	
① Width (min)	8'
② Depth (min)	6'

4. **Stoop**
 A stoop is an uncovered set of steps and a landing at an entrance to a building. A stoop may be covered or uncovered.

STOOP CONFIGURATION	
③ Width (min)	5'
④ Depth (min)	5'



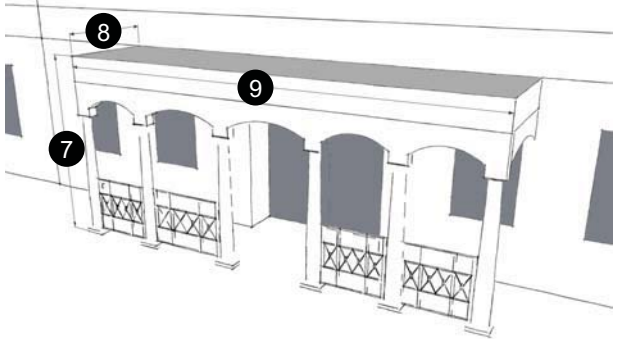


5. Canopy
A canopy is a wall-mounted structure providing shade and cover from the weather for a sidewalk, supported by columns or posts that are embedded in the ground.

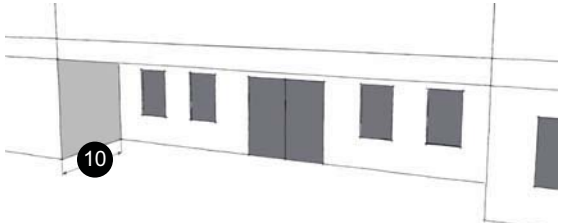
CANOPY CONFIGURATION	
5 Height (min)	8'
6 Depth (min)	6'
Front Setback Encroachment (max)	
6'	

6. Gallery
A gallery is a covered passage extending along the outside wall of a building supported by arches or columns that is open on at least one side.

GALLERY CONFIGURATION	
7 Height (min)	8'
8 Depth (min)	6'
9 Width (min)	50% of building façade



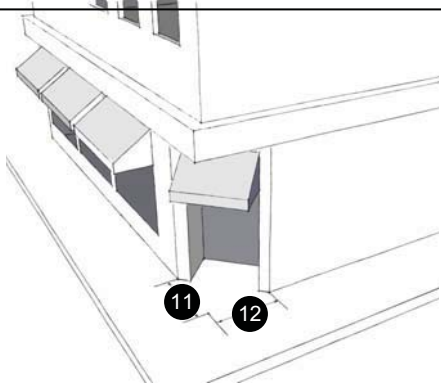
7. Recessed Entry
A recessed entry is a building entrance inset into and placed behind the plane of the front façade.



RECESSED ENTRY CONFIGURATION	
10 Depth (min)	3'

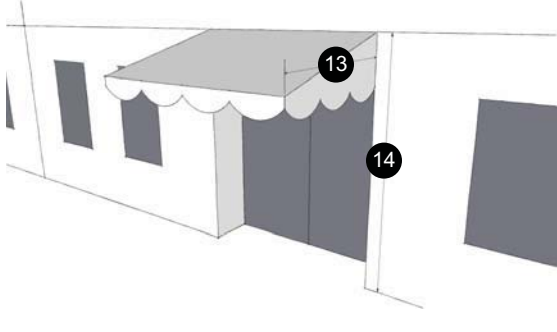
8. Corner Entry
A corner entrance is an angled street-facing entrance that is located at the corner of the building.

CORNER ENTRY CONFIGURATION	
11 Width (min)	4'
12 Depth (min)	4'

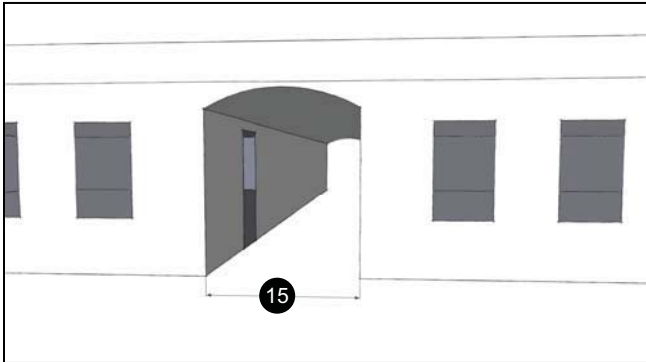


9. Awning

A canopy is a wall-mounted structure providing shade and cover from the weather for a sidewalk, supported entirely by the attached building.



AWNING CONFIGURATION	
13 Height (min)	8'
14 Depth (min)	4'



10. Arcade

An arcade is an opening in a wall that serves as the entrance to an outdoor hallway, which provides entry to businesses or an interior courtyard.

ARCADE CONFIGURATION	
15 Width (max)	8'

M. OTHER CHARACTER STANDARDS

1. Building Placement Requirements

a. Exceptions to Building Setbacks along Streets

(i) Articulated Building Street Face

When a portion of the building is set back farther than the maximum required building setback line in order to provide an articulated or modulated facade, the total area of the space created may not exceed one square foot for every linear foot of building frontage.

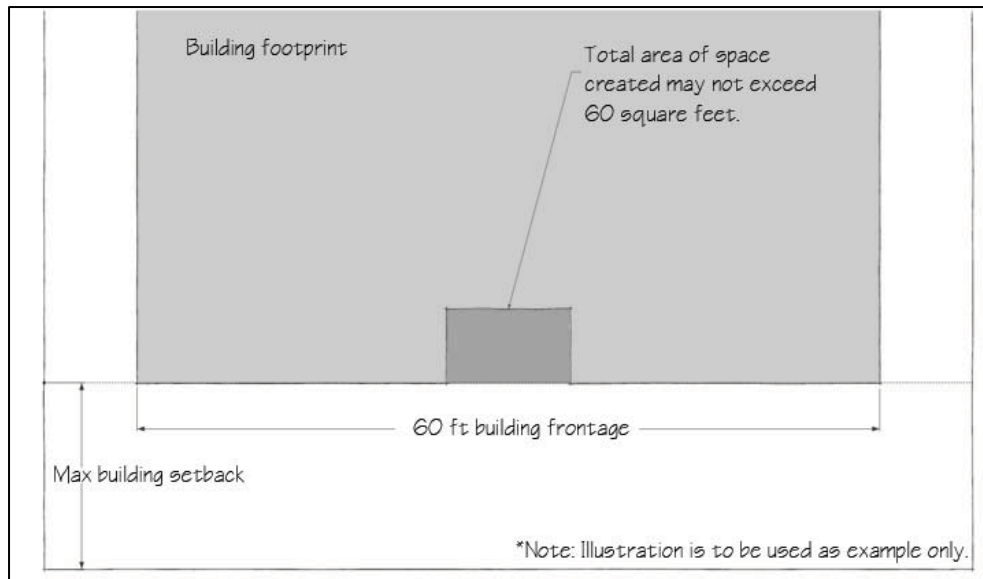


Figure 10.20-8, Articulated Building Street Face

b. Exceptions to Required Street Frontage

(i) Pedestrian Access to Off-Street Parking Areas

When outdoor pedestrian access is provided from the street to off-street parking areas, the required street frontage can be reduced by ten (10) percent. The pedestrian access shall remain clear of obstructions.

(ii) Outdoor Eating Areas, Courtyards, Plazas, Pocket Parks, or Greenspace

When an outdoor eating area, courtyard, plaza, pocket park, or greenspace is located to the side of a building, the required street frontage can be reduced by thirty (30) percent at the building setback line.

2. Transparency

Display windows that do not provide visual access into the interior of the building may count toward the minimum transparency percentage, provided that they are at least 2 feet in depth.

3. Off-Street Parking and Loading/Unloading

Off-street parking may be located on another lot than the building or use being served is located, provided that the parking is located within the D1 Zone.

An agreement providing for the use of parking, executed by the parties involved, must be filed with the Zoning Administrator, in a form approved by the Zoning Administrator. Parking privileges will continue in effect only as long as the agreement, binding on all parties, remains in force. If the agreement is no longer in force, then parking must be provided as

otherwise required by Article 11, as modified by Tables 10.20-B and 10.20-C.

4. Drive-Through Facilities

Drive-through facilities are permitted in Subdistrict 1 and Subdistrict 2. Drive-through facilities may be permitted for bank and pharmacy uses only.

5. Utilities

All utilities for new developments shall be located underground.

6. Landscaping

a. All landscaping shall be provided per Section 9.17.

N. LIGHTING

Lighting requirements shall meet the following:

1. General Requirements: Light poles shall be consistent in design with the overall architectural theme of the corridor. 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.
2. 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 DI Zone.
3. Off-Street Parking Areas and Pedestrian Lighting
 - a. Lighting should be used in combination with signage standards and other elements where possible.
 - b. Lighting should be coordinated with street tree plantings for proper integration.
 - c. Glare Reduction and Lighting Levels
 - (i) 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.
 - (ii) Decorative, pedestrian-scale lights are encouraged in areas of pedestrian activity. All decorative lights over ten (10) feet in height shall be fully shielded to avoid light spillage on adjacent property and road rights-of-way.
 - (iii) 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.

- (iv) Lighting located on the building wall shall be fully shielded to direct the light downward.

4. Prohibited Lighting

- a. Neon accent lighting is prohibited on buildings and structures.
- b. Bare metal light poles and elevated "sonotube" type concrete bases are prohibited.

O. MODIFICATIONS

Modifications from certain standards as found in the DI Zone may be requested from the City Council:

1. **Articulation**
Elements of horizontal articulation may be modified to accommodate alternative methods of reducing perceived building mass.
2. **Building Massing**
 - a. Major building division may be modified to a maximum of 75 feet.
 - b. Minor building divisions may be modified to a maximum of 40 feet.
3. **Building width/frontage**
Building width/frontage may be modified to a minimum of 50% of the primary structure width to be located within 15' of the front property line.
4. **Façade Transparency**
Modifications to façade transparency may be permitted with the following limitations:
 - a. **Subdistrict 1:**
 - (i) Ground level may be reduced to a minimum of 40% transparency.
 - (ii) Upper level may be reduced to a minimum of 30% transparency.
 - b. **Subdistrict 2:**
 - (i) Ground level may be reduced to a minimum of 40% transparency.
 - (ii) Upper level may be reduced to a minimum of 20% transparency.
5. **Roofs**

Modifications to roof types and materials may be permitted to accommodate green roofing systems.

6. Entry Features

Entry features not specifically permitted in a subdistrict or with a specific building form may be permitted.

7. Lighting

Modifications to lighting requirements may be permitted.

**LGD (Linden Gateway District) Zone
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Section 4.07 LGD, Linden Gateway District Zone

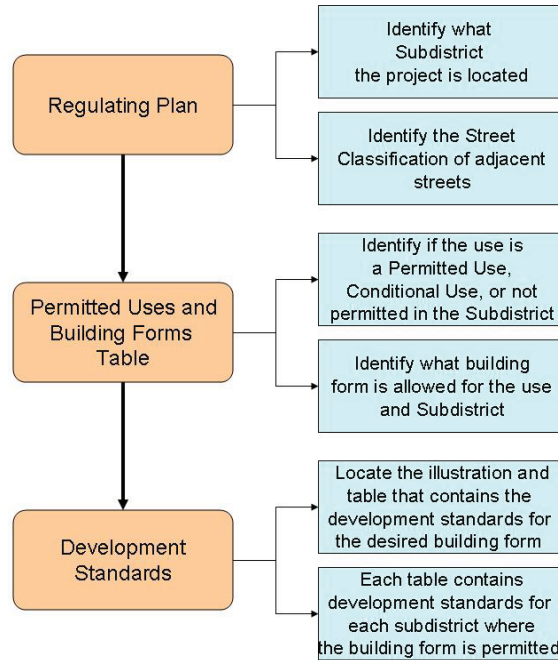
4.07.01 Purpose

The purpose of the Linden Gateway District Zone (LGD) is to provide for a pedestrian friendly, mixed use corridor that is compatible with adjacent residential neighborhoods and (1) compliments the *12th Street Design Guidelines* that was funded by the Federal Highway Administration and the Kentucky Transportation Cabinet; and (2) is consistent with the *Linden Gateway Small Area Study's* recommended land use and transportation goals, objectives, policies, and strategies including:

- A. Ensuring new development contributes positively to established residential neighborhoods and their character, and provides a transition between commercial development and adjacent residential neighborhoods.
- B. Enhancing convenience, ease, and enjoyment of transit, walking, shopping, and public gathering within the neighborhood.
- C. Providing an appropriate mix of commercial, office, and residential uses that work together to create a harmonious streetscape.
- D. Establishing building form and architectural standards compatible with the historic character of the area.

This zone is intended to assist in the redevelopment of 12th Street/Martin Luther King, Jr. Boulevard so that it may serve as a destination for residents and those who work in this area to live, work, and access retail, office, and service uses. The LGD Zone regulations promote historically sensitive site design, create a sense of place within the corridor, and provide a livable environment for existing residents while enhancing the value and aesthetics of the surrounding community.

4.07.02 How to Use the LGD Zone



4.07.03 Conflict

- A. In any case where the standards and requirements of the LGD Zone conflict with those of other provisions of the Covington Zoning Ordinance, the standards and requirements of the LGD Zone shall apply.
- B. Illustrations in this Section are intended to illustrate building forms that are typically seen in the existing context and to demonstrate how measurements are made. They do not illustrate the full range of possible building forms or outcomes allowed within the standards. Parking areas that are shown are intended to illustrate general parking locations and access only and do not illustrate off-street parking, landscaping, or buffer requirements. In the event of a conflict between illustrations and standards in the text, the text standards shall apply.

4.07.04 Applicability and Extent

- A. The regulations of this section apply to all development proposed within the boundaries of the LGD Zone, as shown on the official zoning map.
- B. The LGD Zone contains its own character standards. However, if a regulation within the LGD Zone cross-references another section of this ordinance that refers to the Character Standard suffixes (“P”, “M”, and “A”), the regulations pertaining to the “P” suffix shall be used.

- C. Any nonconforming structures and uses existing created by the adoption of the LGD Zone shall be regulated by Article 14.
- D. The requirements of this section shall not apply to existing single- or two-family homes that are used exclusively for residential purposes. Additions or renovations to such structures or accessory uses are permitted, subject to the zoning requirements of the RU-2 Zone as well as the Residential Infill Development regulations, per Section 2.04 of this ordinance. Existing single- and two-family homes that are partially or fully destroyed may be rebuilt as a matter of right, and are exempt from the requirements of Article 14. Routine maintenance and in-kind replacement of materials are exempt from the standards and requirements of this section.

4.07.05 Review and Approval Procedures

Developments within the LGD Zone require review and approval in accordance with the following procedures:

- A. Pre-application meeting: Prior to filing for development plan review, the developer, petitioner, applicant, or property owner shall attend a pre-application meeting with the Kenton County Planning Commission's (KCPC) duly authorized representative/Northern Kentucky Area Planning Commission (NKAPC) staff and City staff to discuss the development review process, the LGD Zone requirements and the City of Covington Zoning Ordinance requirements.

