

COMMISSIONERS ORDINANCE NO. O-2020-006

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY AMENDING VARIOUS SECTIONS OF THE OFFICIAL ZONING ORDINANCE OF THE CITY OF NEWPORT, KENTUCKY.

WHEREAS, the City of Newport, Kentucky Planning and Zoning Commission, upon application for various text amendments, held a public hearing upon such request after giving notice as required by KRS Chapter 424 on February 25, 2020 (as part of Hearings PZ-20-01, and -02); and,

WHEREAS, the City of Newport, Kentucky Planning and Zoning Commission during the public hearing approved the request and made recommendation to the Board of Commissioners of the City of Newport, Kentucky to approve the requested text amendments; and,

WHEREAS, the Board of Commissioners of the City of Newport, Kentucky hereby agrees with the recommendation City of Newport Planning and Zoning Commission,

NOW THEREFORE BE IT ORDAINED BY THE CITY OF NEWPORT, KENTUCKY:

SECTION I

- A.) All references herein to the Department of Development Services shall be deleted and replaced with Code Enforcement Department.
- B.) All references herein to the Development Services Director shall be deleted and replaced with Code Enforcement Director.

SECTION II

That various sections of the Official Zoning Code, as set forth below, are hereby amended to read, as follows:

ARTICLE VII DEFINITIONS

SECTION 7.0 WORDS AND PHRASES:

COMMERCIAL EVENT CENTER: a facility located on private property that primarily functions to provide for any type of social gathering or assembly, typically consisting of one or more multipurpose meeting rooms and/or recreational facilities that are available for use by various private groups for such activities as meetings, parties, weddings, receptions, dances and recreation.

SECTION 9.25 HILLSIDE DEVELOPMENT CONTROLS

- A. This section is designed to ensure when development is proposed in those areas of the community which have physical characteristics limiting development (hillside slopes of twenty (20) percent or greater and/or certain soil and bedrock conditions) that said development shall occur in a manner harmonious with adjacent lands so as to minimize problems of drainage, erosion, earth movement, and natural hazards.
- B. Areas of land on which development is physically restricted due to excessive hillside slopes shall be limited according to the following requirements, notwithstanding any other section of this or any other ordinance adopted by the City.
1. Review and approval by the City Engineer shall be required for:

- a. All land areas identified in the Comprehensive Plan For Development, Newport, Kentucky, Environmental Constraints as having the following combination of soils and bedrock:
 - (1) Eden Soils on Slopes of twelve percent (12%) to thirty five percent (35%); and,
 - (2) Kope Formation Bedrock; and,
 - b. Any other areas, which have slopes of twenty percent (20%) or greater.
2. No excavation, removal or placement of any soil, foundation placement, or construction of buildings or structures of any nature within the area identified in (1) above, may occur until plans and specifications for such work have been submitted in the form of a development plan as regulated by Section 9.19 of this Ordinance. In addition to development plan requirements, the following shall also be submitted:
 - a. Plan(s) which show existing topography and the proposed physical changes necessary for construction, indicating grading (cutting and filling), compaction, erosion ponds, areas to be defoliated, and any other pertinent information which will change the natural physical features of the site or general area. The source of topographic information shall be indicated in the plan.
 - b. Subsurface investigation of the area under consideration, including test borings, laboratory tests, and engineering analysis shall be made by a qualified professional [~~registered civil~~] engineer of the

appropriate discipline, (such as or including, but not limited to, geotechnical, structural, civil, materials, environmental, or utility engineers) indicating that the building and physical changes proposed in the area will be completed in a manner which will minimize hillside slippage or soil erosion.

3. The Development Plan, cut and fill permit, and other information required in Section 9.24 B. 2 of this Section of the Ordinance shall be reviewed by the City Engineer who will recommend to the Planning and Zoning Commission, or its duly authorized representative, what effect the proposed development will have on hillside slippage and soil erosion. After consideration of the recommendations of the City Engineer, the Planning and Zoning Commission, or its duly authorized representative, may grant a permit for use of the site in accordance with the submitted plans.
4. If, after review of the plans required by this section of the Ordinance, the Planning and Zoning Commission, or its duly authorized representative, determines that said proposed plans will not minimize hillside slippage, the Planning and Zoning Commission shall deny a permit for the development of said land and the site shall be limited to those open type uses, excluding structures, as permitted or conditionally permitted in the Conservation Zone.

