

6. PUD (PLANNED UNIT DEVELOPMENT) ZONE

a. PURPOSE:

- b.** The purpose of Planned Unit Development regulations is to encourage and allow more creative and imaginative design of land developments than is possible under district zoning regulations. Planned Unit Development is intended to allow substantial flexibility in planning and designing a proposal. This flexibility often accrues in the form of relief from compliance with conventional zoning ordinance site and design requirements. .

No PUD shall be permitted on less than **forty (40)** acres of land. However, development of a smaller tract adjacent to an existing PUD Zone may be permitted, if the proposed development conforms to and extends the original development as if the new area had been a part of the original development. Please refer to appendix I for all Planned Unit Development requirements and procedures.

B. Business Districts

1. B-1, Neighborhood Business District:

The purpose of the B-1 District is to encourage the establishment of areas for convenient type business uses designed to meet the needs of residents in immediate neighborhoods. Such districts shall be located with access to a collector street.

2. B-2, Central Business District:

The purpose of the B-2 (Downtown) District is to accommodate and encourage further expansion and renewal in the historic business core area of the city. A variety of business, governmental, residential, and other related uses are provided in an effort to provide the mix of activities necessary to establish a truly urban character.

3. B-3, Highway Business District:

The purpose of the B-3 District is to establish areas that are suitable for highway business uses only. This district is specifically designed to serve the traveling public. B-3 districts are generally located at intersections of major arterial streets or at interchange areas along I-75. Strip development is not encouraged.

4. B-4, Planned Shopping Center District:

The purpose of the B-4 District is to encourage the establishment of large clustered areas that are pre-planned for business uses. The ordinance recognizes different levels of shopping centers designed to meet the needs of variable sized market areas:

- a. Neighborhood Shopping Center** - This shopping center provides convenience goods for surrounding neighborhoods and is located at the intersection of collector or major arterial streets, having access to both streets. The minimum area required is five (5) acres.
- b. Community Shopping Center** - This shopping center provides shopping goods for a larger area to include the entire community. These centers shall be located at the intersection of major arterial streets, having access to both streets. The minimum area required for a community shopping center is fifteen (15) acres.
- c. Regional Shopping Center** - This shopping center provides shopping goods for the entire community as well as outlying areas. A regional shopping center shall be located at the intersection of two major arterial streets or at the interchange of I-75. The minimum area required for this shopping center is (25 acres).

5. P-1, Professional Office District:

The purpose of the P-1 District is to encourage the establishment of groupings of professional, executive, administrative, and similar service-type uses. These districts shall be located on collector or arterial streets. The P-1 district is also designed to act as a buffer between more intensive commercial uses and high density residential uses.

C. PSP, Public and Semi-Public District:

The purpose of the PSP District is to provide for public and quasi-public uses to include schools, parks, universities, government buildings, churches, hospitals, and other related uses.

D. Industrial Districts:

1. I-1, Dispersed Industrial Sites:

The purpose of the I-1 District is to provide for small manufacturing cluster and dispersed industrial sites. These districts are designed to accommodate industries and wholesale business establishments, which have a minimal impact on surrounding land uses. This district may also serve as a transitional area between more intensive industrial districts and less intensive business or residential districts. Other uses, such as fire and emergency rescue facilities, ambulance and emergent health care facilities, day care facilities providing service to industrial employees, and similar uses which are deemed compatible and consistent with the primary purpose and uses in this district may be approved by the board of adjustment as a conditional use, on a case by case basis.

2. I-2, Industrial Park District:

The purpose of this district is to encourage the grouping of both small manufacturers and larger-scale industries on a pre- planned site. Other uses, which support and are compatible with the primary uses in these districts, may be approved by the board of adjustment as a conditional use on a case-by-case basis. Other uses, such as fire and emergency rescue facilities, ambulance and emergent health care facilities, day care facilities providing service to industrial employees, and similar uses which are deemed compatible and consistent with the primary purpose and uses in this district may be approved by the board of adjustment as a conditional use, on a case by case basis.