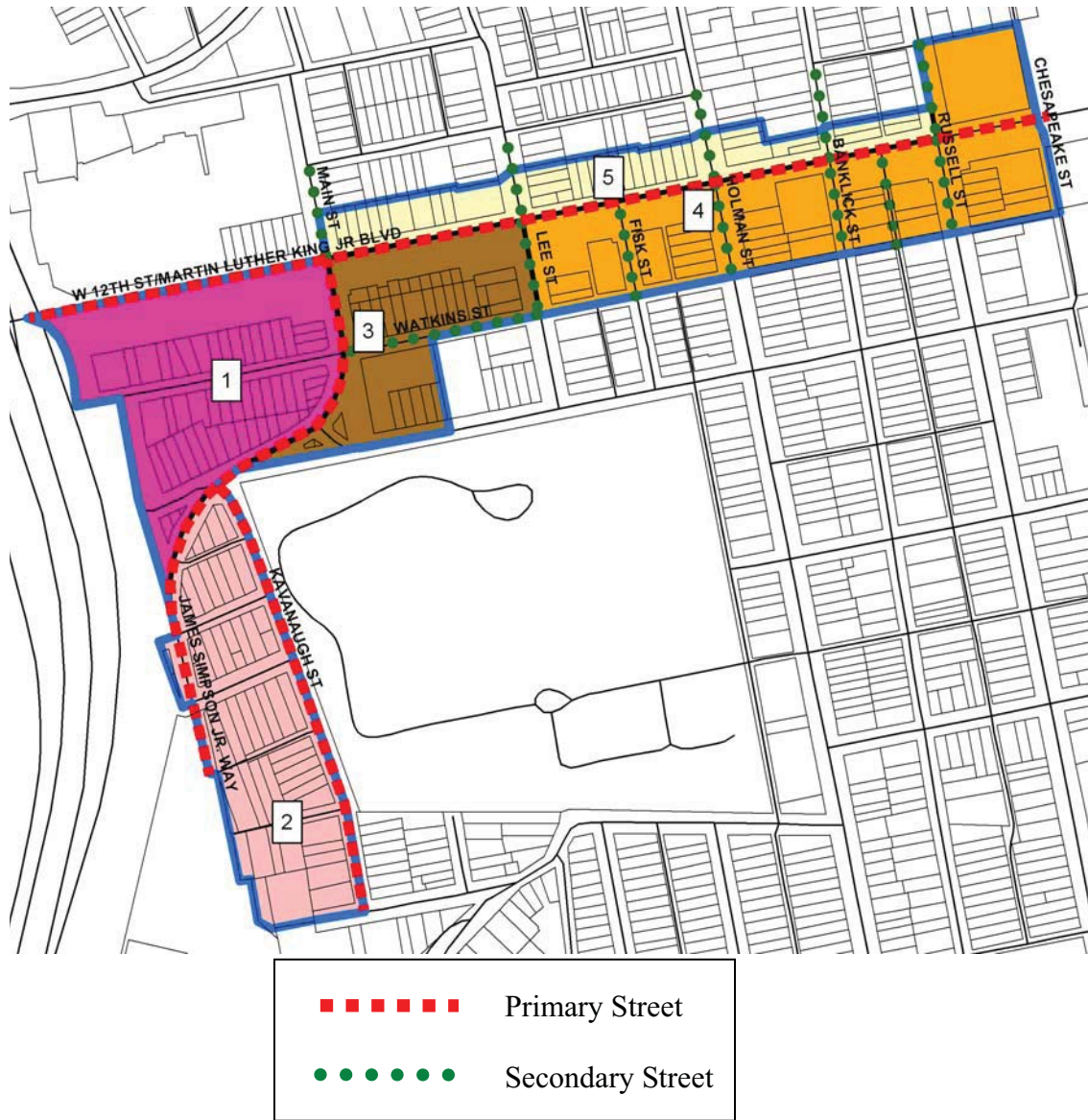
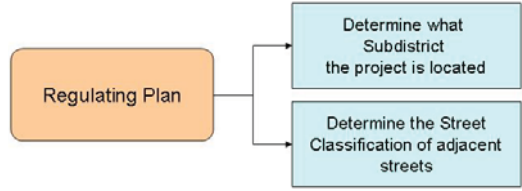
The pre-application meeting is intended to review the development plan and identify any issues in applying the regulations of the LGD Zone. No person should rely upon any comment concerning a proposed development plan, or any expression of any nature about the proposal made by any participant at the pre-application conference as a representation or implication that the proposal ultimately will be approved or rejected in any form.
- B. Stage II Development Plan Review: Projects may be built as a matter of right when they meet all of the standards of the LGD Zone regulations. Incomplete applications will not be accepted for review. Following the formal submission of a Stage II Development Plan, which shall include elevation views and photometric plans, the KCPC's duly authorized representative/NKAPC staff shall prepare a recommendation of approval, approval with conditions, or disapproval. This recommendation shall be forwarded to the City Manager or his/her designee.
- C. Final review and approval by the City Manager or his/her designee shall take place within 30 days from receipt of NKAPC staff recommendation.

D. Compliance with the Ordinance: Compliance with these regulations shall be evaluated based on the intent of the Ordinance, how well the development conforms to the regulations and whether it is consistent with the city's goals and plans. Minor modifications should be reviewed and discussed at the pre-application conference and shall be based only on proposed challenges related to:

1. topography
2. street grade
3. the location of streets
4. breaks and passages between buildings
5. signs
6. streetscape details
7. design issues related to the inclusion of green infrastructure
stormwater management practices
8. inclusion of existing buildings or mature trees

4.07.06 Regulating Plan

The Regulating Plan is the guiding map for the implementation of the LGD. The regulating plan shows the subdistricts that govern the development standards for each property.



- A. Subdistrict 1 – Watkins Center
Create an area conducive to the development of medical and professional offices, and public and civic uses in a campus setting with unified architecture. Due to the proximity of this subdistrict to the old Bavarian Brewery, larger footprints and taller buildings are appropriate.

- B. Subdistrict 2 – Kavanaugh Commons
Create an area conducive to the development of medical and professional offices, and public and civic uses in a campus setting with unified architecture. Due to the proximity of this subdistrict to Linden Grove Cemetery and the neighborhood to the south of the cemetery, building scales and heights should enhance the character of the neighborhood.

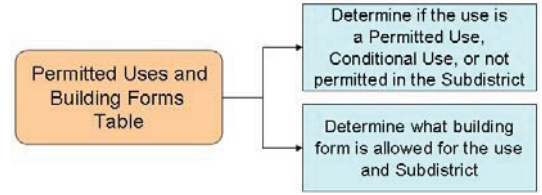
- C. Subdistrict 3 – Transition Mixed Use Corridor
Create an area that transitions from the height and scale of the General Office/Community Facilities subdistrict to the urban character of the Mixed Use Corridor subdistrict. Design through landscaping, signage, and mixed use development standards and an enhanced pedestrian environment are promoted. Taller and larger footprint buildings are appropriate, however the building facades should be broken up to express the scale and character of the existing buildings on the north side of 12th Street/Martin Luther King Jr. Boulevard.

- D. Subdistrict 4 – Mixed Use Corridor
Enhance the urban character of 12th Street/Martin Luther King Jr. Boulevard while promoting sustainable development and design through landscaping, signage, and mixed use development standards and an enhanced pedestrian environment. Larger footprint buildings are appropriate, however the building facades should express the scale and character of the existing buildings on the north side of 12th Street/Martin Luther King Jr. Boulevard.

- E. Subdistrict 5 – Adaptive Reuse Corridor
Promote the preservation and reuse of the existing structures along the north side of 12th Street/Martin Luther King Jr. Boulevard. Adaptive reuses should include specialty retail and office uses that are compatible with the adjacent neighborhood and provide a vibrant mixed use corridor, with the possibility of residential uses on the top floors.

4.07.07 Permitted Uses and Building Forms

A. The LGD Zone allows a variety of building forms and uses based on the character of each subdistrict. The following example shows you how to use the Permitted Uses and Building Forms.



1. Find your proposed use on the left column of the table. In this example, artist galleries and studios are used:

USE GROUP Use Category	Subdistricts					Use-Specific Standards	Permitted Building Forms				
	1	2	3	4	5		Subdistricts				
Specific Use Type	P = permitted by right C = conditional use -- = not permitted						1	2	3	4	5
Artist galleries and studios	P	P	P	P	P		P&C, COM, MU	P&C, COM, MU	MU	MU	MU

2. Determine if your proposed use is permitted in the Subdistrict you wish to locate. In this example, Subdistrict 2 is used:

USE GROUP Use Category	Subdistricts					Use-Specific Standards	Permitted Building Forms				
	1	2	3	4	5		Subdistricts				
Specific Use Type	P = permitted by right C = conditional use -- = not permitted						1	2	3	4	5
Artist galleries and studios	P	P	P	P	P		P&C, COM, MU	P&C, COM, MU	MU	MU	MU

Artist galleries and studios are permitted in Subdistrict 3.

3. Finally, determine what building forms are permitted in Subdistrict 3 for artist galleries and studios:

USE GROUP Use Category	Subdistricts					Use-Specific Standards	Permitted Building Forms				
	1	2	3	4	5		Subdistricts				
Specific Use Type	P = permitted by right C = conditional use -- = not permitted						1	2	3	4	5
Artist galleries and studios	P	P	P	P	P		P&C, COM, MU	P&C, COM, MU	MU	MU	MU

Artist galleries and studios are permitted in Public and Civic (P&C), Commercial (COM), or Mixed Use (MU) buildings

B. The permitted building forms are abbreviated in the Permitted Uses and Building Forms table. Use the following key to determine what building forms are permitted:

Permitted Building Forms	Development Standards
DSF = Detached Single-Family	§4.07.09
ASF = Attached Single-Family	§4.07.10
2F = Two-Family	§4.07.11
MF = Multi-Family	§4.07.12
MU = Mixed-Use	§4.07.13
P&C = Public and Civic	§4.07.14
COM = Commercial	§4.07.15
REC = Recreation and Open Space	§4.07.16
PARKING = Off-Street Parking	§4.07.17

Each permitted building form contains specific development standards unique to each form. Refer to the cross-referenced sections in the table above for these development standards.

C. Permitted Uses and Building Forms Table:

Article 4. Special Purpose Zones

USE GROUP Use Category	Subdistricts					Use-Specific Standards	Permitted Building Forms				
	1	2	3	4	5		Subdistricts				
Specific Use Type							1	2	3	4	5
P = permitted by right C = conditional use -- = not permitted											
RESIDENTIAL											
Household Living											
Detached single-family dwelling unit	-	-	-	-	P		-	-	-	-	DSF
Lot line single-family dwelling unit	-	-	-	-	P	§2.03.02	-	-	-	-	DSF
Attached single-family dwelling unit	-	-	P	P	P	§2.03.03	-	-	ASF	ASF	ASF
Two-family dwelling unit	-	-	P	P	P		-	-	2F	2F	2F
Multi-family dwelling unit	-	-	P	P	P		-	-	MF	MF	MF
Dwellings in mixed use buildings	P	P	P	P	P		MU	MU	MU	MU	MU
Group Living											
Residential care facility	P	P	P	P	P		MF, MU	MU	ASF, 2F, MF, MU	ASF, 2F, MF, MU	DSF, ASF, 2F, MF, MU
Nursing home	P	P	P	-	-		MF	MF	MF	-	-
PUBLIC AND CIVIC											
Colleges and universities											
	C	C	-	-	-		P&C	P&C	-	-	-
Cultural exhibits and Libraries											
	P	P	P	P	P		P&C, COM	P&C, COM	MU	MU	MU
Day care											
Babysitting or family day care home	-	-	P	P	P		-	-	ASF, 2F, MF, MU	ASF, 2F, MF, MU	DSF, ASF, 2F, MF, MU
Day care, Type 1/Type 2	P	P	-	-	-	§6.07	P&C, COM, MU	P&C, COM, MU	-	-	-
Hospital											
	P	P	-	-	-		P&C, COM	P&C, COM	-	-	-
Lodge or private club											
	-	-	C	C	C		-	-	MU	MU	MU
Postal Service											
	P	P	P	P	P		P&C, COM, MU	P&C, COM, MU	MU	MU	MU
Recreation and open space											
Low-intensity	P	P	P	P	P		REC	REC	REC	REC	REC
Religious assembly											
	P	P	P	P	P		P&C	P&C	P&C	P&C	P&C
Safety services											
	C	C	C	C	C		P&C	P&C	P&C	P&C	P&C
Schools											
	C	C	-	-	-		P&C	P&C	-	-	-
COMMERCIAL											
Animal services											
Sales and grooming	-	-	P	P	P	§6.03	-	-	MU	MU	MU
Veterinary hospitals	-	-	P	P	P		-	-	MU	MU	MU
Artist galleries and studios											
	P	P	P	P	P		P&C, COM, MU	P&C, COM, MU	MU	MU	MU
Building maintenance services											
Indoor	P	P	P	P	P		COM, MU	COM, MU	MU	MU	MU
Business equipment sales and service											
	P	P	P	P	P		COM, MU	COM, MU	MU	MU	MU
Business support services											
Day laborer employment	-	-	-	-	-		-	-	-	-	-
Other (not specifically listed above)	P	P	P	P	P		COM, MU	COM, MU	MU	MU	MU
Communication service establishment											
	P	P	P	P	P		COM, MU	COM, MU	MU	MU	MU
Repair or laundry service, consumer											
Laundromat	-	-	P	P	P		-	-	MU	MU	MU
Other (not specifically listed above)	-	-	P	P	P		-	-	MU	MU	MU
Eating/drinking establishments											
Microbrewery	P	P	P	P	P	§6.28	-	-	MU	MU	MU
Restaurant with or without beer, wine, or alcohol	P	P	P	P	P	§6.28	-	-	MU	MU	MU
Tavern	P	P	P	P	P	§6.28	-	-	MU	MU	MU
Entertainment											
Small	P	P	P	P	P		COM	COM	COM	COM	COM

Article 4. Special Purpose Zones

USE GROUP Use Category	Subdistricts					Use-Specific Standards	Permitted Building Forms [1]				
	1	2	3	4	5		Subdistricts				
Specific Use Type	1	2	3	4	5		1	2	3	4	5
P = permitted by right C = conditional use -- = not permitted											
Financial services											
Currency exchange (check cashing)	-	-	-	-	-		-	-	-	-	-
Payday loan	-	-	-	-	-		-	-	-	-	-
Pawn shop	-	-	-	-	-		-	-	-	-	-
Tax preparation service	-	-	P	P	P	§6.10	-	-	MU	MU	MU
Other (not specifically listed above)	P	P	P	P	P		COM	COM	MU	MU	MU
Food and beverage sales, retail											
Wine store	-	-	P	P	P	§4.07.07, D.	-	-	MU	MU	MU
Other (not specifically listed above)	-	-	P	P	P	§4.07.07, D.	COM, MU, REC	COM, MU, REC	MU, REC	MU, REC	MU, REC
Funeral and internment services											
Funeral home (undertaking)	-	-	-	-	C		-	-	-	-	DSF
Lodging											
Bed and breakfast	-	-	P	P	P	§6.04	-	-	DSF	DSF	DSF
Medical Service	P	P	P	P	P		P&C, COM, MU	P&C, COM, MU	MU	MU	DSF, ASF, 2F, MU
Neighborhood retail sales and service	P	P	P	P	P	§6.20					
Office	P	P	P	P	P		P&C, COM, MU	P&C, COM, MU	MU	MU	DSF, ASF, 2F, MU
Personal improvement service	P	P	P	P	P		-	-	MU	MU	MU
Retail sales and service											
Antique shop	-	-	P	P	P		-	-	MU	MU	MU
Flea market	-	-	-	-	-		-	-	-	-	-
Furniture rental, consumer	-	-	-	-	-		-	-	-	-	-
Secondhand store	-	-	-	-	-		-	-	-	-	-
Vintage clothing store	-	-	P	P	P		-	-	MU	MU	MU
Other (not specifically listed above)	P	P	P	P	P		COM, MU	COM, MU	MU	MU	MU
Reuse of historic commercial structures	C	C	C	C	C	§14.05.06, E.	COM, MU	COM, MU	COM, MU	COM, MU	COM, MU
OTHER											
Neighborhood parking lot	P	P	P	P	P	§4.07.07, D.	PARKING	PARKING	PARKING	PARKING	PARKING
Parking, non-accessory	P	P	P	P	P	§4.07.07, D.	PARKING	PARKING	PARKING	PARKING	PARKING

D. Specific Use Regulations

1. Food and beverage sales, retail

(a) Wine Store

A retail establishment that sells wine and related products, and can include wine tasting. The sale of distilled spirits or spirits (package liquor) and malt beverages are prohibited.

(b) Other (not specifically listed above)

The sale of distilled spirits or spirits (package liquor), cider, malt beverages, and wine are permitted, provided they do not exceed 10% the total floor area of the principal use.

(c) The definitions contained in KRS 241.010 for “distilled sprits or spirits”, “cider”, “malt beverage”, and “wine” shall be used for this specific use regulation.

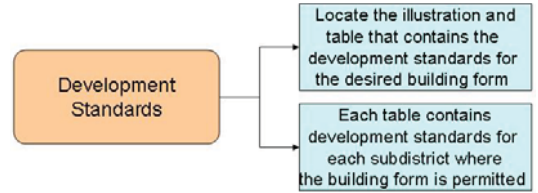
2. Neighborhood Parking Lots and Parking, Non-Accessory

(a) Parking Garages in Subdistricts 3, 4, and 5:

- (1) A permitted use from the Commercial Use Group must be incorporated into the ground floor of a parking garage facing a primary street
- (2) Facades should be treated with high quality materials and given vertical articulation and emphasis. The facade should be designed so as to visually screen cars at street level. Sloping interior floors should not be visible or expressed on the exterior face of the building.

4.07.08 Development Standards

The Development Standards for each building form are divided into two parts. The illustration is a graphical representation of each building form and should be used to facilitate the understanding of each table. The letters in each illustration correspond to the letters in the accompanying table. The tables contain specific development standards for each subdistrict where the building form is permitted.