SECTION 9.26 REGULATIONS PERTAINING TO PARKING OR STORING OF SEMI-TRACTORS, TRACTORS, PANEL TRUCKS, BUSES, TRAILERS, MOTOR HOMES, CAMPERS, INOPERABLE VEHICLES, VEHICLES WITH THREE OR MORE AXLES, AND OTHER SIMILAR TYPES OF EQUIPMENT:

- A. No vehicle, which is abandoned, nonfunctional, in a state of disrepair, or lacking in a valid license, shall be stored in excess of seventy-two (72) hours in any residential zone, unless it is in a completely enclosed building.
- B. It shall be unlawful for any person(s) to live in any boat, automobile, camper, recreational vehicle, or truck, within the jurisdiction of the legislative body, except houseboats may be permitted along the Licking and Ohio Rivers.
- C. The outside storage in excess of seventy-two (72) hours, of any trailer, recreational vehicle, mobile home, camper, boat, or similar type equipment shall be restricted to paved ~~or stone~~ surfaces in the rear yard of all lots within the jurisdiction of the legislative body, except as herein provided and in cases, where due to unique conditions, topographic or other, which do not allow use of the rear yard, the Board of Adjustment may permit such storage to be located in the side yard of the lot following review and approval by said Board. The Board may impose certain requirements (such as provided in Section 9.16 of this Ordinance) to insure that said vehicle and related equipment is properly screened from view of adjacent property. In no case shall more than one of the aforementioned vehicles or similar type

equipment be permitted outside of an enclosed building on any lot or parcel of land.

- D. The outside storage of any semi-tractor, tractor, panel truck, trailer, bus, motor home, camper, inoperable vehicle, vehicles with three or more axles, and/or other similar types of equipment, except as described above, shall be prohibited in all residential zones.
- E. No storage of semis etc. on any front parking lot in any commercial zone.
- F. Any storage of a vehicles due to special circumstances of topography, access etc. that can't be relocated in the rear may be granted by the Zoning Administrator.

SECTION 9.29 TREES

~~[DEFINITIONS:]~~

TREE CONSERVATION AND RESTORATION REQUIREMENTS:

~~[(a).]~~ The following requirements shall apply for all development and/or subdivision plans submitted for new development in any zone:

1. A tree inventory plan shall be submitted and reviewed in conjunction with all development and/or subdivision plans and before any clearing and/or grading takes place on the property. The tree inventory plan must be prepared by an arborist or other qualified tree specialist, and the protective tree barriers must be in place before any clearing and/or grading takes place on the property. The ~~tree~~ ~~inventory~~ ~~plan~~ shall include all trees with a diameter of six (6) inches or more as measured 12" above the ground for the entire site ~~and locate~~ and contain information on species, diameter, and condition, as well as the location of all such

trees within the buildable area and within twenty (20) feet of the perimeter of the buildable area. The tree inventory plan shall also identify any landmark tree(s) and delineate the buildable area of a proposed development. The Planning and Zoning Commission may permit the removal of a tree outside the buildable area, with the advice of the ~~Tree Board~~ City Arborist, pursuant to the requirements contained elsewhere in this section, provided tree removal of the tree is reasonably required to develop the parcel in compliance herewith ~~[with this ordinance]~~.

2. All trees to be saved outside of the buildable area of a development shall be conspicuously designated with suitable protective tree barriers as designated herein or as otherwise approved by the Zoning Administrator. Approved tree protective barriers shall be installed along the outermost dripline around the tree protection zone. ~~[The use of tree protection zones]~~ Protecting groups or groves of two or more trees The use of tree protection zones is encouraged rather than the protection of individual (non-specimen) trees that may be scattered throughout a development site. The layout of development improvements, utilities, access drives, grading, etc., of a site shall accommodate the required tree protective zones. The public improvements shall be placed between tree protective zones unless the placement of same causes undue hardship on the developer as determined by the ~~[@]~~ Planning and Zoning Commission. Upon consultation with the City Arborists, if the Planning and Zoning Commission determines that public improvements and/or utilities may be placed within a tree protective zone, the installation of same shall occur by way of tunneling rather than trenching or other

method as approved by The Planning and Zoning Commission [~~(see figures One and Two)~~].