E. Agricultural Districts:

The purpose of this district is to provide for land that is presently in non-urban uses (farmland, idle or vacant land, dispersed residences, etc.) being annexed into the city that shall remain in these non-urban uses until development is anticipated. The minimum area required for inclusion in this district is one (1) acre.

F. Overlay Districts:

In accordance with K.R.S. 82.660, the City of Richmond may establish Overlay Districts to provide additional regulations for design standards and development within any area of the city (See Section 410).

In accordance with K.R.S. 82.660, the City of Richmond may establish Overlay Districts to provide additional regulations for design standards and development within any area of the city determined to be:

1. An area that has historical, architectural, natural, or cultural significance that is suitable for preservation or conservation.
2. An area that is located near a body of water, or along an established commercial corridor that has a special character related to the location that is suitable for conservation.

Provisions for Establishment of an Overlay District:

1. An accurate description of the boundaries of the district.
2. A description of the historical, architectural, cultural, aesthetic, natural, or other distinctive characteristics of the district that are to be preserved or conserved.
3. A delegation of responsibility for the administration of overlay regulations to an appropriate entity of city government pursuant to KRS 82.670.
4. The standards, guidelines, or criteria that shall govern development within the district preserve, conserve, or protect the historical, architectural, cultural, aesthetic, or other distinctive characteristics of the district. These standards, guidelines, or criteria may be set out descriptively or by illustrations, and may incorporate by reference established architectural standards or guidelines.
5. Upon the effective date of the establishment of an overlay district, no person shall begin any major structural change or any ordinary repairs to any building or structure or change or create any surface parking lot, or clear a parcel or lot of trees or other major vegetation, or change the appearance to signage within an overlay district until the city has issued a permit, without cost, certifying that the person has complied with the provisions of these regulations. This prohibition shall not apply to emergency repairs that need to be made to a building or structure within an overlay district.
6. Development plans are required for all proposed development in overlay districts, in accordance with Section 401.3.
7. The body delegated to administer this section of the ordinance shall follow the procedure described in Section 410 in establishing an overlay district.
8. Overlay district regulations shall not conflict with the land use management regulations for the district and shall not permit uses prohibited by underlying district regulations or prohibit uses permitted by underlying district regulations.

Downtown Historic District (DH):

The purpose of a Downtown Historic District is to protect and preserve certain areas or individual structures and premises designated as having historic or architectural significance, and to encourage uses that will lead to their continuance, conservation, and improvement in a manner appropriate to the area's heritage.

Transportation Corridor District (TC-1):

The purpose of this Transportation Corridor Overlay District is to protect and enhance the economic and aesthetic character of the Robert R. Martin Bypass by insuring that proper planning and management principles are followed in future changes proposed for this area (see the comprehensive plan).

406.4 DIMENSIONAL REQUIREMENTS

Residential District	R-1A	R-1B	R-1C	R-2	R-3	R-E	MP	PUD
Minimum building site area (sq. ft.)	12000	9500	8500	8500	6500*	1 ac	4000	30ac/
Minimum building site width at front R-O-W line	75	60	50	60	50	50	30	*****
Minimum front yard setback***	25	25	25	25	25	25	25	*****
Minimum side yard setback	10	7	5	5	5	10	15	*****
Minimum rear yard setback****	35	20	15	20	20	25	15	*****
Maximum structure Height**	35	35	35	35	65	40	25	*****

* 6500 is the minimum area for first unit; each additional unit requires an additional 2800 square feet.

** Accessory structures are limited to size and placement where structural failure cannot impact adjoining property or Rights-of-Way

*** In older established residential areas, any new residential structure shall be set back from the street a distance similar to that of existing structures in order to maintain overall neighborhood appearance.