4.07.09 Detached Single-Family

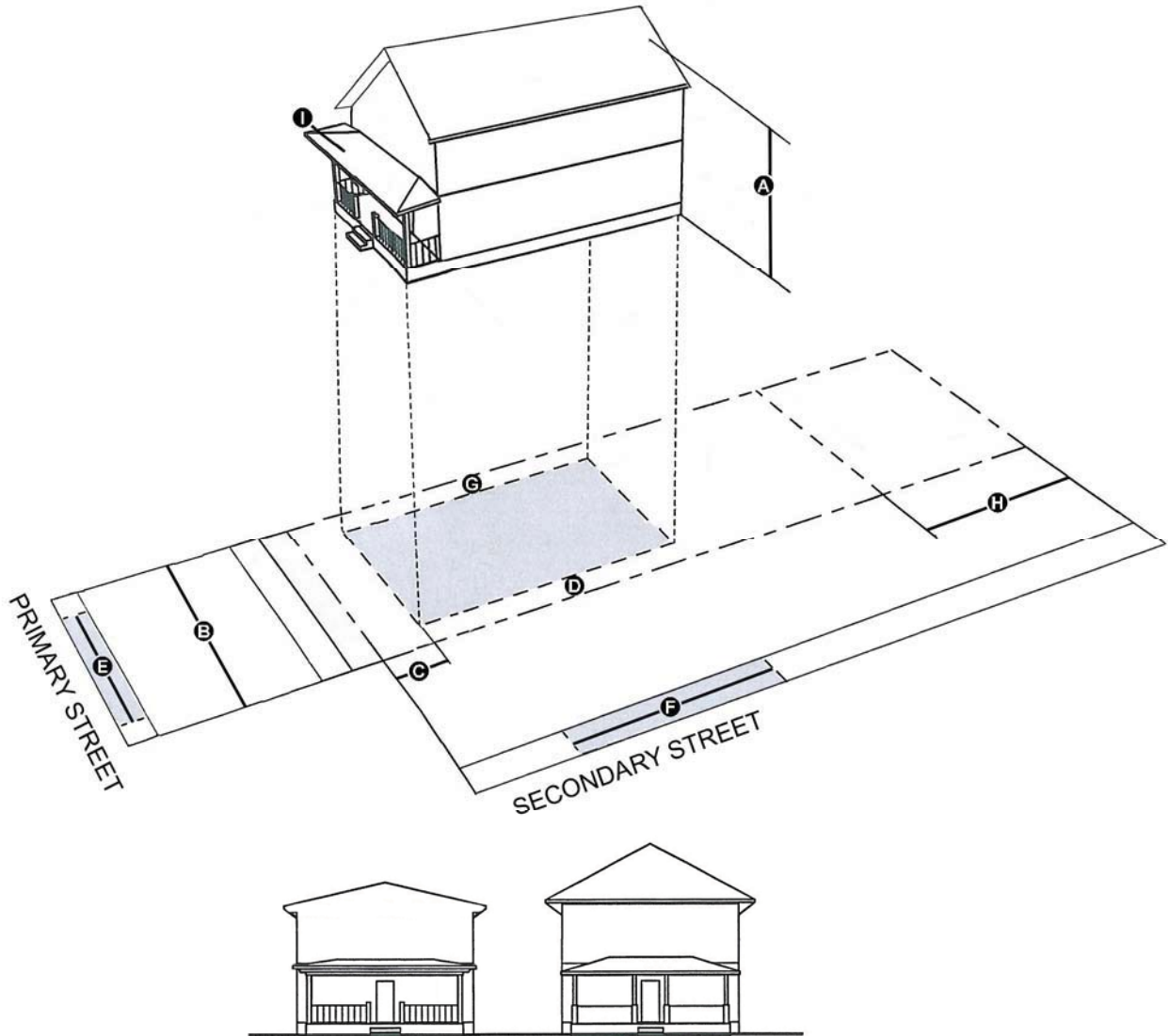


Illustration for measurement purposes only

Detached Single-Family Development Standards		Subdistricts		
		3	4	5
Development Standards	A HEIGHT			
	Stories (min/max)	2/4	2/3	2/3
	LOT			
	Minimum Lot Area (square feet)	2,000	2,000	2,000
	B Minimum Lot Width	20'	20'	20'
	Minimum Lot Area per Dwelling Unit (square feet)	2,000	2,000	2,000
	STREET SETBACKS			
	C Primary Street (min/max)	0'/5'	0'/5'	0'/10'
	D Secondary Street (min/max)	0'/5'	0'/5'	0'/10'
	Streets Not Classified (min)	10'	10'	10'
	REQUIRED STREET FRONTAGE			
	E Primary Street (min)	70%	70%	70%
	F Secondary Street (min)	40%	40%	40%
	Streets Not Classified	N/A	N/A	N/A
	INTERIOR SETBACKS			
	G Side (1 side/combined total)	2'/4'	2'/4'	2'/4'
	H Rear	25'	25'	25'
	PARKING SETBACKS (see §4.07.23, D.)			
	Primary Street (min) [1]	5'	5'	5'
	Secondary Street, Side (min) [1]	5'	5'	5'
	Secondary Street, Rear (min)	5'	5'	5'
	Streets Not Classified	5'	5'	5'
	Abutting an R Zone (min)	5'	5'	5'
	I OPTIONAL ENTRY FEATURES (see §4.07.22)			
	Primary Street	Front Porch, Side Entry, or Stoop		

[1] In all cases, no off-street parking is permitted in the front yard or side yard adjacent to a primary street

4.07.10 Attached Single-Family

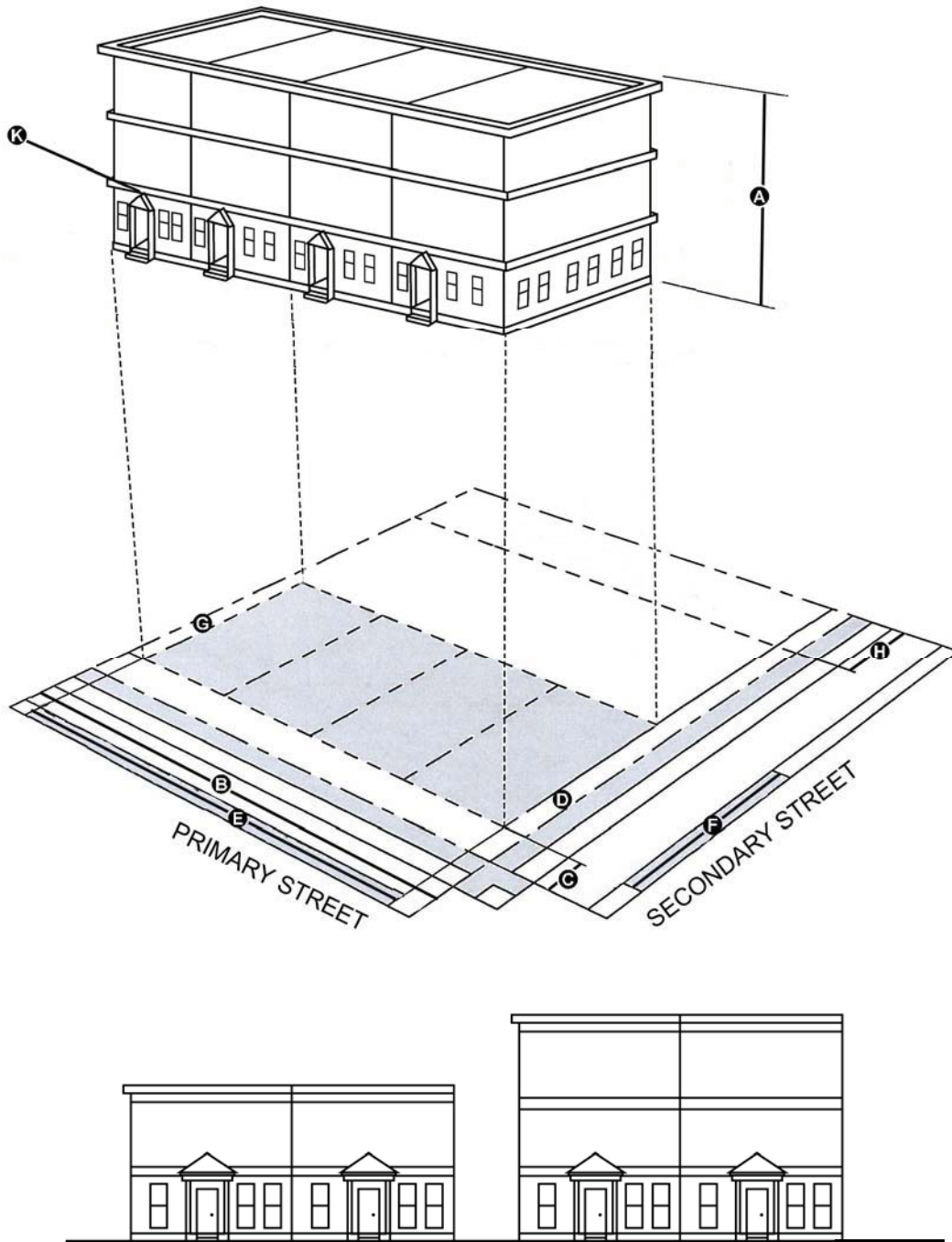
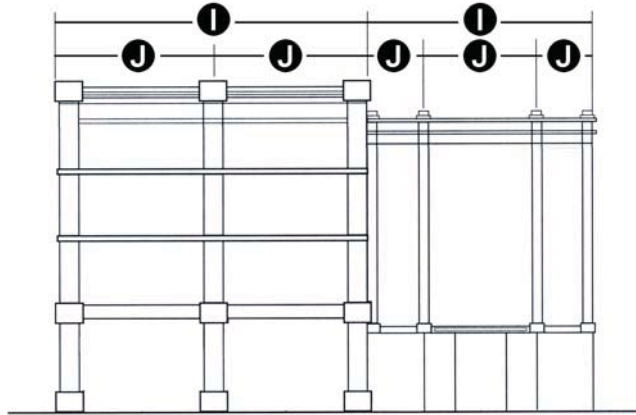


Illustration for measurement purposes only

Article 4. Special Purpose Zones



Attached Single-Family Development Standards

		Subdistricts		
		3	4	5
Development Standards	A HEIGHT			
	Stories (min/max)	2/4	2/3	2/3
	LOT			
	Minimum Lot Area (square feet)	2,000	2,000	2,000
	B Minimum Lot Width	20'	20'	20'
	Minimum Lot Area per Dwelling Unit (square feet)	2,000	2,000	2,000
	STREET SETBACKS			
	C Primary Street (min/max)	0'/5'	0'/5'	0'/10'
	D Secondary Street (min/max)	0'/5'	0'/5'	0'/10'
	Streets Not Classified (min)	10'	10'	10'
	REQUIRED STREET FRONTAGE			
	E Primary Street (min)	70%	70%	70%
	F Secondary Street (min)	40%	40%	40%
	Streets Not Classified	N/A	N/A	N/A
	INTERIOR SETBACKS			
	G Side (1 side/combined total)	2'/4'	2'/4'	2'/4'
	H Rear	25'	25'	25'
	PARKING SETBACKS (see §4.07.23, D.)			
	Primary Street (min) [1]	5'	5'	5'
	Secondary Street, Side (min) [1]	5'	5'	5'
	Secondary Street, Rear (min)	5'	5'	5'
	Streets Not Classified	5'	5'	5'
	Abutting an R Zone (min)	5'	5'	5'
	MASS			
	I Primary Building Division (min/max)	20'/50'	20'/50'	20'/50'
	J Secondary Building Division (min/max)	5'/20'	5'/20'	5'/20'
	REQUIRED ENTRY FEATURES (see §4.07.22)			
	K Primary Street	Front Porch, Side Entry, or Stoop		

[1] In all cases, no off-street parking is permitted in the front yard or side yard adjacent to a primary street

4.07.11 Two-Family

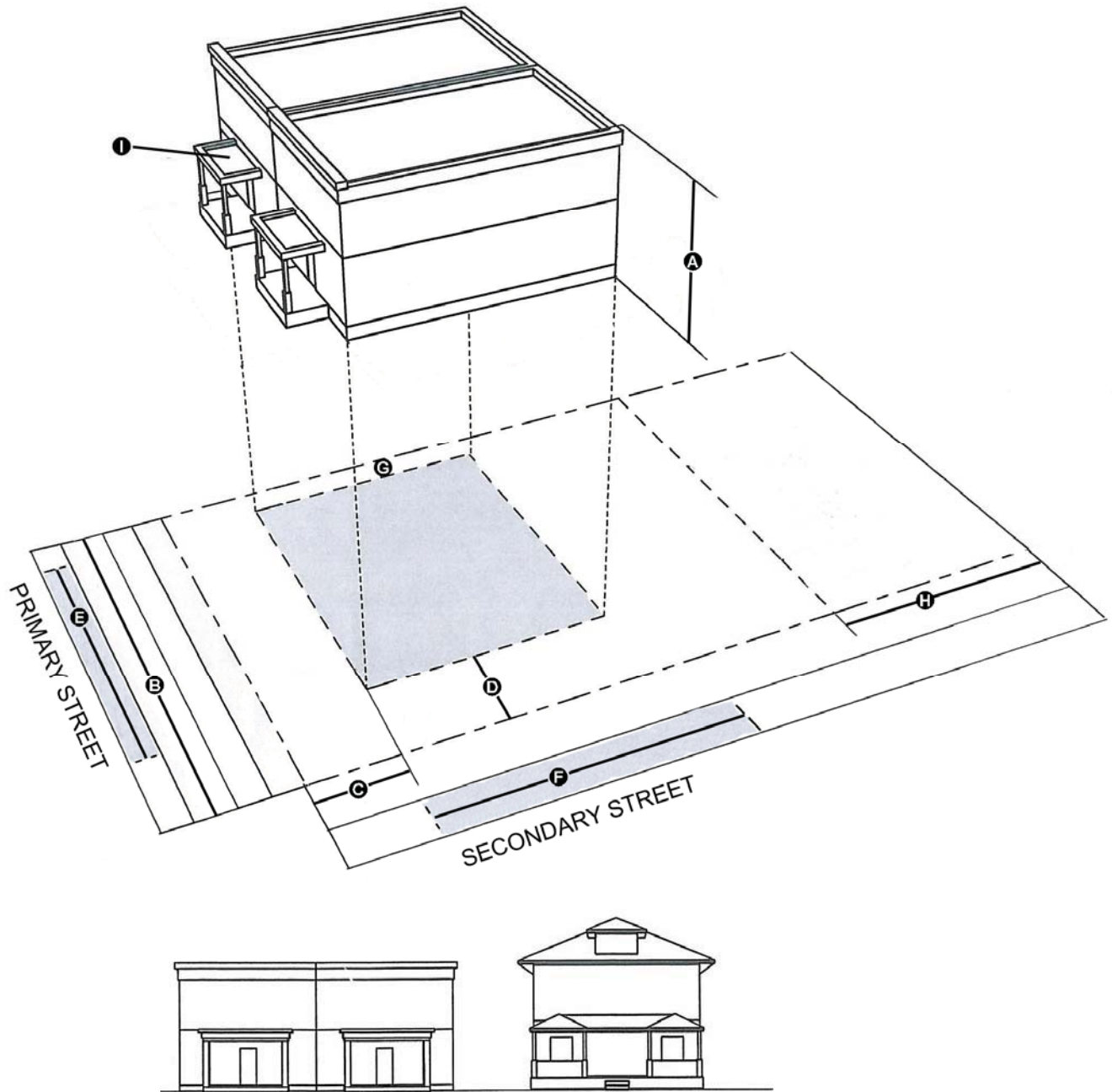
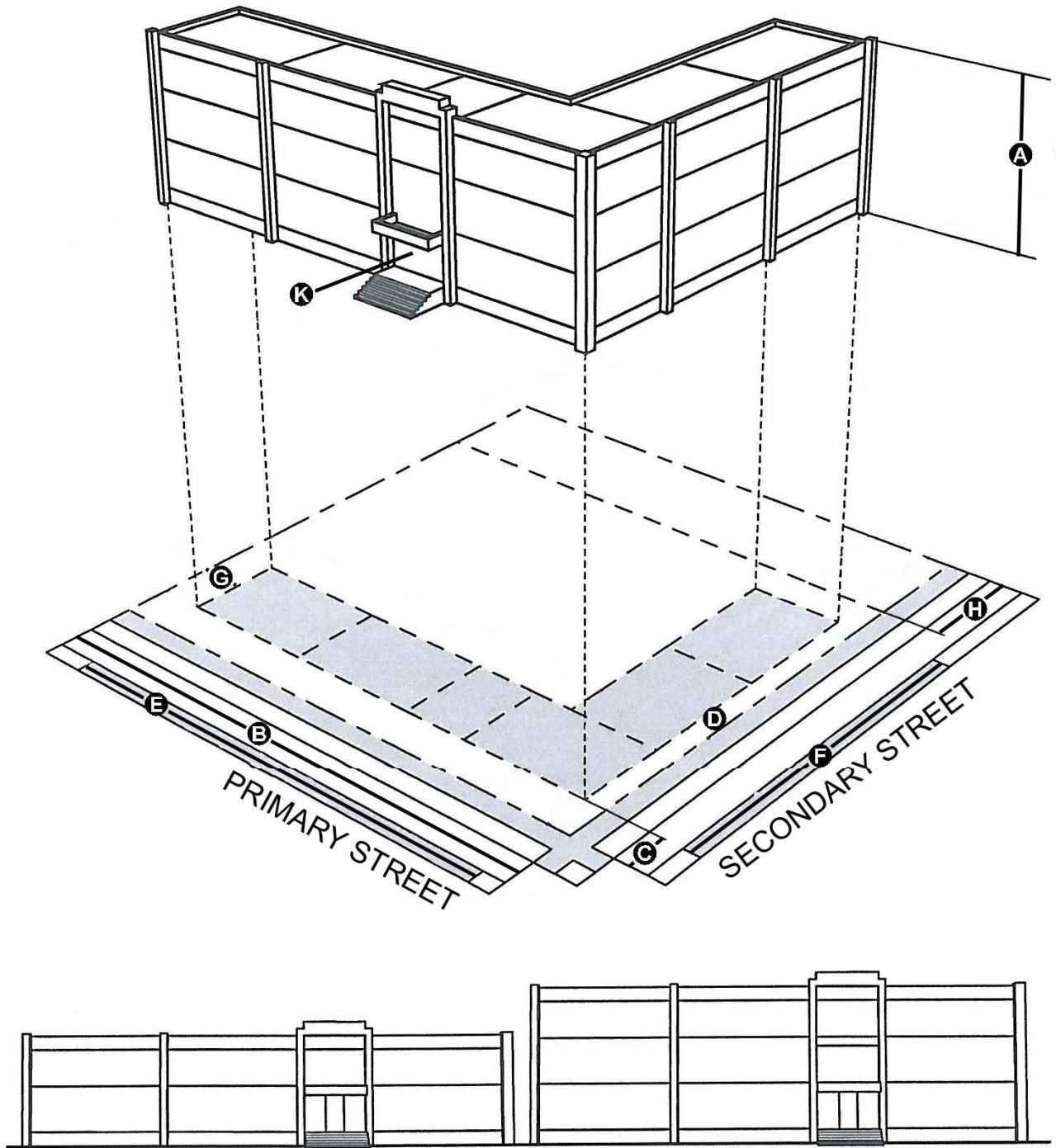