Construction site activities including, but not limited to material storage, parking, or concrete washout shall not encroach into any tree protection zone without the prior approval of the Zoning Administrator. Any tree irreparably damaged or destroyed within a tree protection zone as a result of construction activity shall be removed and replaced with a tree at least two inches (2") caliper by the owner and/or developer at a ratio [~~of two (2) trees~~] described in the table below for every tree irreparably damaged or destroyed. The species of the replacement trees must be approved by the Planning and Zoning Commission, or its duly authorized representative.

<u>Size of Tree Damaged/Destroyed</u>	<u>Number of Required Replacement Trees per Tree Damaged/Destroyed</u>
<u>6-8 inches</u>	<u>2</u>
<u>9-12 inches</u>	<u>4</u>
<u>13-20 inches</u>	<u>5</u>
<u>22-26 inches</u>	<u>6</u>
<u>27 inches and above</u>	<u>10</u>

[~~Protective tree barriers shall be installed to a minimum height of four (4) feet above ground level around the outermost drip line of the tree protection zone.~~] Tree protection zones shall be delineated with typical temporary construction fencing or continuous rope or flagging. In either case, the tree protection barrier shall be

accompanied by "Tree Save Area" signage to be placed around the tree zone not more than every twenty (20) feet. Protective tree barriers shall be installed to a minimum height of four (4) feet above ground level around the outermost drip line of the tree protection zone, and t[he] tree-planting plan shall indicate the total number and species of trees to be planted within a proposed development along with the intended location of same. Trees required to be planted by this ordinance should be planted predominately in the developed areas, driveway aisles, and/or parking areas of the project. In no case shall more than fifty percent (50%) of the trees required to be planted be utilized to satisfy the screening requirements of a development. The exact location of the trees to be planted and the species shall be approved by the Planning and Zoning Commission, after review of the City Arborist's ~~[all Tree Board]~~ recommendations, as part of the Stage I review process. Whenever the owner/developer can demonstrate to the Planning and Zoning Commission that the site spatial constraints result in an absolute inability to plant the required number of trees. As many trees as possible shall be planted on the site. Additional landscaping may be substituted for mandatory tree planting at the discretion of the Planning and Zoning Commission. The difference in the monetary value of these number of trees required to be planted, and ~~[these trees]~~the number of trees actually planted on the site shall be ~~[donated]~~ paid to the City's tree fund for tree planting elsewhere in the City on public property. A reduction credit of one (1) tree or more shall be granted to an owner/developer when either of the following conditions exist:

(a) For every tree saved within the buildable area of a development, eight (8) inches or more in diameter, or

(b) For every two (2) trees saved within the buildable area of a development six (6) to eight (8) inches in diameter.

3. A landmark tree may not be removed without prior approval of the Planning and Zoning [e]Commission. If a landmark tree is irreparably damaged or must be removed, it must be replaced with [~~three (3)~~] six (6) trees of 4" caliper with location and species as determined by the Planning and Zoning Commission.

~~4.(e).]~~ The following criteria shall apply for tree replacement for each zoning district as outlined below:

~~4.](a.)~~ The following requirements shall apply for all tree planting plans in conjunction with all development plans submitted for a development in a R-2, R-3, R-4, [~~and~~] or R-5 Zone.

~~One]~~ Two (2) trees shall be planted on the development site for every one (1) unit approved. Any tree planted relative to the requirements contained herein shall not be less than two (2) inches in diameter as measured 12" above the ground when planted.

~~2.]~~ (b.) The following requirements shall apply for all tree planting plans in conjunction with development plans submitted for a development in a RFD Zone, CBDF Zone, CBD Zone, SC Zone NC Zone, P[0]Q Zone, 1-1 Zone [~~and~~] or 1-2 Zone. One (1) tree shall be planted on the development site for every five (5) required parking spaces. Any tree planted relative to the

requirements contained herein shall be not less than three (3) inches in diameter as measured 12 inches above the ground when planted.

[3]. (c.) The following requirements shall apply for all tree-planting plans in conjunction with new subdivision plans with multiple lots submitted for a subdivision in R-I Zone[,] and CO Zones. Two (2) trees shall be planted on each lot for every five thousand (5,000) square feet of lot area or fraction thereof. The tree(s) required to be planted on each lot may be planted on the lot or on the public rights-of-way in front of each lot. Any tree planted relative to the requirements contained herein shall not be less than two (2) inches in diameter as measured 12 inches above the ground when planted.