**** All corner lots shall be twenty-five percent (25%) larger due to the increased easement areas.

***** All P.U.D. regulations shall fall under Appendix I.

Business District	B-1	B-2	B-3	NH	B-4 C	R	P-1
Minimum building site area (sq. ft.)	10000	-	10000	5 ac	15 ac	35ac	10000
Minimum building site width at front R-O-W line	50	25	50	200	500	1000	50
Minimum front yard setback	25	0	25	35	100	100	25
Minimum side yard setback	10	0	10	25	25	50	25
Minimum rear yard setback	15	0	15	25	35	50	25
Maximum structure Height**	35	100	100	35	65	100	65

* In older established business areas, any new business structure shall be set back from the street a distance

similar to that of existing structures in order to maintain overall neighborhood appearance.

** Accessory structures are limited to size and placement where structural failure cannot impact adjoining property or Rights-of-Way

Public/Semi-Public District	PSP
Minimum building site area (sq. ft.)	10000
Minimum building site width at front R-O-W line	100
Minimum front yard setback	25
Minimum side yard setback	15
Minimum rear yard setback	25
Maximum structure height**	60

** Accessory structures are limited to size and placement where structural failure cannot impact adjoining property or Rights-of-Way

Industrial District	I-1	I-2
Minimum building site area (sq. ft.)	1 ac	Minimum of 5 consecutive tracts for park site 1 ac (minimum building site)
Minimum building site width at front R-O-W line	100	200
Minimum front yard setback	25	25
Minimum side yard setback	25	0 when abutting a Industrial zone 50 when abutting any other zone (25 feet required landscape/noise buffer)
Minimum rear yard setback	25	0 when abutting an industrial zone 50 when abutting any other zone (25 feet required landscape/noise buffer)
Maximum structure height	65	100 (Industrial Park covenants may be more restrictive)
Maximum Accessory Structure Height (from ground) Water Tower, Gravity Bins, Stacks, Vents, etc.		200 (Industrial Park covenants may be more restrictive)

Agricultural District	A
Minimum building site area (sq. ft.)	1/5 ac*
Minimum building site width at front R-O-W line	100
Minimum front yard setback	50
Minimum side yard setback	25
Minimum rear yard setback	25
Maximum Residential building height	35

* Minimum building site for single-family dwelling is 1 acre; minimum site for a farm is 5 acres.

406.5 ALLOWABLE LAND USES

<u>RESIDENTIAL</u>	<u>R-1A</u>	<u>R1-B</u>	<u>R-1C</u>	<u>R-2</u>	<u>R-3</u>	<u>RE</u>	<u>MP/C</u>	<u>PUD</u>	<u>A</u>
Detached Single Family Dwellings*	P	P	P	P	P	P		P	P
Duplex Dwellings				P	P			P	
Town homes and Condominiums				P	P			P	
Multi-Family Dwellings					P			P	
Hotels and Motels					C				
Bed and Breakfast Inns	C	C	C	C	C	P		C	C
Residential Care Facilities	P	P	P	P	P			C	
Mobil/Manufactured Homes**							P		P
Mobil/Manufactured Home Parks/Communities**							P		
Beauty Salon / Barber Shop	C	C	C	C	C	C	C	C	C

* Includes modular homes

** Mobile/manufactured homes are allowed as permitted (P) uses in the A and MP/C districts in the City of Richmond. Mobile/manufactured home parks/communities are allowed in the MP/C district within the City.

<u>RESIDENTIAL</u>	<u>B-2</u>	<u>B-3</u>
<u>Loft Apartment Single-family</u>	C	C
<u>Loft Apartment Multi-family</u>	C	
<u>Basement Apartment Single-family</u>	C	
<u>Basement Apartment Multi-family</u>	C	

Conditions & Definitions for Loft & Basement Apartments

1. Loft and basement apartments must meet or exceed all current building codes.
2. Loft apartments in B-3 zones are only acceptable where the unit is used to serve the business for employed personnel for means of; night watchmen, maintenance personnel, or the like.
3. Parking requirement for B-2 zones in the “Downtown District” shall be resolved and set by the Board of Adjustments. Bicycle racks/storage shall be provided as part of new/redevelopment, or as applicable.
4. Loft apartment: A residential dwelling unit(s) located above the first floor of a building.*
5. Basement apartment: A residential dwelling unit(s) located below the first floor of a building.*

* For these purposes, the first floor shall be that floor which is located at street level and from which primary access to the building is located. If there is uncertainty as to what is the first floor or the building, that question shall be resolved by the Board of Adjustment.