Illustration for measurement purposes only

Two-Family Development Standards		Subdistricts		
		3	4	5
Development Standards	A HEIGHT			
	Stories (min/max)	2/4	2/3	2/3
	LOT			
	Minimum Lot Area (square feet)	2,000	2,000	2,000
	B Minimum Lot Width	20'	20'	20'
	Minimum Lot Area per Dwelling Unit (square feet)	1,000	1,000	1,000
	STREET SETBACKS			
	C Primary Street (min/max)	0'/5'	0'/5'	0'/10'
	D Secondary Street (min/max)	0'/5'	0'/5'	0'/10'
	Streets Not Classified (min)	10'	10'	10'
	REQUIRED STREET FRONTAGE			
	E Primary Street (min)	70%	70%	70%
	F Secondary Street (min)	40%	40%	40%
	Streets Not Classified	N/A	N/A	N/A
	INTERIOR SETBACKS			
	G Side (1 side/combined total)	2'/4'	2'/4'	2'/4'
	H Rear	25'	25'	25'
	PARKING SETBACKS (see §4.07.23, D.)			
	Primary Street (min) [1]	5'	5'	5'
	Secondary Street, Side (min) [1]	5'	5'	5'
Secondary Street, Rear (min)	5'	5'	5'	
Streets Not Classified	5'	5'	5'	
Abutting an R Zone (min)	5'	5'	5'	
I REQUIRED ENTRY FEATURES (see §4.07.22)				
Primary Street	Front Porch, Side Entry, or Stoop			

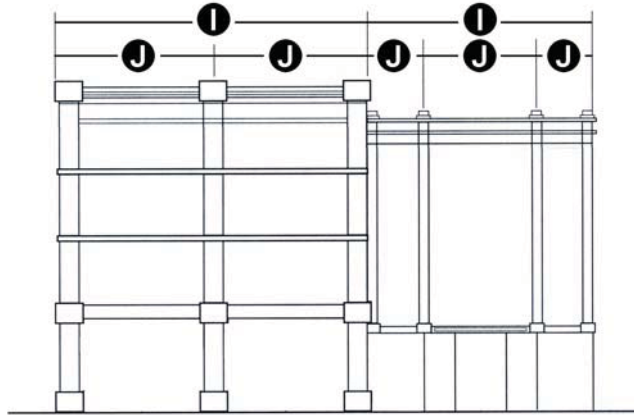
[1] In all cases, no off-street parking is permitted in the front yard or side yard adjacent to a primary street

4.07.12 Multi-Unit



Illustrations for measurement purposes only

Article 4. Special Purpose Zones

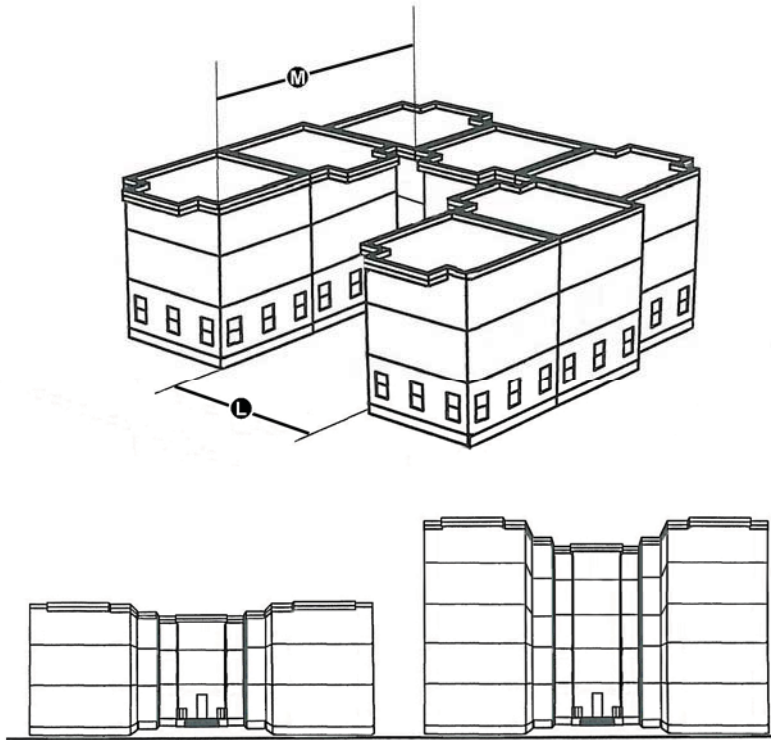


Multi-Unit Development Standards

		Subdistricts				
		1	2	3	4	5
Development Standards	A HEIGHT					
	Stories (min/max)	2/6	2/3	2/4	2/3	2/3
	LOT					
	Minimum Lot Area (square feet)	6,000	6,000	6,000	6,000	6,000
	B Minimum Lot Width	20'	20'	20'	20'	20'
	Minimum Lot Area per Dwelling Unit (square feet)	700	700	700	700	700
	STREET SETBACKS					
	C Primary Street (min/max)	10'/15'	10'/15'	0'/5'	0'/5'	0'/10'
	D Secondary Street (min/max)	10'/15'	10'/15'	0'/5'	0'/5'	0'/10'
	Streets Not Classified (min)	5'	5'	10'	10'	10'
	REQUIRED STREET FRONTAGE					
	E Primary Street (min) [1]	70%	70%	70%	70%	70%
	F Secondary Street (min)	40%	40%	40%	40%	40%
	Streets Not Classified	N/A	N/A	N/A	N/A	N/A
	INTERIOR SETBACKS					
	G SIDE					
	Abutting an R Zone (min)	2'	2'	2'	2'	2'
	Abutting a Non-R Zone	None required	None required	None required	None required	None required
	H REAR					
	Abutting an R Zone (min)	25% of the lot depth	25% of the lot depth	25% of the lot depth	25% of the lot depth	25% of the lot depth
	Abutting a Non-R Zone	None required	None required	None required	None required	None required
	MASS					
	I Primary Building Division (min/max)	N/A	N/A	20'/50'	20'/50'	20'/50'
	J Secondary Building Division (min/max)	N/A	N/A	5'/20'	5'/20'	5'/20'
	PARKING SETBACKS (see §4.07.23, D.)					
	Primary Street (min) [2]	10'	10'	10'	10'	10'
Secondary Street, Side (min) [2]	10'	10'	10'	10'	10'	
Secondary Street, Rear (min)	5'	5'	5'	5'	5'	
Streets Not Classified	5'	5'	5'	5'	5'	
Abutting an R Zone (min)	5'	5'	5'	5'	5'	
K REQUIRED ENTRY FEATURES (see §4.07.22)						
Primary Street	Front Porch, Side Entry, Stoop, Canopy, or Gallery					

[1] If a courtyard is proposed, the required street frontage along a Primary Street can be reduced to 50%

[2] In all cases, no off-street parking is permitted in the front yard or side yard adjacent to a primary street



Multi-Unit Development Standards (continued)

		Subdistricts
		All Subdistricts
COURTYARD CONFIGURATION		
L	Maximum Ground Floor Courtyard Width, as a Percentage of Overall Structure Width	50%
M	Maximum Ground Floor Courtyard Depth as a Percentage of Overall Structure Depth	40%

4.07.13 Mixed Use

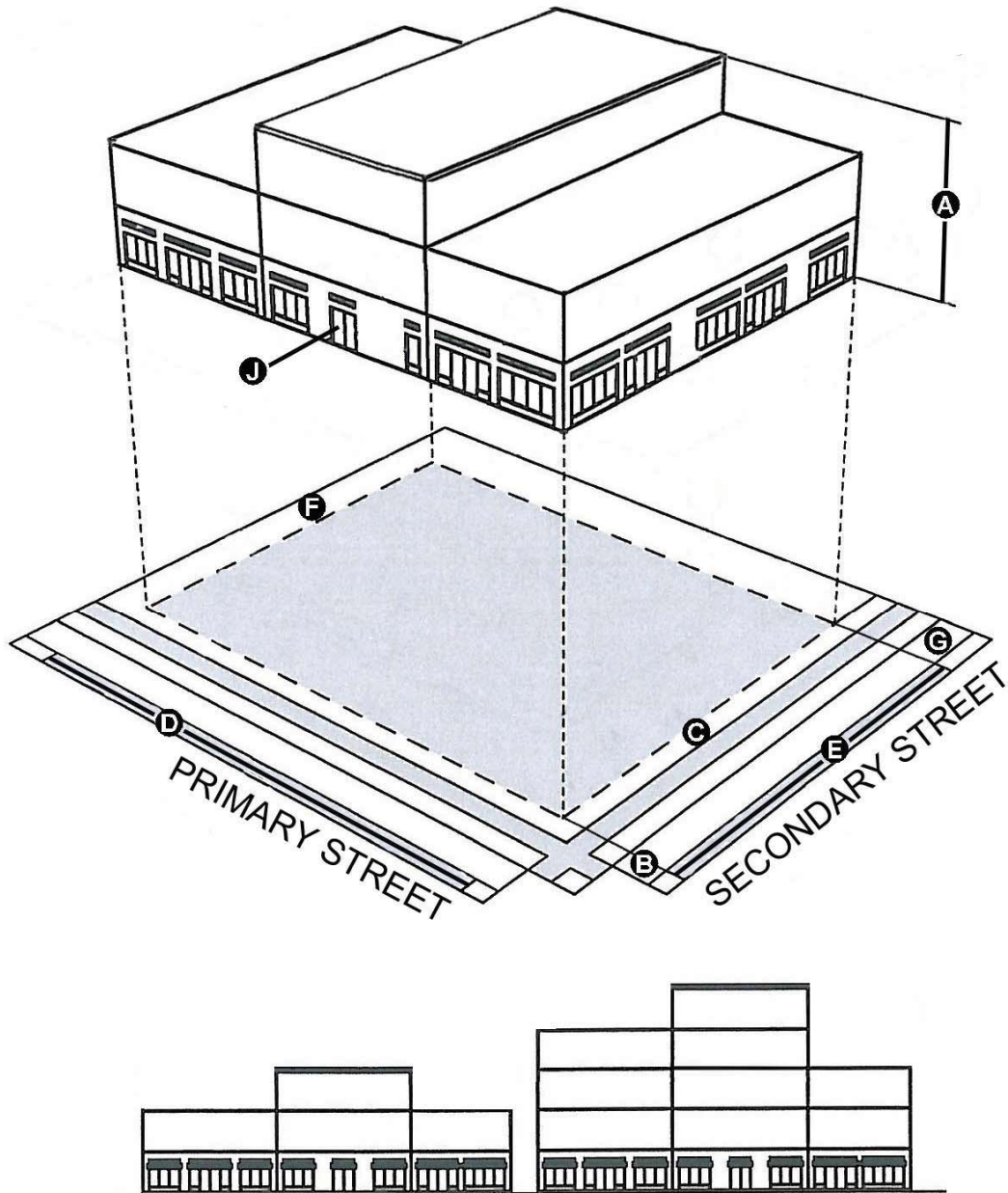
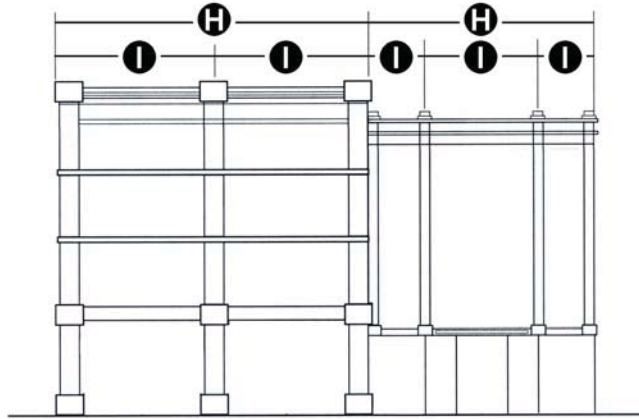


Illustration for measurement purposes only



Article 4. Special Purpose Zones

Mixed Use Development Standards		Subdistricts				
		1	2	3	4	5
Development Standards	A HEIGHT					
	Stories (min/max)	2/6	2/3	2/4	2/3	2/3
	LOT					
	Minimum Lot Area (square feet)	N/A	N/A	N/A	N/A	N/A
	Minimum Lot Width	N/A	N/A	N/A	N/A	N/A
	Minimum Lot Area per Dwelling Unit (square feet)	700	700	700	700	700
	STREET SETBACKS					
	B Primary Street (min/max)	10'/15'	10'/15'	0'/5'	0'/5'	0'/10'
	C Secondary Street (min/max)	10'/15'	10'/15'	0'/5'	0'/5'	0'/10'
	Streets Not Classified (min)	5'	5'	10'	10'	10'
	REQUIRED STREET FRONTAGE					
	D Primary Street (min)	80%	80%	80%	80%	80%
	E Secondary Street (min)	40%	40%	40%	40%	40%
	Streets Not Classified	N/A	N/A	N/A	N/A	N/A
	INTERIOR SETBACKS					
	F SIDE					
	Abutting an R Zone (min)	2'	2'	2'	2'	2'
	Abutting a Non-R Zone	None required	None required	None required	None required	None required
	G REAR					
	Abutting an R Zone (min)	25% of the lot depth	25% of the lot depth	25% of the lot depth	25% of the lot depth	25% of the lot depth
	Abutting a Non-R Zone	None required	None required	None required	None required	None required
	MASS					
	H Primary Building Division (min/max)	N/A	N/A	20'/50'	20'/50'	20'/50'
	I Secondary Building Division (min/max)	N/A	N/A	5'/20'	5'/20'	5'/20'
	TRANSPARENCY (see §4.07.23, B.)					
	Ground Story, Primary Street (min)	60%	60%	60%	60%	60%
	Ground Story, Secondary Street (min)	40%	40%	40%	40%	40%
	Upper Stories, Primary Street (min)	50%	50%	50%	50%	50%
	Upper Stories, Secondary Street (min)	20%	20%	20%	20%	20%
	Streets Not Classified	N/A	N/A	N/A	N/A	N/A
	Length of Blank Wall, Primary or Secondary Street, All Stories (max)	30'	30'	30'	30'	30'
	PARKING SETBACKS (see §4.07.23, D.)					
Primary Street (min) [1]	10'	10'	10'	10'	10'	
Secondary Street, Side (min) [1]	10'	10'	10'	10'	10'	
Secondary Street, Rear (min)	5'	5'	5'	5'	5'	
Streets Not Classified	5'	5'	5'	5'	5'	
Abutting an R Zone (min)	5'	5'	5'	5'	5'	
J REQUIRED ENTRY FEATURES (see §4.07.22)						
Primary Street	Side Entry, Canopy, Gallery, Recessed Entry, or Corner Entry					

[1] In all cases, no off-street parking is permitted in the front yard or side yard adjacent to a primary street