[5.] PENALTIES:

Any person, firm, organization who violates any of the provisions hereof [~~of this ordinance~~] shall, upon conviction, be guilty [~~upon conviction~~] of a Class B Misdemeanor In accordance with the Kentucky Revised Statutes. Each day of continuous violation with any of the provisions contained herein shall be considered a separate offense and shall be punishable accordingly. Furthermore, any repeated violation of any provision of Section 9.28 of this Ordinance by any person, firm, organization or corporation shall be grounds for the revocation or suspension by the Building Inspector of any permit for the grading, construction, remodeling or demolitions of any site, building or structure on a site so Involved. Upon the revocation or suspension, the person, firm, organization or corporation shall not be granted any new permit for the site in question for a period of one (1) year from the date of said revocation or suspension.

SECTION 10.3 COMMERCIAL DISTRICT

TABLE 6

PERMITTED AND CONDITIONAL USES: COMMERCIAL ZONES

NOTE: P signifies permitted use; X signifies not permitted; C signifies conditional uses.

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TABLE 6**PERMITTED AND CONDITIONAL USES: COMMERCIAL ZONES**

NOTE: P signifies permitted use; X signifies not permitted; C signifies conditional uses.

DISTRICTS						
<i>CBD</i>	<i>NC</i>	<i>SC</i>	<i>PO</i>	<i>RFD</i>	<i>CBDF</i>	
						1. RETAIL CONVENIENCE GOODS AND/OR SERVICE ESTABLISHMENTS
P	P	P	X	P	P	A. Art supplies, Candy Store, Drug Store, Hardware Store and/or Garden Supplies, Florist, Grocery, Retail Bakery Sales or other food Store, Lunch Counter or Soda Fountain, Delicatessen or Restaurant (excluding Drive-Ins) and Bookstore.
P	X	X	P	P	P	B. Outdoor dining areas as an accessory to Indoor dining and excluding use of the right-of-way.
X	X	P	X	X	X	C. Drive-In Restaurants or Premises used for the sale, dispensing or serving of food or beverages outdoors or where customers may serve themselves or carry out and consume the food refreshments or beverages on the premises.
X	C	P	X	X	X	D. Gasoline Service Station, Tire and Auto Service Center, limited to indoor service bays only.
X	C	C	X	X	X	E. Convenience Stores with Retail Gasoline Sales.
						2. PERSONAL SERVICE ESTABLISHMENTS
P	P	P	P	P	P	A. Barber Shops, Beauty Shops, Funeral Homes, Dry Cleaning and Laundry Pick-up Stations, Radio and Television Service, Photography Studio and Travel Bureau.
X	X	P	X	X	X	B. Pawn Shop, Rent to Own Stores

<i>CBD</i>	<i>NC</i>	<i>SC</i>	<i>PO</i>	<i>RFD</i>	<i>CBDF</i>	
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						3. GOVERNMENT SERVICES
P	P	P	P	P	P	A.[:] Library, Post Office, Police and Fire Stations, City and County <u>Buildings</u> , Courthouses and related services.
						4. PROFESSIONAL SERVICE ESTABLISHMENTS
P	P	P	P	P	P	A. Advertising Agencies, Accountants, Architects, Engineers, Interior Decorators, Planners, and Surveyors; Banks and other Financial Institutions; Employment Agencies; and related offices or services including Blueprinting/Photocopying and Job Printing.
						5. MEDICAL AND HEALTH CARE SERVICES
P	P	P	P	P	P	A. Physicians, Dentists, Eye Care Professionals and related offices.
X	P	P	P	C	P	B. Laboratories including medical, dental and optical.
P	P	P	P	P	P	C. Fitness Centers such as Health Clinics and Health Spas.
						6. SHOPPING OR DURABLE GOODS ESTABLISHMENTS including
P	X	P	X	P	P	A. Antiques, Wearing Apparel and Accessories Stores, Shoe Stores, Dry Goods, Fabric Shop, Stationer, Gift Shop, Photographic Supplies, and Hobby Shop; Records, and Musical Instrument Stores; Sporting Goods and Bicycle Stores; (Pet Shop, including Grooming Shop and Obedience School Music, Paint, Wallpaper and Floor Coverings not permitted in RFD); and Variety Stores.
P	X	P	X	P	P	B. Department Stores, Discount Stores, Major Appliances, and Furniture; Glass, China and Pottery Store; Jewelry Store; Leather Goods and Luggage Store; and, Office Appliances and Supplies.
CBD	NC	SC	PO	RFD	CBDF	