<u>Public and Semi-Public</u>	<u>R-1A</u>	<u>R1-B</u>	<u>R-1C</u>	<u>R-2</u>	<u>R-3</u>	<u>RE</u>	<u>MP/C</u>	<u>P</u> <u>U</u> <u>D</u>	<u>B-1</u>	<u>B-2</u>	<u>B-3</u>	<u>B-4</u>	<u>P-1</u>	<u>P</u> <u>S</u> <u>P</u>	<u>A</u>
Schools	C	C	C	C	C				P	P	P		P		
Police and Fire Stations									P	P	P		P		
Governmental Offices									P	P	P	C***	P		
Parks and Playgrounds	C	C	C	C	C	C	P	P						P	P
Swimming Pools, Sport/Recreation Facilities									C	C	C			P	C
Utility Facilities*															
Cellular Antenna Towers**															
Libraries, Museums									P	P	P		P		
Churches	C	C	C	P	P				P	P	P	C***	P		P
Cemeteries														C	C
RV Park							P								

* Public utilities operating under state authority shall not be required to receive Planning Commission approval for the location or relocation of any of their service facilities. However, the utility in question shall provide the Planning Commission with information on the proposed change (see KRS 100.324).

** Cellular antenna towers are permitted on existing structures in all districts except residential district.

*** Bearing in mind that the primary contemplated use of a property within a B-4 zoning district is retail-type businesses, the Board of Adjustment should consider, in addition to the factors to be taken into consideration in evaluating a request for a conditional use as set forth elsewhere in this zoning code, the question of the length of time that the area proposed to be occupied has been unoccupied at the time of the application for a conditional use.

<u>BUSINESS and PERSONAL SERVICES</u>	<u>B-1</u>	<u>B-2</u>	<u>B-3</u>	<u>B-4</u>	<u>P-1</u>	<u>PSP</u>
Private Recreation and Sport Centers		C	C	C		
Art Galleries, Exhibition Halls		P	P	P		P
Private Golf Courses			C	C		C
Arenas and Amphitheaters			C			P
Private Clubs and Lodges	C	P	P	P		C
Photography, Art	P	P	P	P		P
Barber and Beauty Shops	P	P	P	P		P
Health Centers, Weight Loss Facilities	C	P	P	P		
Tanning Salons	C	P	P	P		
Auto Repair, Auto Parking	C	P	P	C		
Auto Body Shops	C	P	P	C		
Miscellaneous Repairs	P	P	P	P		
Laundromats	C	P	P	P		
Tailors, Seamstresses, Upholstering		P	P	P		
Photo Developing	P	P	P	P		
Video Rental Shops	C	P	P	P		
Amusement and Recreation		P	P	P		
Pet Boarding Facilities			C*			

*In making a determination as to whether any given proposed site would be suitable for the location of a Pet Boarding Facility, the Board of Adjustments should take into consideration the following factors: (1) Larger lots or sites should be preferred over smaller lots or sites. An emphasis should be placed on separation between outdoor pet runs or pens from adjoining property. Greater distances from the outdoor runs or pens to adjoining property are preferable to lesser distances. (2) Outdoor pens or runs should be screened from neighboring residential uses by either landscaping or privacy fencing. (3) Except in unusual circumstances where pens or runs are isolated from surrounding property, all animals should be placed indoors before 8:00 p.m. (4) To the extent possible, outdoor run and pens should be located to the rear of any building. (5) The types and numbers of the animals to be boarded should be taken into consideration.