4.07.14 Public and Civic

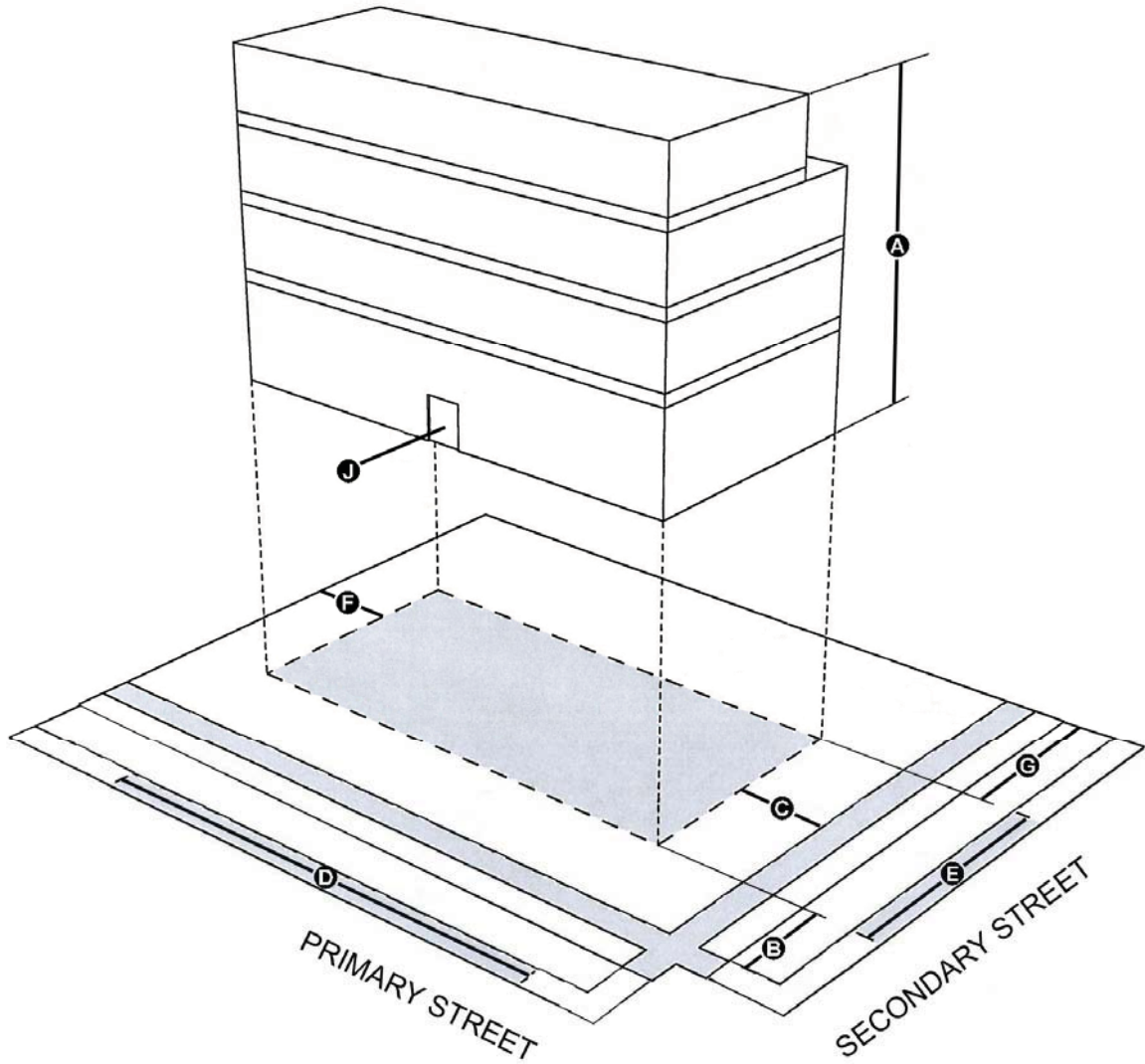
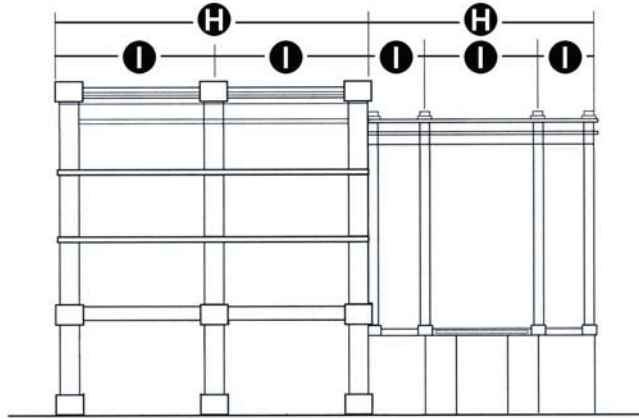


Illustration for measurement purposes only



Article 4. Special Purpose Zones

Public and Civic Development Standards		Subdistricts				
		1	2	3	4	5
Development Standards	A HEIGHT					
	Stories (min/max)	2/6	2/3	2/4	2/3	2/3
	STREET SETBACKS					
	B Primary Street (min/max)	10'/15'	10'/15'	0'/5'	0'/5'	0'/10'
	C Secondary Street (min/max)	10'/15'	10'/15'	0'/5'	0'/5'	0'/10'
	Streets Not Classified (min)	5'	5'	10'	10'	10'
	REQUIRED STREET FRONTAGE					
	D Primary Street (min)	80%	80%	80%	80%	80%
	E Secondary Street (min)	40%	40%	40%	40%	40%
	Streets Not Classified	N/A	N/A	N/A	N/A	N/A
	INTERIOR SETBACKS					
	F SIDE					
	Abutting an R Zone (min)	10% of the lot width	10% of the lot width	10% of the lot width	10% of the lot width	10% of the lot width
	Abutting a Non-R Zone	None required	None required	None required	None required	None required
	G REAR					
	Abutting an R Zone (min)	25% of the lot depth	25% of the lot depth	25% of the lot depth	25% of the lot depth	25% of the lot depth
	Abutting a Non-R Zone	None required	None required	None required	None required	None required
	MASS					
	H Primary Building Division (min/max)	N/A	N/A	20'/50'	20'/50'	20'/50'
	I Secondary Building Division (min/max)	N/A	N/A	5'/20'	5'/20'	5'/20'
	TRANSPARENCY (see §4.07.23, B.)					
	Ground Story, Primary Street (min)	60%	60%	60%	60%	60%
	Ground Story, Secondary Street (min)	40%	40%	40%	40%	40%
	Upper Stories, Primary Street (min)	50%	50%	50%	50%	50%
	Upper Stories, Secondary Street (min)	20%	20%	20%	20%	20%
	Streets Not Classified	N/A	N/A	N/A	N/A	N/A
	Length of Blank Wall, Primary or Secondary Street, All Stories (max)	30'	30'	30'	30'	30'
	PARKING SETBACKS (see §4.07.23, D.)					
	Primary Street (min) [1]	10'	10'	10'	10'	10'
	Secondary Street, Side (min) [1]	10'	10'	10'	10'	10'
Secondary Street, Rear (min)	5'	5'	5'	5'	5'	
Streets Not Classified	5'	5'	5'	5'	5'	
Abutting an R Zone (min)	5'	5'	5'	5'	5'	
J REQUIRED ENTRY FEATURES (see §4.07.22)						
Primary Street	Front Porch, Stoop, Canopy, Gallery, Recessed Entry, or Corner Entrance					

[1] In all cases, no off-street parking is permitted in the front yard or side yard adjacent to a primary street

4.07.15 Commercial

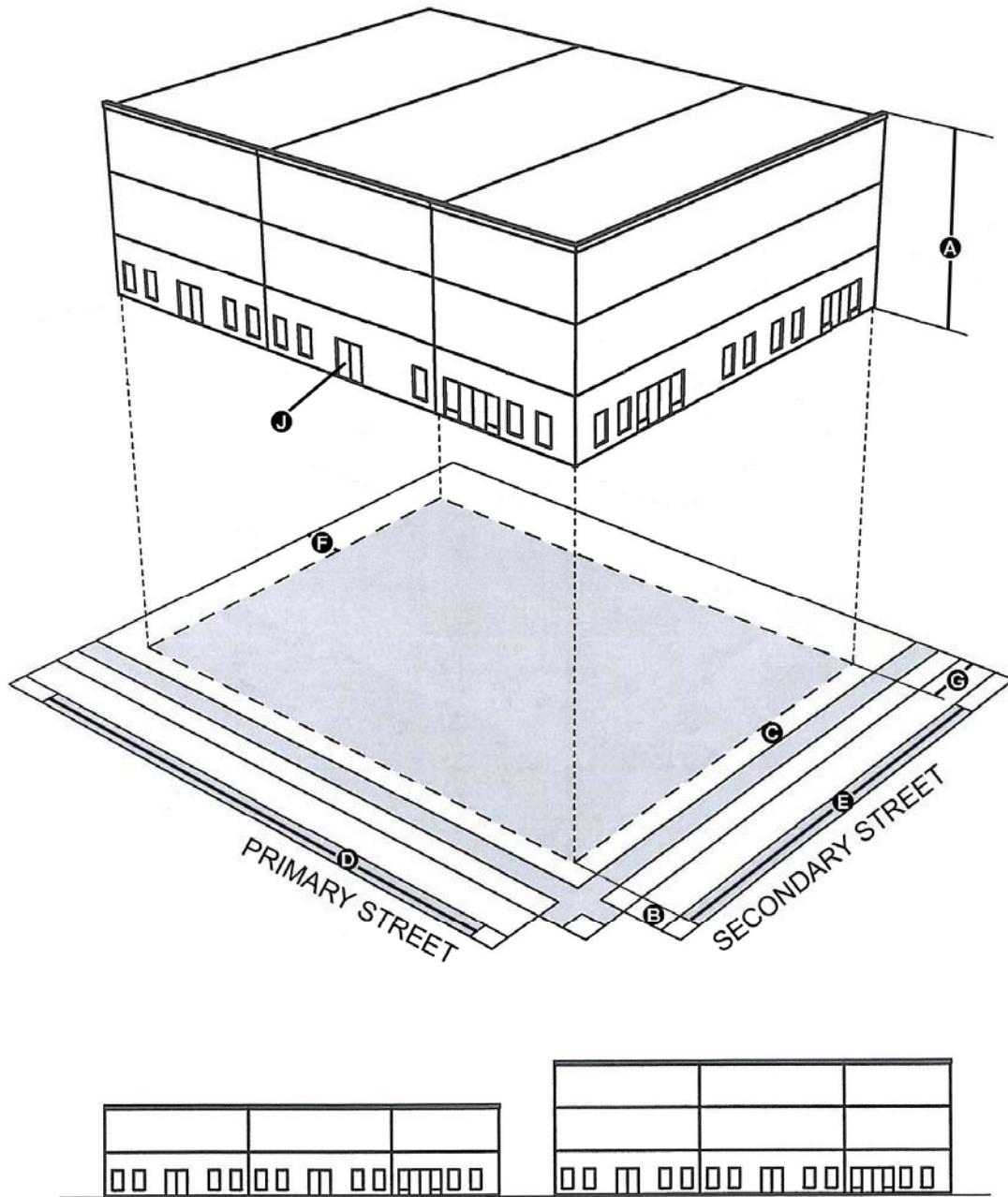
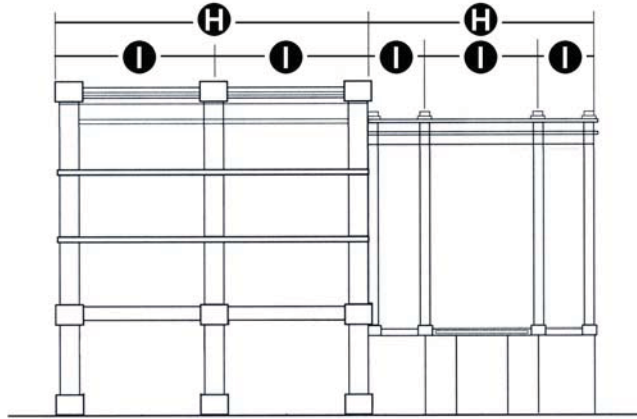


Illustration for measurement purposes only

Article 4. Special Purpose Zones



Commercial Development Standards

		Subdistricts				
		1	2	3	4	5
Development Standards	A HEIGHT					
	Stories (min/max)	2/6	2/3	2/4	2/3	2/3
	STREET SETBACKS					
	B Primary Street (min/max)	10'/15'	10'/15'	0'/5'	0'/5'	0'/10'
	C Secondary Street (min/max)	10'/15'	10'/15'	0'/5'	0'/5'	0'/10'
	Streets Not Classified (min)	5'	5'	10'	10'	10'
	REQUIRED STREET FRONTAGE					
	D Primary Street (min)	80%	80%	80%	80%	80%
	E Secondary Street (min)	40%	40%	40%	40%	40%
	Streets Not Classified	N/A	N/A	N/A	N/A	N/A
	INTERIOR SETBACKS					
	F SIDE					
	Abutting an R Zone (min)	10% of the lot width	10% of the lot width	10% of the lot width	10% of the lot width	10% of the lot width
	Abutting a Non-R Zone	None required	None required	None required	None required	None required
	G REAR					
	Abutting an R Zone (min)	25% of the lot depth	25% of the lot depth	25% of the lot depth	25% of the lot depth	25% of the lot depth
	Abutting a Non-R Zone	None required	None required	None required	None required	None required
	MASS					
	H Primary Building Division (min/max)	N/A	N/A	20'/50'	20'/50'	20'/50'
	I Secondary Building Division (min/max)	N/A	N/A	5'/20'	5'/20'	5'/20'
	TRANSPARENCY (see §4.07.23, B.)					
	Ground Story, Primary Street (min)	60%	60%	60%	60%	60%
	Ground Story, Secondary Street (min)	40%	40%	40%	40%	40%
	Upper Stories, Primary Street (min)	50%	50%	50%	50%	50%
	Upper Stories, Secondary Street (min)	20%	20%	20%	20%	20%
	Streets Not Classified	N/A	N/A	N/A	N/A	N/A
	Length of Blank Wall, Primary or Secondary Street, All Stories (max)	30'	30'	30'	30'	30'
	PARKING SETBACKS (see §4.07.23, D.)					
Primary Street (min) [1]	10'	10'	10'	10'	10'	
Secondary Street, Side (min) [1]	10'	10'	10'	10'	10'	
Secondary Street, Rear (min)	5'	5'	5'	5'	5'	
Streets Not Classified	5'	5'	5'	5'	5'	
Abutting an R Zone (min)	5'	5'	5'	5'	5'	
J REQUIRED ENTRY FEATURES (see §4.07.22)						
Primary Street	Front Porch, Stoop, Canopy, Gallery, Recessed Entry, or Corner Entrance					

[1] In all cases, no off-street parking is permitted in the front yard or side yard adjacent to a primary street

4.07.16 Recreation and Open Space

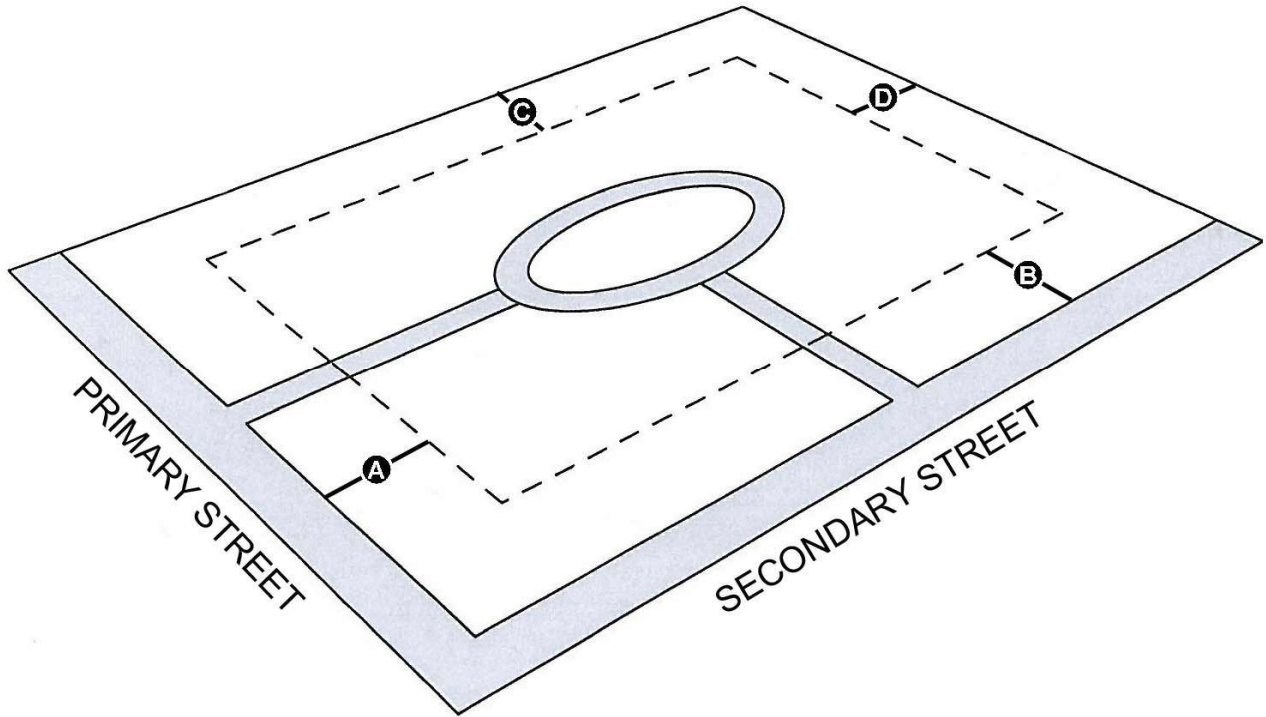


Illustration for measurement purposes only

Recreation and Open Space Development Standards		Subdistricts
		All Subdistricts
STREET SETBACKS		
A	Primary Street (min/max)	5'
B	Secondary Street (min/max)	5'
	Streets Not Classified (min)	5'
INTERIOR SETBACKS		
C	Side	5'
D	Rear	5'