						7. INDOOR COMMERCIAL AMUSEMENT RECREATION AND ENTERTAINMENT
P	X	P	X	P	C	A. Theater, Bowling Alley, Gymnasium, Tennis Facilities, Roller or Ice Skating Rink, Lodge.
X	X	X	X	P	X	B. (Cinemas, Aquariums, Cybertainment, and Virtual Reality Facilities, Indoor/Outdoor Music Venue, and Temporary Festivals)
P	X	P	X	P	X	C. Tavern
P	X	X	X	X	X	D. Charitable gaming, with approved license, permitted in CCO District only.
C	X	X	X	P	P	E. Micro-brewery, micro-distillery
<u>C</u>	<u>X</u>	<u>P</u>	<u>X</u>	<u>P</u>	<u>C</u>	<u>F. Commercial Event Center (only within an existing structure in the CBD and CBDF Zones)</u>
X	P	P	X	X	C	8. AUTOMOBILE AND BOAT PART SALES
X	P	P	X	X	X	9. AUTOMOBILE SERVICE
X	C	P	X	X	X	10. AUTOMOBILE SALES NEW AND USED, AND REPAIR IN A TOTALLY ENCLOSED BUILDING AND NO LESS THAN ONE-HALF (1/2) ACRE OF LAND
X	X	P	X	X	C	11. CAR WASH COMPLETELY INDOORS, SELF-SERVICE CARWASH, AUTOMATIC OR SEMI-AUTOMATIC CAR WASH
P	P	P	P	P	P	12. COMMERCIAL PARKING LOTS AND STRUCTURES
C	X	X	P	X	C	13. NEWSPAPER OFFICE INCLUDING PRINTING

CBD	NC	SC	PO	RFD	CBDF	
P	X	P	X	X	P	14. PACKAGE LIQUOR (<u>EXCLUDING DRIVE-THROUGHS</u>)
P	X	P	X	P	P	15. WINE STORE(<u>EXCLUDING DRIVE-THROUGHS</u>)
P	P	P	X	X	P	16. TEMPORARY SEASONAL USES SUCH AS CHRISTMAS TREE SALES, NURSERY PLANTS, FRUIT STAND COMPLETELY UNDER SHELTER
P	P	X	P	X	P	17. VETERINARIANS
P	X	P	P	P	P	18. SCHOOLS TEACHING PHOTOGRAPHY, DANCE MUSIC, ART, LANGUAGE, TRADES INCLUDING BARBER AND BEAUTICIAN SCHOOLS
P	X	P	P	X	P	19. MASS TRANSIT TERMINALS INCLUDING BUS AND TAXI SERVICES
P	X	X	X	X	X	20 AUCTIONS
C	X	X	C	P	X	21. HOTEL/MOTEL
P	X	X	X	X	X	22. ADULT ENTERTAINMENT
X	X	X	C	C	X	23. RADIO STATION AND TV STATION
X	X	X	X	X	C	24. BOAT SALES NEW AND USED, SERVICE AND REPAIR IN A TOTALLY ENCLOSED BUILDING
C	X	X	X	P	P	25. RESIDENTIAL - IN CBDF ONLY SINGLE AND TWO FAMILY USES ARE PERMITTED. ANY MULTI-FAMILY UNITS IN THE CBDF MUST BE APPROVED BY THE BOA. TWO FAMILY UNITS REQUIRE 4,000 SQUARE FEET LOT SIZE MINIMUM, MULTI-FAMILY IS PERMITTED IN CBDF (CCO) AND SUBJECT TO DEVELOPMENT PLAN REVIEW.
X	X	P	X	X	P	26. TOOL AND EQUIPMENT RENTAL AND/OR SALES, EXCEPT THAT IN THE CBD ZONE THERE MUST BE A MINIMUM LOT SIZE OF ONE-HALF (1/2) ACRE

CBD	NC	SC	PO	RFD	CBDF	
X	X	X	X	X	X	27. PUBLIC/PAROCHIAL SCHOOL FACILITIES
P	P	P	P	P	P	28. LIBRARIES
X	X	P	X	X	X	29. FOOD CARTS
P	X	X	X	X	X	30. FREE STANDING WALK-UP ATM'S WITHOUT A PRIMARY BUILDING