4.07.17 Parking

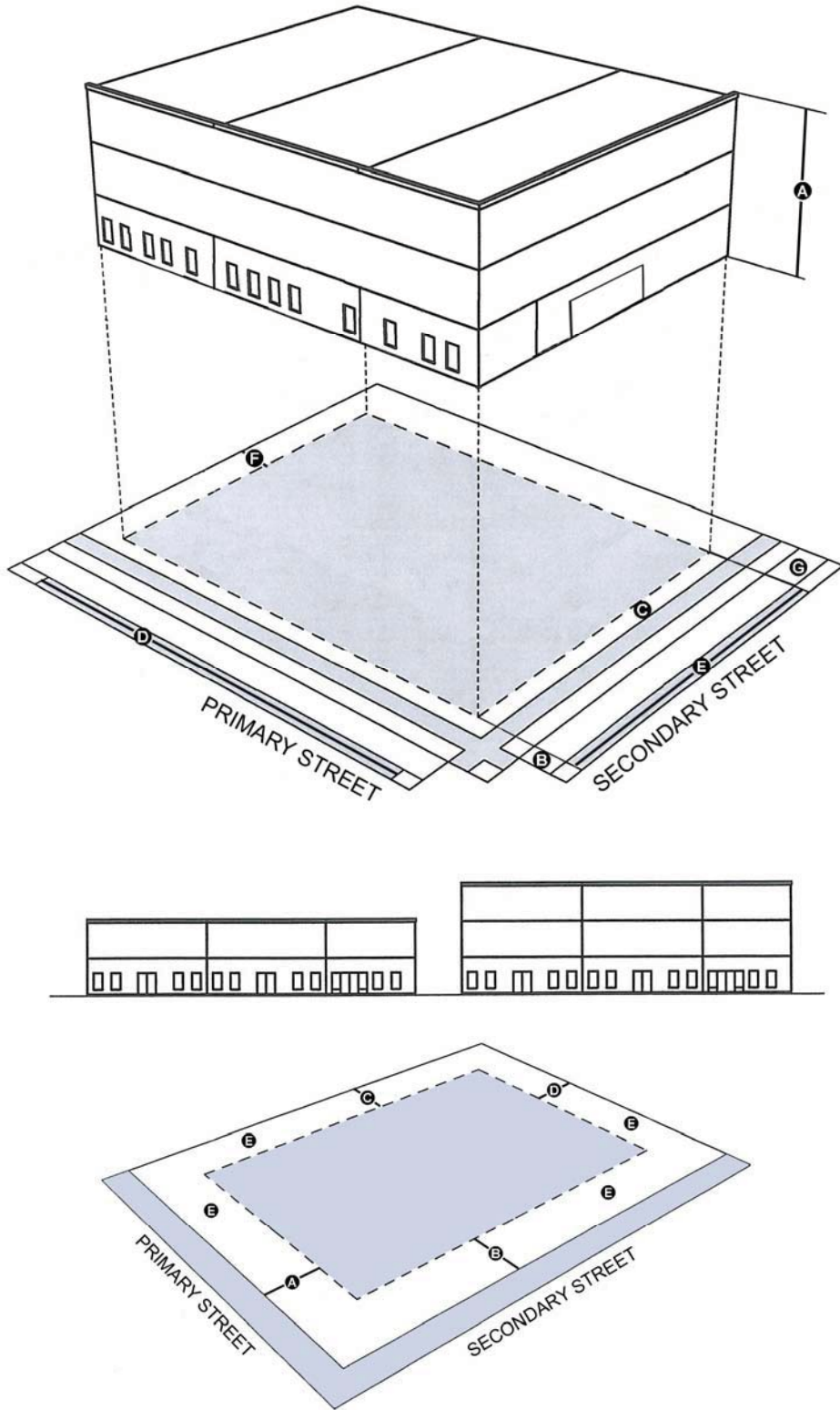


Illustration for measurement purposes only

Article 4. Special Purpose Zones

Parking Garage Development Standards		Subdistricts				
		1	2	3	4	5
Development Standards	A HEIGHT					
	Stories (min/max)	2/6	2/3	2/4	2/3	2/3
	STREET SETBACKS					
	B Primary Street (min/max)	10'/15'	10'/15'	0'/5'	0'/5'	0'/10'
	C Secondary Street (min/max)	10'/15'	10'/15'	0'/5'	0'/5'	0'/10'
	Streets Not Classified (min)	5'	5'	10'	10'	10'
	REQUIRED STREET FRONTAGE					
	D Primary Street (min)	80%	80%	80%	80%	80%
	E Secondary Street (min)	40%	40%	40%	40%	40%
	Streets Not Classified	N/A	N/A	N/A	N/A	N/A
	INTERIOR SETBACKS					
	F SIDE					
	Abutting an R Zone (min)	10% of the lot width	10% of the lot width	10% of the lot width	10% of the lot width	10% of the lot width
	Abutting a Non-R Zone	None required	None required	None required	None required	None required
	G REAR					
	Abutting an R Zone (min)	25% of the lot depth	25% of the lot depth	25% of the lot depth	25% of the lot depth	25% of the lot depth
Abutting a Non-R Zone	None required	None required	None required	None required	None required	

Surface Parking Lot Development Standards		Subdistricts
		All Subdistricts
STREET SETBACKS		
A	Primary Street (min/max)	7'
B	Secondary Street (min/max)	7'
	Streets Not Classified (min)	7'
INTERIOR SETBACKS		
C	SIDE	
	Abutting an R Zone (min)	10% of the lot width
	Abutting a Non-R Zone	5'
D	REAR	
	Abutting an R Zone (min)	25% of the lot depth
	Abutting a Non-R Zone	5'
E	LANDSCAPING	
	Vehicular Use Areas (applies regardless of size)	§8.02

4.07.18 Development in Subdistrict 5

The intent of Subdistrict 5 is to promote the preservation and reuse of the existing structures along the north side of 12th Street/Martin Luther King Jr. Boulevard. Covington's Urban Design Review Board identified a majority of structures within this Subdistrict as contributing.

- A. Existing Buildings
In order to meet the intent of this Subdistrict, all development of existing buildings (demolition, construction, physical expansion, or outside remodeling of building or premises, including accessory uses or appurtenances to the principal use) must be processed in accordance with the Certificate of Appropriateness Process found in Section 12.14.
- B. New Buildings
New buildings must meet the building form and development standards within the LGD Zone

4.07.19 Accessory Uses and Structures

- A. Accessory uses and structures are regulated by Section 6.02 of this ordinance.
- B. Off-street parking and loading/unloading are regulated by Section 4.07.23, D. and Article 7.
- C. Fences and walls, as regulated by Section 9.02.
- D. Signs, as regulated by Article 10 and Section 4.07.26 of this ordinance.

4.07.20 Articulation

- A. Horizontal Articulation
Any building three stories or more in height shall incorporate horizontal articulation on all street-facing building walls to promote compatibility with adjacent smaller scale buildings, reduce perceived building mass and support an active pedestrian environment at the street level.
 - 1. Horizontal Articulation Elements
Horizontal articulation shall be provided using one or more of the following elements in a band along at least 70% of the horizontal width of any building wall facing a primary or secondary street:

- (a) Horizontal molding: A molding, ornamental trim or sill that projects a minimum of 3" from the primary wall surface.
- (b) Stepback: A minimum 3' horizontal stepback in the vertical wall plane from the floor below.
- (c) Spandrel Beam: A horizontal fascia that defines the structure between two floors.
- (d) Change in Material: A clear change in material, texture or color.



2. Waivers or Modifications

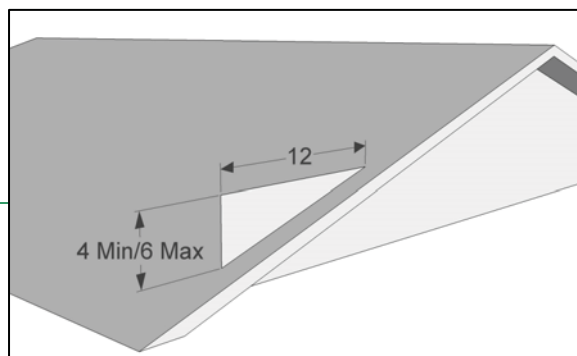
Waivers or modifications of any articulation standards may be approved only through the Design Review procedure of Section 12.15.

4.07.21 Roofs

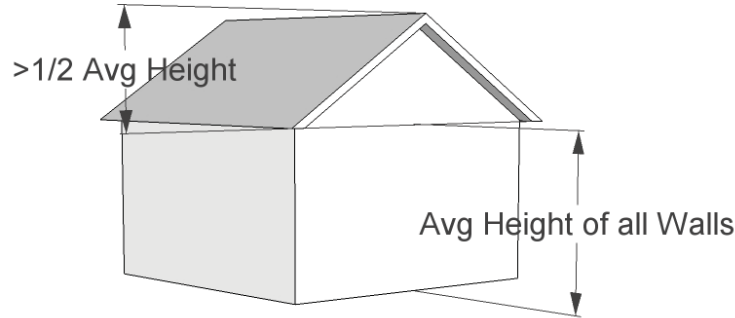
- A. Materials: The only material not permitted is corrugated metal.
- B. Configurations and techniques: The only configurations and techniques not permitted are mansard and gambrel roofs

1. Pitched roofs (exclusive of roofs behind parapet walls):

- (a) Pitched roofs shall have a pitch between 4:12 and 6:12



- (b) Mechanical equipment on roofs must be screened from view from the ground from all public use areas, adjacent to the site in question.
- (c) Pitched roofs with a vertical rise that exceeds one-half the average height of supporting walls as measured along each facade are not permitted.



2. Parapet Roofs

- (a) Parapet walls sufficiently high enough to screen rooftop mechanical equipment from viewing shall conceal roofs of building structures that are generally flat.
- (b) Facades that exceed 100 feet in length measured along the street frontage shall have variations in roofline or rooftop parapet. Possible variations include, but are not limited to: color; height; changes in materials; projections; and changes in layout

3. Modifications to roof types and materials are permitted to accommodate green roofing systems.

C. Waivers or Modifications

Waivers or modifications of any roof standards, except those specifically permitted in 4.07.21, B., 3., may be approved only through the Design Review procedure of Section 12.15.

4.07.22 Entry Features

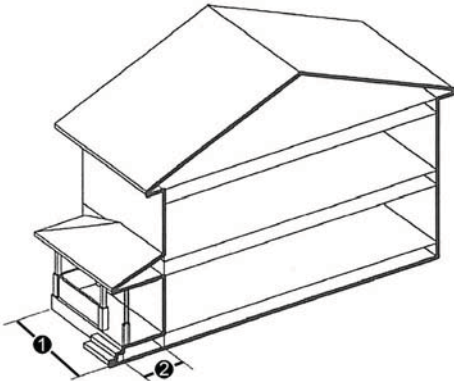
- A. A single entry feature from the required list must be facing the primary street. The required entry feature must meet the design standards for one entry feature as defined below.

1. Required entry features in Subdistricts 1 and 2 may

encroach into the primary or secondary street setback.

2. Required entry features in Subdistricts 3, 4, and 5 are considered part of the principal structure and must meet the required primary and secondary street setback requirements

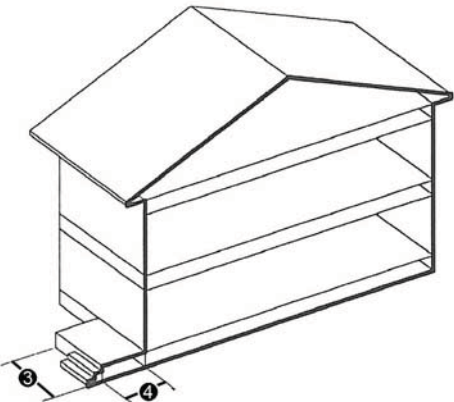
- B. An access ramp may be added to any required entry feature. Such ramps may exceed the maximum permitted width for an entry feature and encroach into the front setback.



C. Front Porch

A one or two-story structure attached to a building to shelter an entrance or to serve as a semi-enclosed space, roofed and open-sided.

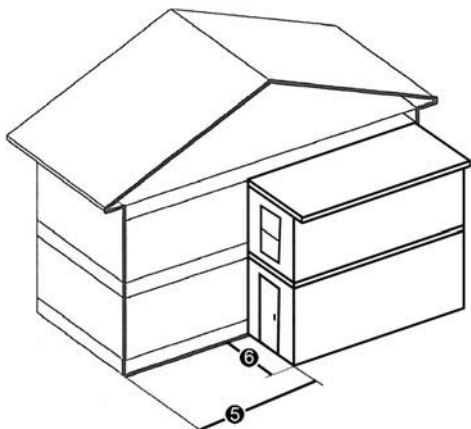
PORCH CONFIGURATION	
1 Width (min)	8'
2 Depth (min)	6'
Front Setback Encroachment (max including steps and eaves)	9'



D. Stoop

A stoop is an uncovered set of steps and a landing at an entrance to a building. A stoop may be covered or uncovered.

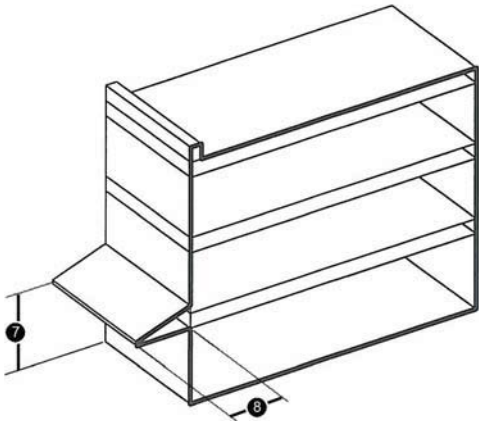
STOOP CONFIGURATION	
3 Width (min)	5'
4 Depth (min)	5'
Front Setback Encroachment (max including steps)	8'



E. Side Entry

A side entry can serve as either the primary or secondary access to a building. Side entries must meet the street and side yard setbacks. Side entries can be accompanied by a one or two-story porch, a stoop, or be built as an extension of the principal building.

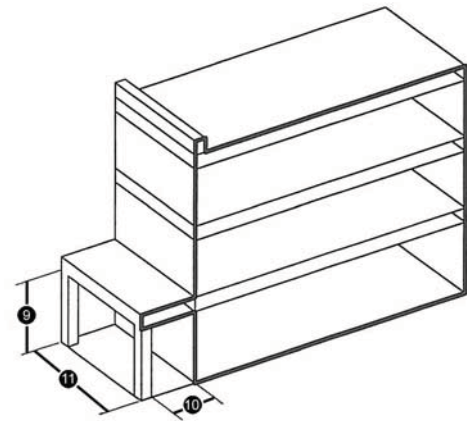
SIDE ENTRY CONFIGURATION	
5 Offset from Front of Building (min)	10'
6 Width (min)	5'



F. Canopy

A canopy is a wall-mounted structure providing shade and cover from the weather for a sidewalk.

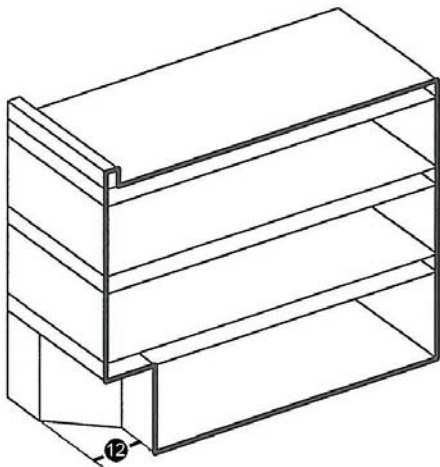
CANOPY CONFIGURATION	
7 Height (min)	8'
8 Depth (min)	6'
Front Setback Encroachment (max)	6'



G. Gallery

A gallery is a covered passage extending along the outside wall of a building supported by arches or columns that is open on at least one side.

GALLERY CONFIGURATION	
9 Height (min)	8'
10 Depth (min)	6'
11 Width (min)	50% of building façade
Front Setback Encroachment (max)	7'

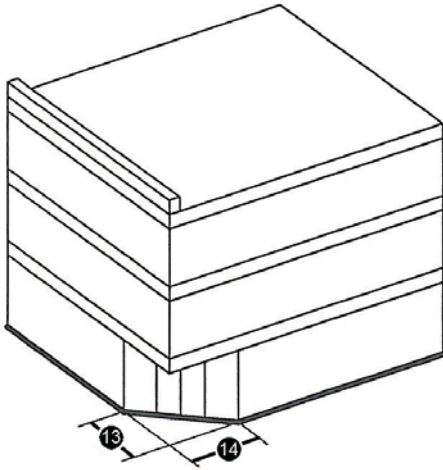


H. Recessed Entry

A recessed entry is a building entrance inset into and placed behind the plane of the front façade.

RECESSED ENTRY CONFIGURATION	
12 Depth (min)	6'

I. Corner Entry



A corner entrance is an angled street-facing entrance that is located at the corner of the building.

CORNER ENTRY CONFIGURATION	
13	Width (min) 7'
14	Depth (min) 7'

- J. Waivers or Modifications
Waivers or modifications to permit an entry feature not specifically permitted in a subdistrict may be approved only through the Design Review procedure of Section 12.15.

4.07.23 Other Character Standards

- A. Building Placement Requirements
 - 1. Exceptions to Building Setbacks along Streets
 - (a) Articulated Building Street Face
When a portion of the building is set back farther than the maximum required building setback line in order to provide an articulated or modulated facade, the total area of the space created may not exceed one square foot for every linear foot of building frontage.
 - (b) Outdoor Eating Areas
When an outdoor eating area is located on the street frontage, the building setback line may be adjusted, provided that the building is set back no more than 12 feet from the front or street side lot line or at least 40 percent of the façade complies with the maximum building setback line and the total area of the outdoor eating area does not exceed 12 times the building’s street frontage in linear feet.
 - (c) Courtyards, Plazas, Pocket Parks, or Greenspace
When a courtyard, plaza, pocket park, or greenspace

is located on the street frontage, the building setback line may be adjusted, provided that the building is set back no more than 12 feet from the front or street side lot line or at least 40 percent of the façade complies with the maximum building setback line.

- (d) **Green Infrastructure**
The maximum building setback line may be increased to twelve (12) feet to accommodate green infrastructure and integrated stormwater controls.

2. **Exceptions to Required Street Frontage**

- (a) **Pedestrian Access to Off-Street Parking Areas**
When outdoor pedestrian access is provided from the street to off-street parking areas, the required street frontage along primary streets can be reduced by ten percent. The pedestrian access shall remain clear of obstructions.
- (b) **Outdoor Eating Areas**
When an outdoor eating area is located to the side of a building, the required street frontage along primary streets can be reduced by five percent. The outdoor eating area must be located adjacent to the primary street right-of-way.
- (c) **Courtyards, Plazas, Pocket Parks, or Greenspace**
When a courtyard, plaza, pocket park, or greenspace is located along to the side of a building, the required street frontage along primary streets can be reduced by thirty percent.

B. **Transparency**

- 1. **Display Windows**
Display windows that do not provide visual access into the interior of the building count toward the minimum transparency percentage, provided that they are at least 2 feet in depth.
- 2. **Waivers or Modifications**
Waivers or modifications of any transparency standards may be approved only through the Design Review

procedure of Section 12.15.

- C. Driveways/Curb Cuts
Vehicular access must be from an alley or side street if one is present.
- D. Off-Street Parking and Loading/Unloading
1. In order to maintain a continuous street façade in any provided parking must be located at the rear of the building.
 2. Where the depth of the lot is insufficient to permit parking in the rear, parking may be located at the side of the building.
 3. Off-street parking may be located on another lot than the building or use being served is located, provided that the parking is located within 1,500 feet walking distance of the main entrance to the use served.

An agreement providing for the use of parking, executed by the parties involved, must be filed with the Zoning Specialist, in a form approved by the Zoning Specialist. Parking privileges will continue in effect only as long as the agreement, binding on all parties, remains in force. If the agreement is no longer in force, then parking must be provided as otherwise required by Article 7.
 4. Any building over four stories in height is required to provide at least thirty percent of the required off-street parking in an underground parking garage.
 5. All other off-street parking and loading/unloading regulations contained within Article 7 shall apply to uses within the LGD Zone. Where a regulation is based on a Character Standard suffix, the “P” suffix standards shall apply.
- E. Drive-Through Facilities
Drive-through facilities are not permitted in the LGD Zone.
- F. Utilities
All utilities for new developments shall be located underground.

G. Landscaping

1. Street Walls

Masonry walls and/or ornamental fencing are required to be installed along the perimeter of vehicular use areas adjacent to front and street side (corner) property lines and abutting any existing front yard of property located within an R zone.

(a) The required masonry wall or ornamental fencing must be installed behind the required perimeter landscape area, at least 5 feet from abutting property lines.

(b) Required walls and fences are limited to a height of no more than 4 feet above grade

2. All other landscaping shall be provided per Article 8.

4.07.24 Changes to the Street Network

- A. If a public street or right-of-way shown on the regulating plan is vacated, the development standards based on that street no longer apply.
- B. If a new public street or right-of-way is dedicated, it shall be treated as a secondary street for the purpose of the development standards.

4.07.25 Lighting

Lighting requirements shall meet the following:

- A. General Requirements: Light poles shall be consistent in design with the overall architectural theme of the corridor. 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 LGD Zone.
- C. Off-Street Parking Areas and Pedestrian Lighting

1. Lighting should be used in combination with signage standards and other elements where possible.
2. Lighting should be coordinated with street tree plantings for proper integration.
3. Glare Reduction and Lighting Levels
 - (a) 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.
 - (b) Decorative, pedestrian-scale lights are encouraged in areas of pedestrian activity. All decorative lights over ten (10) feet in height shall be fully shielded to avoid light spillage on adjacent property and road rights-of-way.
 - (c) 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.
 - (d) Lighting located on the building wall shall be fully shielded to direct the light downward.

D. Prohibited Lighting

1. Neon accent lighting is prohibited on buildings and structures.
2. Bare metal light poles and elevated “sonotube” type concrete bases are prohibited.

E. Waivers or Modifications

Waivers or modifications of any lighting standards may be approved only through the Design Review procedure of Section 12.15.

4.07.26 Sign Regulations

- A. Article 10 of the Covington Zoning Ordinance applies with the following additional regulations:
 1. In Subdistricts 3, 4, and 5 only, wall signs are permitted only within the area between the first story and the second story, but no higher than 25 feet, and no lower than 10 feet above the adjacent grade.

2. Canopy and Gallery signs are permitted subject to the following standards:
 - (a) One canopy or gallery sign is permitted per business.
 - (b) The canopy or gallery sign must be at least 8 feet above grade.
 - (c) The canopy or gallery sign must not exceed two (2) square feet of sign area per lineal foot of building width on the side of the building that the sign is located.
 - (d) If a canopy or gallery sign is used, then a separate wall sign for the same business is not permitted.
 - (e) Lettering or graphic elements shall be located only on that portion of the canopy or gallery that is parallel to the building façade.
2. Non-illuminated names of buildings, dates of erection, monument statues, tablets when carved into stone, concrete, metal, or any other permanent type of construction and integral part of an allowed structure are permitted, not larger than 5 square feet in size.
3. Pole signs and cabinet-type façade signs are not permitted.
4. Flashing, traveling, animated, or intermittent lighting are not permitted.
5. Manual and automatic changeable copy signs are not permitted.
6. No illuminated signage is permitted that would glare into residential units within multi-use structures.
7. Projecting signs must be at least 8 feet above grade.
8. Sidewalk signs are permitted per the requirements of Section 10.13.05.
9. Finish Materials
 - (a) The only material not permitted is plastic, except when used for individual letters and symbols only.



FORM-BASED CODE WALK- THROUGH

Steering Committee Meeting #6 – FEB 12, 2013

Presentation
OUTLINE

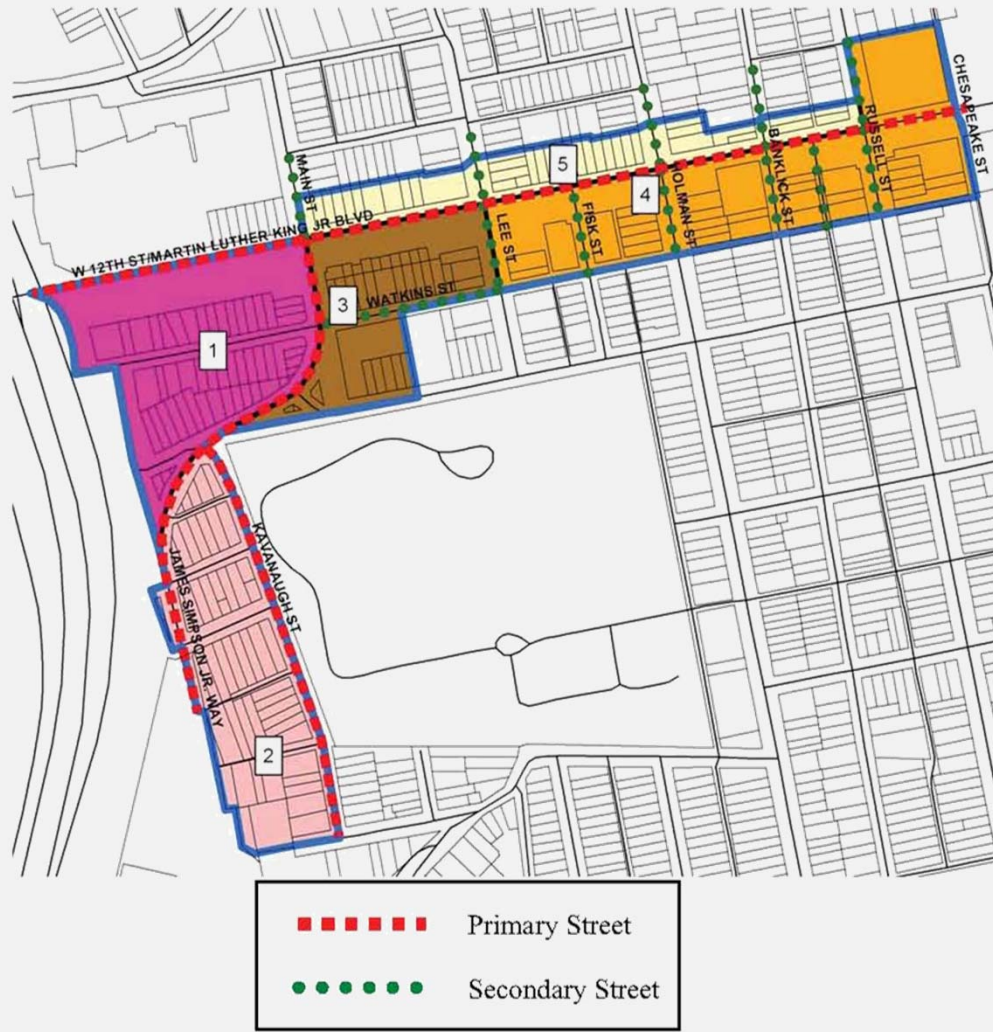
LGD (Linden Gateway District) Zone – Covington

- Regulating Plan
- Use Groups and Permitted Building Forms
- Building Forms & Development Standards
- Entry Features

DI (Downtown Independence) Zone – Independence

- Regulating Plan
- Applicability (Trigger Chart)
- Building Forms
- Development Standards
- Entry Features

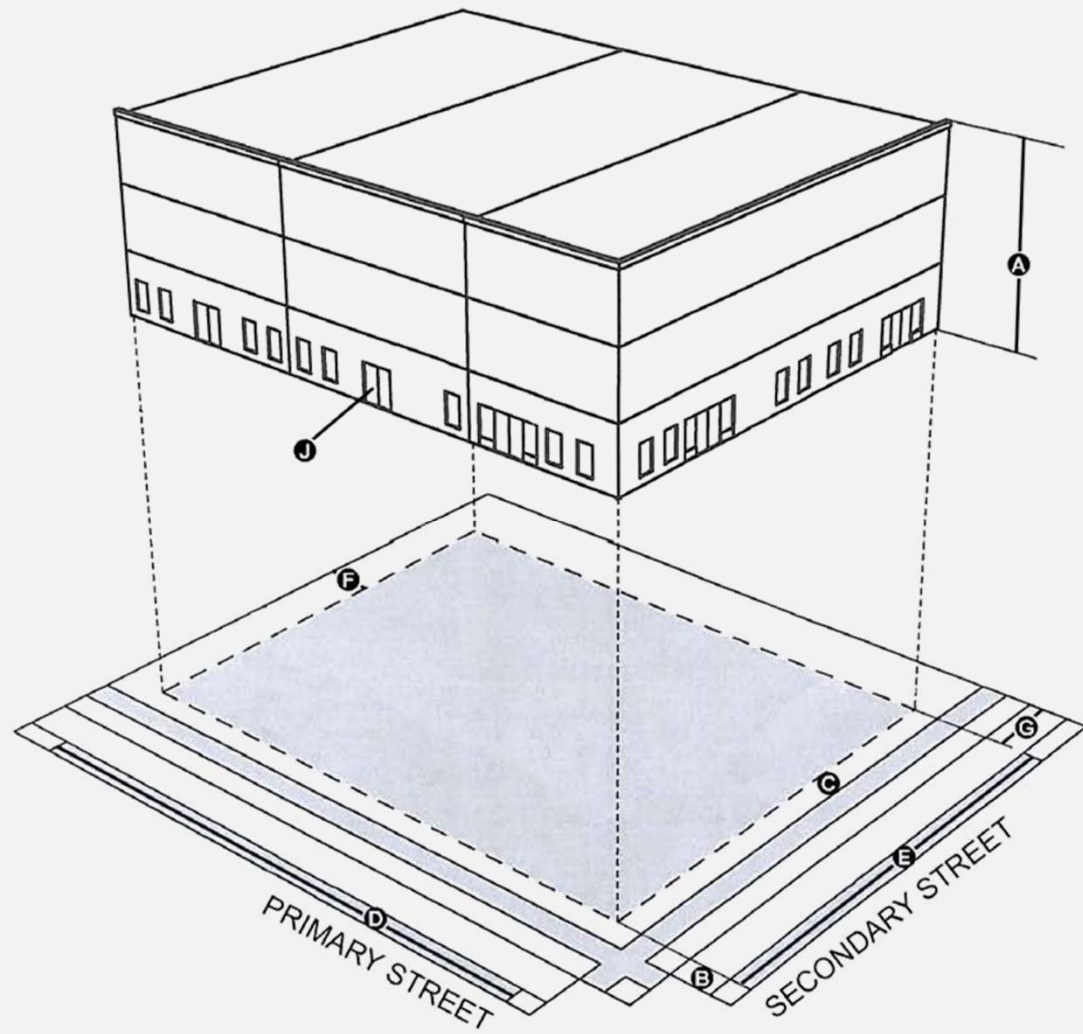
Linden Gateway District REGULATING PLAN



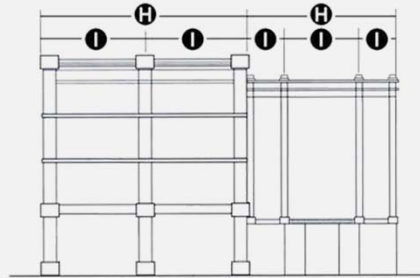
Linden Gateway District USE GROUPS AND PERMITTED BUILDING FORMS

USE GROUP Use Category	Subdistricts					Use-Specific Standards	Permitted Building Forms						
	1	2	3	4	5		Subdistricts						
Specific Use Type													
	P = permitted by right C = conditional use = not permitted												
RESIDENTIAL													
Household Living													
Detached single-family dwelling unit					P								DSF
Lot line single-family dwelling unit					P	§2.03.02							DSF
Attached single-family dwelling unit			P	P	P	§2.03.03			ASF	ASF			ASF
Two-family dwelling unit			P	P	P				2F	2F			2F
Multi-family dwelling unit			P	P	P				MF	MF			MF
Dwellings in mixed use buildings	P	P	P	P	P		MU	MU	MU	MU			MU
Group Living													
Residential care facility	P	P	P	P	P		MF, MU	MU	ASF, 2F, MF, MU	ASF, 2F, MF, MU			DSF, ASF, 2F, MF, MU
Nursing home	P	P	P				MF	MF	MF				
PUBLIC AND CIVIC													
Colleges and universities													
	C	C					P&C	P&C					
Cultural exhibits and Libraries	P	P	P	P	P		P&C, COM	P&C, COM	MU	MU			MU
Day care													
Babysitting or family day care home			P	P	P				ASF, 2F, MF, MU	ASF, 2F, MF, MU			DSF, ASF, 2F, MF, MU
Day care, Type 1/Type 2	P	P				§6.07	P&C, COM, MU	P&C, COM, MU					
Hospital	P	P					P&C, COM	P&C, COM					
Lodge or private club			C	C	C				MU	MU			MU
Postal Service	P	P	P	P	P		P&C, COM, MU	P&C, COM, MU	MU	MU			MU
Recreation and open space													
Low-intensity	P	P	P	P	P		REC	REC	REC	REC			REC
Religious assembly	P	P	P	P	P		P&C	P&C	P&C	P&C			P&C
Safety services	C	C	C	C	C				P&C	P&C			P&C
Schools	C	C							P&C	P&C			
COMMERCIAL													
Animal services													
Sales and grooming			P	P	P	§6.03							MU
Veterinary hospitals			P	P	P								MU
Artist galleries and studios	P	P	P	P	P				P&C, COM, MU	P&C, COM, MU			MU
Building maintenance services													
Indoor	P	P	P	P	P				COM, MU	COM, MU			MU
<i>(see part of laundry services category)</i>													
Laundromat			P	P	P				MU	MU			MU
Other (not specifically listed above)			P	P	P				MU	MU			MU
Eating/drinking establishments													
Microbrewery	P	P	P	P	P	§6.28			MU	MU			MU
Restaurant with or without beer, wine, or alcohol	P	P	P	P	P	§6.28			MU	MU			MU
Tavern	P	P	P	P	P	§6.28			MU	MU			MU
Entertainment													
Small	P	P	P	P	P		COM	COM	COM	COM			COM