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SECTION 10.4 INDUSTRIAL DISTRICTS

<p align="center">TABLE 8 PERMITTED USES: INDUSTRIAL ZONES (P signifies Permitted; X signifies not permitted)</p>		
I 1	I 2	PERMITTED USES:
P	P	1. ANY INDUSTRIAL MANUFACTURING, PROCESSING, REFINING, FABRICATIONS, ASSEMBLING, WHOLESALING, WAREHOUSING, CLEANING, TESTING OR REPAIRING OF GOODS, MATERIALS OR PRODUCTS including the following (but excluding (1) storage, utilization or manufacture of materials intended for detonation; and, retail sales or services, business offices or discount establishments dealing directly with consumers):
X	P	a. Acetylene, Butane and Bottled gas; Petroleum Refining and Products including Plastics; and Related Bulk Storage Stations.
X	P	b. Asphalt, Brick, Cement, Concrete, Gypsum, Plaster of Paris, Sand and Gravel, Stone (including monument works employing power driven tools) Tile or Terra Cotta.
P	P	c. Candy and Confectionery Products; Cigars and Cigarettes; Flour Mills, Food and Beverage Products including the rendering or refining of Fats and Oils; Vinegar and Yeast.
X	P	d. Chemical, Paint and Fertilizer Products including Ammonia, Bleach, Bluing, Calcimine, Chlorine, Corrosive Acid or Alkali, Dyes, Lacquer, Lime, Shellac, Turpentine, and Varnish.
P	P	e. Cosmetic, Pharmaceuticals, and Toiletries.
P	P	f. Electric Appliances, Electrical and Non-Electrical Machinery, Equipment and Supplies; Fountain and Beverage Dispensing Equipment; Television Sets, Phonographs, and Household Appliances.
P	P	g. Furniture and Office Equipment
P	P	h. Musical Instruments, Toys, Novelties, Jewelry, Rubber or Metal Stamps; Instruments of Professional, Scientific, Photographic and Optical Use.
X	P	i. Iron, Steel, Aluminum Foundry or Forge Works and Heavyweight Casting, Rolling Mills.
X	P	j. Lumber mills and Storage Yards, Paper, paperboard and Pulp Mills.
X	P	k. Metal, Metal Finishing and Metal Products including the use of Blast Furnaces and Forges

X	P	1. Products from the following previously processed materials: Paper, Glass, Cellophane, Leather, Feathers, Fur, Precious or Semiprecious Metals, Hair, Horn, Shell, Tin Steel, Wood, Plastics Rubber, Bone, Cork, Felt, Fibers, Yarn, Wool, Tobacco.
X	P	m. Animated and/or illuminated Billboards and Other Commercial Advertising Structures.
X	X	2. Mining.
X	P	3. Laundries and dry cleaning Plants involving Laundering and Dry Cleaning of Articles delivered to the premises by Commercial Vehicles including Clothes, Carpets and Rugs.
P	P	4. Bottling and Canning Works including Brewing and Distilling of Liquors.
X	P	5. Building Materials Yards, Contractors Offices and Accessory Storage Yards including storage of General Construction Equipment and Vehicles.
X	P	6. Bus Line Shops and Storage, Carting, Express, Hauling or Storage Yards, Freight Terminals, Trucking Terminals
X	P	7. Forge Plants, Foundries, and Plating Plants.
P	P	8. Governmentally owned and/or operated City, County or State garages.
P	P	9. Industrial Engineering Consultant Offices and Laboratories, Offices and Other Facilities for Research, both Basic and Applied, conducted by or for an Industrial Organization or Concern, whether Public or Private.
P	P	10. Publishing and distribution of books, newspapers and other Printed Materials Including Printing, Engraving, and related Reproduction processes.
X	P	11. Processing of junk, waste, discarded or salvaged Materials, machinery or equipment, Including Automobiles wrecking or dismantling.
X	P	12. Railroad facilities including passengers and freight terminals, marshaling yards, maintenance shops and roundhouse.
P	P	13. Schools for industrial or business training.
X	P	14. Coal, Coke, or Wood Yards.
C	P	15. Recycling, Light, only within an existing non-residential structure
P	P	16. Reprocessing, refurbishing and repair of automotive and truck parts and accessories, including the retreading of tires in a completely

		enclosed facility. Retail sales of new and/or refurbished Automotive and truck parts, accessories and tires is permitted as an accessory use as is the related servicing of vehicles on site in the enclosed facility.
X	P	17. Adult Entertainment.
P	X	18. Commercial Event Center

SECTION 13.3 SPECIFIC OFF STREET PARKING REQUIREMENTS:

TABLE 12 SPECIFIC OFF-STREET PARKING REQUIREMENTS		
	TYPE OF USES	REQUIRED NUMBER OF PARKING SPACES
A.	Airport, railroad passenger stations and bus terminals	One (1) parking space per each four (4) seating accommodations for waiting passengers, plus one (1) parking space per each two (2) employees on shift of largest employment.
B.	Automobile service stations	One (1) space for each gas pump island, plus two (2) spaces for each working day, plus one (1) parking space for each employee on largest shift.
C.	Beauty parlors and/or barber shops	Two (2) parking spaces per barber and/or beauty shop operator.
D.	Bowling establishments	Five (5) parking spaces for each lane: plus one (1) space for each two (2) employees on shift of largest employment.
E.	Car Wash	One (1) parking space for each employee, plus one (1) space per owner or manager and reservoir space equal to five (5) times the capacity of laundry.
F.	City and/or county government	One (1) parking space for each two hundred (200) square offices feet of gross floor area.
<u>G.</u>	<u>Commercial event center</u>	<u>One (1) parking space per one hundred fifty (150) square feet of GFA, plus one (1) parking space for each two (2) employees on shift of largest employment.</u>
[G]H.	Commercial or trade schools	One (1) parking space for each two (2) students based on design capacity of school, plus one (1) parking space for each employee.
[H]I.	Convalescent homes, nursing homes, rest	One (1) parking space for two (2) beds, plus one (1) space for each two (2) employees or

	homes, homes for the aged, and orphanages	staff members, including nurses, on the shift of largest employment plus one (1) parking space per doctor.
[F]J.	Dance halls, pool and billiard halls and exhibition halls without fixed seats	One (1) parking space for each one hundred (100) square feet of floor area used for dancing or assembly, or one (1) space for each four (4) persons based on design capacity, whichever is greater, plus one (1) space for each two (2) employees on shift of largest employment.
[F]K.	Dormitories, Fraternities, Sorority houses and other group housing	One (1) parking space per each two residents, plus one (1) parking space per owner or operator; plus one (1) parking space per employee; or one (1) parking space for each two seats for membership meetings, whichever is greater, based on design capacity.
[K]L.	Dwellings:	One Family two (2) parking spaces. Two Family four (4) parking spaces, with individual access for each dwelling unit, or a joint access in which no parking is permitted on the access drive.
[L]M.	Dwellings: Multi-Family	1. One (1) parking space for every one-bedroom dwelling unit and two (2) spaces for every dwelling unit with two (2) or more bedrooms.
		2. For multi-family units designed for occupancy by the elderly only one (1) space per each two (2) dwelling units.
[M]N.	Establishments for sale and consumption on the premises of alcoholic beverages, food and refreshments, or for take home food services (including night clubs)	One (1) parking space per each:
		1. 30 square feet of gross floor dining area in a drive-in restaurant;
		2. 140 square feet of gross dining area in a carry-out restaurant.
		3. 40 square feet of gross floor dining area or two (2) seating accommodations, based on maximum seating capacity, whichever is greater, in a combination restaurant;

		4. Two (2) seating accommodations, based on maximum seating capacity, in a sit-down restaurant.
		5. Plus one (1) parking space per each two (2) employees on shift of largest employment in any type restaurant.
[N]Q.	Fire stations	One (1) parking space per each person on duty on largest shift
[O]P.	Hospitals	One (1) parking space for each two (2) beds, plus one (1) space for each two (2) employees, or staff members, including nurses, on the shift of largest employment, plus one (1) parking space per doctor.
[P]Q.	Laundromats	One (1) parking space for each two (2) washing machines, plus one (1) parking space for each employee.
[Q]R.	Libraries, museums and art galleries	One (1) parking space per each four (4) seats in rooms for public assembly or one (1) parking space for each fifty (50) square feet of gross floor area for use by the public, whichever is greater, plus one (1) space for each two employees on shift of largest employment.
[R]S.	Medical offices and/or clinics	Five (5) parking spaces per each practitioner plus one (1) parking space per each two (2) employees or one (1) parking space per each two hundred (200) square feet of gross floor area in the building, plus one (1) parking space for each two (2) employees, whichever is greater.
[S]T.	Mortuaries or funeral homes	One (1) parking space for each four (4) seats in the main chapel or public assembly area based on maximum seating capacity, plus one (1) parking space for each funeral vehicle and employee, or in the case of no fixed seats, one (1) parking space for each fifty (50) square feet of floor area in on parlors or service rooms, or one (1) parking space for each four (4) persons, based on designed capacity of building, whichever is greater, plus one (1) parking space for each funeral vehicle and employee.
[T]U.	Offices for professional, business and financial,	One (1) parking space for each two hundred fifty (250) square feet of gross floor area.