Linden Gateway District
BUILDING FORM & DEVELOPMENT STANDARDS



Linden Gateway District BUILDING FORM & DEVELOPMENT STANDARDS

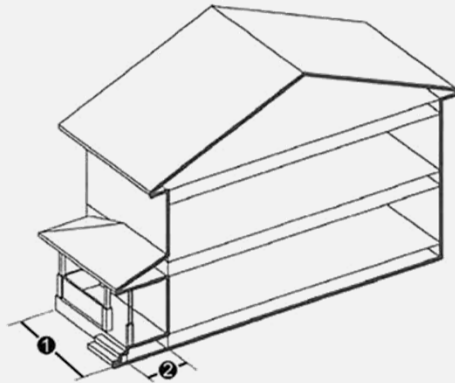


Commercial Development Standards	Subdistricts				
	1	2	3	4	5
A HEIGHT					
Stories (min/max)	2/6	2/3	2/4	2/3	2/3
STREET SETBACKS					
B Primary Street (min/max)	10'/15'	10'/15'	0'/5'	0'/5'	0'/10'
C Secondary Street (min/max)	10'/15'	10'/15'	0'/5'	0'/5'	0'/10'
Streets Not Classified (min)	5'	5'	10'	10'	10'
REQUIRED STREET FRONTAGE					
D Primary Street (min)	80%	80%	80%	80%	80%
E Secondary Street (min)	40%	40%	40%	40%	40%
Streets Not Classified	N/A	N/A	N/A	N/A	N/A
INTERIOR SETBACKS					

Development	Subdistricts				
	1	2	3	4	5
F Secondary Street (min/max) (min/max)	N/A	N/A	5'/20'	5'/20'	5'/20'
TRANSPARENCY (see §4.07.23, B.)					
Ground Story, Primary Street (min)	60%	60%	60%	60%	60%
Ground Story, Secondary Street (min)	40%	40%	40%	40%	40%
Upper Stories, Primary Street (min)	50%	50%	50%	50%	50%
Upper Stories, Secondary Street (min)	20%	20%	20%	20%	20%
Streets Not Classified	N/A	N/A	N/A	N/A	N/A
Length of Blank Wall, Primary or Secondary Street, All Stories (max)	30'	30'	30'	30'	30'
PARKING SETBACKS (see §4.07.23, D.)					
Primary Street (min) [1]	10'	10'	10'	10'	10'
Secondary Street, Side (min) [1]	10'	10'	10'	10'	10'
Secondary Street, Rear (min)	5'	5'	5'	5'	5'
Streets Not Classified	5'	5'	5'	5'	5'
Abutting an R Zone (min)	5'	5'	5'	5'	5'
J REQUIRED ENTRY FEATURES (see §4.07.22)					
Primary Street	Front Porch, Stoop, Canopy, Gallery, Recessed Entry, or Corner Entrance				

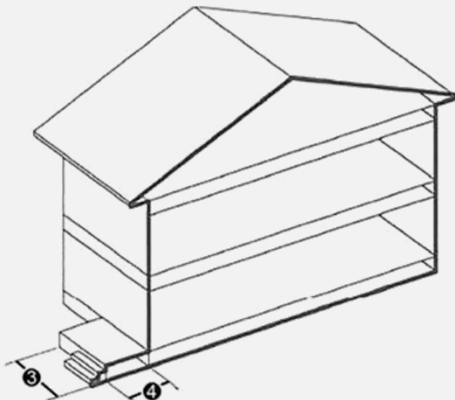
[1] In all cases, no off-street parking is permitted in the front yard or side yard adjacent to a primary street

Linden Gateway District
ENTRY FEATURES



C. Front Porch
 A one or two-story structure attached to a building to shelter an entrance or to serve as a semi-enclosed space, roofed and open-sided.

PORCH CONFIGURATION	
1 Width (min)	8'
2 Depth (min)	6'
Front Setback Encroachment (max including steps and eaves)	9'

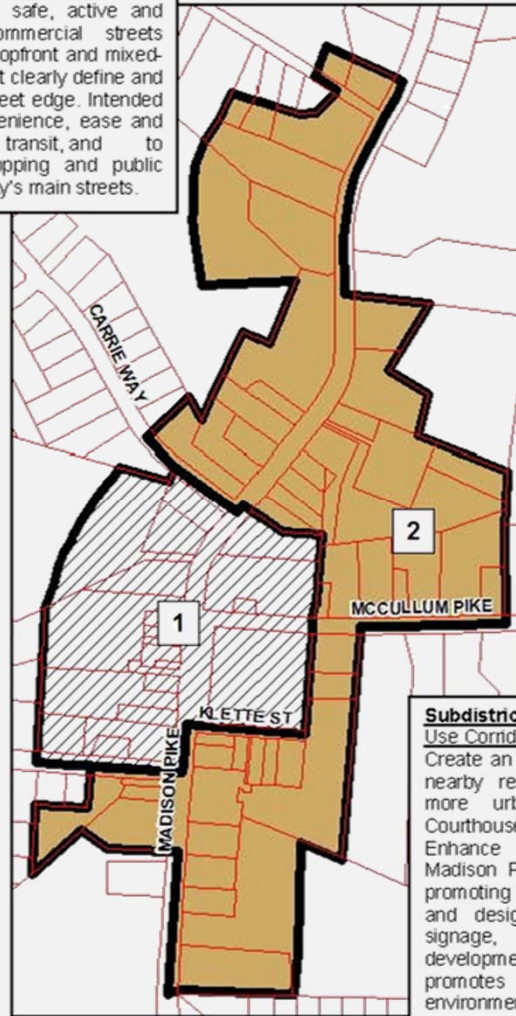


D. Stoop
 A stoop is an uncovered set of steps and a landing at an entrance to a building. A stoop may be covered or uncovered.

STOOP CONFIGURATION	
3 Width (min)	5'
4 Depth (min)	5'
Front Setback Encroachment (max including steps)	8'

Downtown Independence REGULATING PLAN

Subdistrict 1: Courthouse Square
Intended to promote safe, active and pedestrian-scaled commercial streets through the use of shopfront and mixed-use building forms that clearly define and activate the public street edge. Intended to enhance the convenience, ease and enjoyment of transit, and to promote walking, shopping and public gathering along the city's main streets.



Subdistrict 2 – Transition Mixed Use Corridor
Create an area that transitions from nearby residential districts to the more urban character of the Courthouse Square subdistrict. Enhance the urban character of Madison Pike/McCullum Pike while promoting sustainable development and design through landscaping, signage, and mixed use development standards that promotes a safe pedestrian environment.

Downtown Independence APPLICABILITY (TRIGGER CHART)

	Development Standards					Architectural Standards							Stage II/City Council Approval	Administrative Approval		
	Building Placement	Building Height	Building Width/Frontage	Off-Street Parking Placement	Permitted Uses	Transparency	Articulation/Building Massing	Required Entry Features	Roofs	Parking Requirements	Signs	Lighting			Landscaping	
Mixed Use, Commercial, Institutional, and Off-Street Parking																
New Construction	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Change of Use/Expansion of Use (within an existing building)					X					X	X	X				X
Expansion of Building Area																
0%-25% Expansion	X	X			X		X			X	X					X
26%-50% Expansion	X	X	X	X	X	X	X	X	X	X	X		X			X
51% or Greater Expansion	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Expansion of Parking Area																
Up to 10 Spaces				X						X		X				X
11 or More Spaces				X						X		X	X			X
Façade Changes (increase or decrease in windows, entry features, or material changes)					X	X	X	X	X		X	X				X
Multi-Family (three or more units)																
New Construction	X	X	X	X	X			X	X	X	X	X	X	X	X	
Change of Use					X					X	X	X				X
Expansion of Use																
Additional units, within existing building(s)				X	X					X						X
Exterior construction																
0%-50% Expansion in Building Area	X	X			X											X
51% or Greater Expansion in Building Area	X	X		X	X			X	X	X	X	X	X	X	X	
Expansion of Parking Area																
Up to 10 Spaces				X						X		X				X
11 or More Spaces				X						X		X	X			X
Single-Family and Two-Family																
New Construction	X	X			X			X	X							X
Change of Use					X					X						X
Addition of a Detached Accessory Structure Associated with an Existing Use	X															X
Expansion of Existing Structure (addition, deck, sun room, porch)	X															X
Major Subdivision	X	X			X			X	X						X	

Downtown Independence BUILDING FORMS

Figure 10.20-2, Residential Building Forms

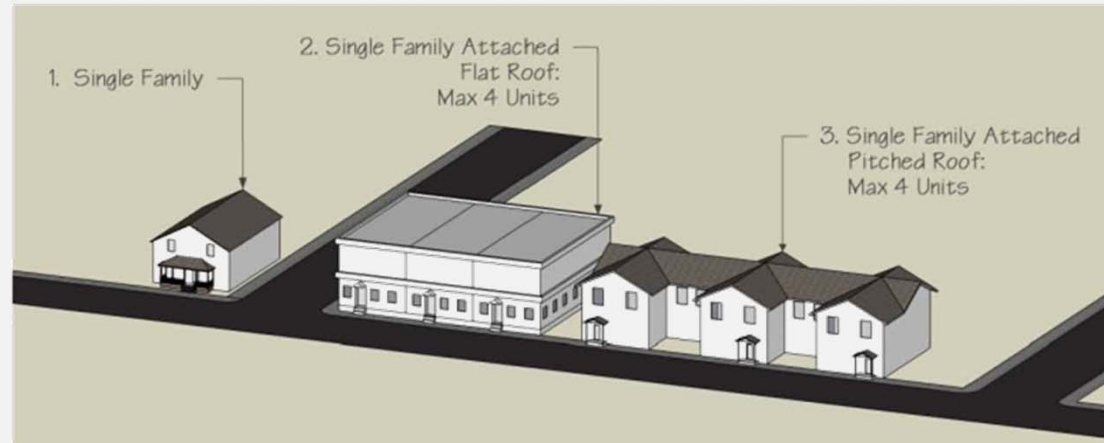
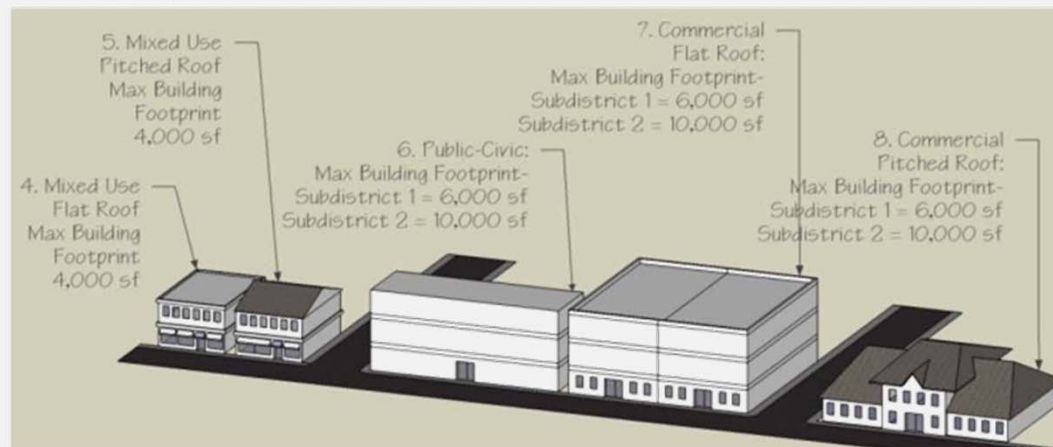


Figure 10.20-3, Commercial Building Forms



Downtown Independence DEVELOPMENT STANDARDS

Table 10.20-B - Standards

SUBDISTRICT 1 - Courthouse Square

Building Placement

Setbacks	Min	Max
A Front	0'	15'
B Side*	0'	15'
C Rear	15'	

*If shared drive is provided, then max is 20'

Building Height

	Min	Max
D	2 stories	3 stories

Building height must be comprised of actual stories, not merely façade treatment.

Façade Transparency Facing a Public Street

E Ground Floor	60% Minimum
F Upper Floors	40% Minimum
Max length of blank wall	30'

Building Width/Frontage

75% of primary structure width must be within 15' of front property line. (see figure 10.20-5)

Required Entry Features (must choose one*)

Entry Feature	Building Form
G Canopy	4,5,6
Gallery	4,6
Recessed Entry	4,6
Corner Entry	4,5,6
Awning	4,5,6
Arcade	4,5,6
Stoop	4,5

*If outdoor dining area is provided, then Entry Feature is not required

Off-street Parking

Location	
H Front Setback	15'
I Side Setback	0'
J Rear (adjacent to Residential)	10'
K Rear (adjacent to other than residential)	5'

*Number of off-street parking spaces shall be determined by the applicant as shown on the Stage II Development Plan.

Building Massing

Building Division	Minor	Major
	20'	50'

Horizontal articulation - see section 10.20.J.1

Permitted Uses

	Forms
Animal Services	4,5
Art galleries & studios	4,5,6
Building maintenance services	4,5
Business equipment sales & services	4,5
Business support services	4,5
Colleges & Universities	6
Communication service	4,5
Cultural exhibits & libraries	4,5,6
Day care	4,5
Eating/drinking establishments	4,5
Entertainment	4,5
Financial Services	4,5
Food & Beverage sales, retail	4,5
Hospital	6
Medical service	4,5
Neighborhood retail sales & service (for reference, see NC Zone Permitted Use List)	4,5
Office	4,5
Personal improvement service	4,5
Pharmacy/Drug Store	4,5
Postal services	4,5,6
Religious Assembly	6
Laundry service	4,5
Residential (Upper floors only)	4,5
Safety Services	4,5,6
Schools	6

Downtown Independence DEVELOPMENT STANDARDS

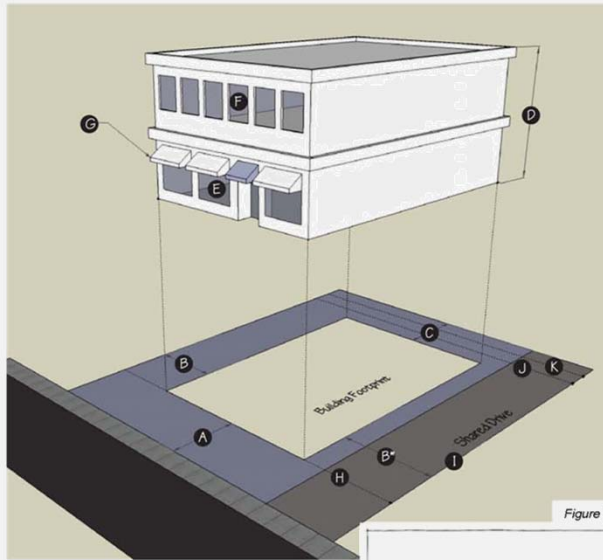
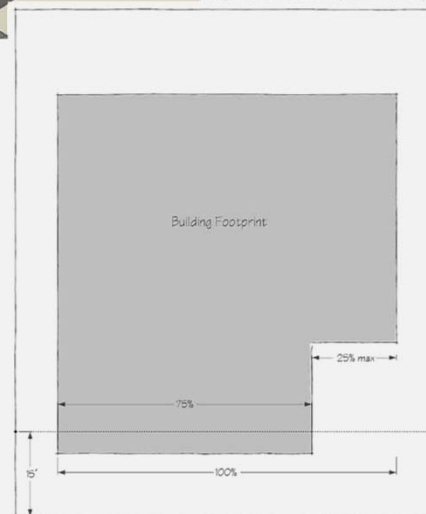


Figure 10.20-5, Building Width/Frontage

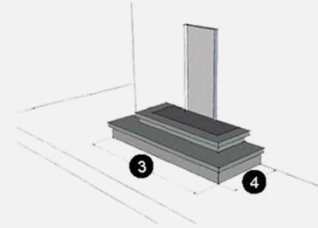


Downtown Independence

ENTRY FEATURES

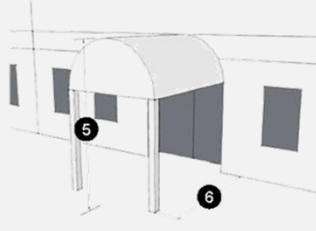
4. Stoop
A stoop is an uncovered set of steps and a landing at an entrance to a building. A stoop may be covered or uncovered.

STOOP CONFIGURATION	
3 Width (min)	5'
4 Depth (min)	5'



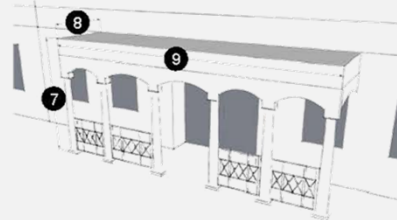
5. Canopy
A canopy is a wall-mounted structure providing shade and cover from the weather for a sidewalk, supported by columns or posts that are embedded in the ground.

CANOPY CONFIGURATION	
5 Height (min)	8'
6 Depth (min)	6'
Front Setback Encroachment (max)	6'



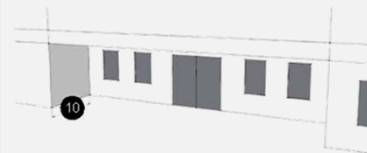
6. Gallery
A gallery is a covered passage extending along the outside wall of a building supported by arches or columns that is open on at least one side.

GALLERY CONFIGURATION	
7 Height (min)	8'
8 Depth (min)	6'
9 Width (min)	50% of building façade



7. Recessed Entry
A recessed entry is a building entrance inset into and placed behind the plane of the front façade.

RECESSED ENTRY CONFIGURATION	
10 Depth (min)	3'





FORM-BASED CODE WALK- THROUGH

Steering Committee Meeting #6 – FEB 12, 2013