	real estate, and business purposes other than medical offices and/or clinics	
[U]V.	Post Offices	One (1) parking space for each four hundred (400) square feet of gross floor area, plus one (1) parking space for each two (2) employees on the shift of largest employment; plus one (1) space for each vehicle operating from the premises.
[V]W.	Boarding houses and lodge halls	One (1) parking space for each guest sleeping room, or one (1) parking space per each four (4) fixed seats in the main assembly area, whichever is greater, plus one (1) parking space for each two (2) employees, or in the case of no fixed seats, one (1) parking space for each two (2) employees.
[W]X.	Retail and personal service stores	4 spaces per 1,000 square feet of gross leasable area.
[X]Y.	Schools - Elementary, junior high and equivalent, private or parochial schools	One (1) parking space per teacher and administrator or one (1) space for each four (4) seats in the auditorium, stadium, and other places of assembly of facilities available to the public based on maximum seating capacity, whichever is greater.
[Y]Z.	Schools - Senior high, trade and vocational, colleges and universities and equivalent private or parochial schools	Six (6) spaces per each room to be used for class instruction or administrative offices or one (1) space for each four (4) seats in the auditorium, stadium, and other places of assembly or facilities available to the public based on maximum seating capacity, whichever is greater.
[Z]AA.	Shopping Centers	5.5 parking spaces per 1,000 feet of gross leasable area.
[AA]BB.	Stadium and sports arenas	One (1) parking space for each four (4) seats, based on a maximum seating capacity, plus one (1) additional space for each two (2) employees on shift of largest employment
[BB]CC.	Theaters, auditoriums, churches and places of assembly with fixed seats	One (1) parking space for each four (4) seats, based on a maximum seating capacity, plus one (1) additional space for each two (2) employees on shift of largest employment.

[CC]DD.	Theaters, auditoriums, churches and places of assembly without fixed seats	One (1) parking space per four (4) people based on designed capacity of building, or one (1) parking space per one hundred (100) square feet in main auditorium or assembly area, whichever is greater, plus one (1) parking space for each two (2) employees on shift of largest employment.
[DD]EE.	Tourist homes, cabins, motels or hotels, excluding areas used for meeting rooms and places of assembly	One (1) parking space for each sleeping room or suite, plus one (1) space per each two (2) employees on shift of largest employment.
[EE]FF.	Industrial establishments, including manufacturing research and testing laboratories	Two (2) parking spaces for each three (3) employees the total number of parking spaces being the total number of employees on any two (2) consecutive shifts having the largest number of employees, based on designed capacity, plus one (1) parking space for each company vehicle operating from the premises.
[FF]GG.	Wholesale establishments, warehouses and storage buildings	One (1) parking space for each employee, plus one (1) parking space for each company vehicle operating from the premises.
[GG]HH.	All other Uses Not Listed Herein	Based on study to be prepared by owner or operator, number of spaces to be required determined according to:
		(a) Type of use and estimated number of total trips generated during peak conditions (inbound and outbound); and
		(b) Estimated parking duration per vehicle trip (turnover rates). Based on estimated number of trips generated and average parking duration per trip, calculate number of spaces required, plus one (1) space to be provided for each two (2) employees based on shift of maximum employment.

SECTION III

That this Ordinance shall be signed by the Mayor, attested to by the City Clerk, recorded, published and effective upon publication.

PASSED: First reading March 9, 2020

PASSED: Second reading March 10, 2020

Jerry R. Peluso, Mayor

ATTEST:

Amy B. Able, City Clerk

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