RETAIL TRADE	B-1	B-2	B-3	B-4	P-1	PSP	A	I-2
Food Store (NH/Convenient)	P	P	P	P				
Food Stores (Community)	C	P	P	P				
General Merchandise		P	P	P				
Auto Dealers		P	P					
Service Stations	C	P	P	C				
Apparel and Accessory Stores	C	P	P	P				
Furniture, Furnishings and Appliances		P	P	P				
Eating and Drinking Establishments	P	P	P	P				
Drug Stores / Pharmacies	P	P	P	P				
Office Supplies		P	P	P	P			
Toys and Sporting Goods	P	P	P	P				
Books, Records, Tapes	P	P	P	P				
Hardware and Related	C	P	P	P				
Gifts, Jewelry, Novelties	P	P	P	P				
Bicycles, Motorcycles		P	P	P				
Auto Parts and Supplies		P	P	P				
Package Liquor, Beer, Wine		P	P	P				
Pet Stores and Pet Grooming	P	P	P	C				
Farm Equipment / Supplies			P				P	
Feed, Seed, and Garden Supplies			P	P				
Computers, Electronics		P	P	P				
Miscellaneous Retail	C	C	C	C				
Manufactured Home Sales			P					
Hotel and Motels	C	P	P					
Microbrewery	C*	C*	C*	C*				
Micro-Winery	C*	C*	C*	C*				
Brewpub	C	P	C	C				
Fireworks (Permanent) Ord. 92-42								P
Fireworks (Seasonal) Ord. 92-42			P	P				

* The Board of Adjustments, in assessing whether a Microbrewery or a Micro-Winery is appropriate at any given proposed location, should take into consideration the size, scope, and appearance of the proposed Microbrewery or Micro-Winery contrasted with the nature and appearance of other businesses in the vicinity; the degree to which the operations and activities to be performed by the proposed facility will be consistent or inconsistent with the existing uses of other properties in the vicinity; together with such other considerations as are pertinent to the question of whether the proposed facility is appropriate at the particular proposed location. The Board shall have the right to require the applicant to submit to it all such information relating to the nature and appearance of the proposed structure and facilities and the operations and activities involved as the Board may deem necessary to its consideration of the requested Conditional Use Permit and, if the permit is to be granted, to impose such restrictions as it may deem necessary and appropriate.

<u>Professional Services</u>	<u>B-1</u>	<u>B-2</u>	<u>B-3</u>	<u>B-4</u>	<u>P-1</u>
Architects, Engineers	P	P	P	P	P
Accountants	P	P	P	P	P
Banks, Investment Services	P	P	P	P	P
Business Consultants	P	P	P	P	P
Real Estate	P	P	P	P	P
Tax Service	P	P	P	P	P
Attorneys	P	P	P	P	P
Advertising / Public Relations		P	P	P	P

<u>Health Services</u>	<u>B-1</u>	<u>B-2</u>	<u>B-3</u>	<u>B-4</u>	<u>P-1</u>	<u>PSP</u>
Hospitals		P	P			P
Physical Therapy	C	P	P	P	P	
Assisted Care Facilities	C	C	P	P		
Doctor / Dentist Offices	P	P	P	P	P	
Hospices	C	C	P	P		
Veterinary Offices			C			
Pain Clinics			C		C	
Massage Therapist			P		P	

<u>Educational and Social Services</u>	<u>B-1</u>	<u>B-2</u>	<u>B-3</u>	<u>B-4</u>	<u>P-1</u>	<u>PSP</u>	<u>I-1</u>
Child Care Facilities	C	C	C	C	C	C	C
Counseling Services		P	P		P		
Social Service Organizations		P	P	P			
Business / Technical Training		P	P	C	P	P	

<u>Warehousing and Storage</u>	<u>B-1</u>	<u>B-2</u>	<u>B-3</u>	<u>B-4</u>	<u>P-1</u>	<u>PSP</u>
Warehouse		C	C			
Mini-Warehouses	C	C	P			
Moving and Storage		P	P			
Truck Freight Terminals		P	C			
Food Lockers		P	P			
Wholesale Distributors		P	P			

Manufacturing	<u>I-1</u>	<u>I-2</u>
Food and Related	C	P
Apparel and Finished Goods	C	P
Lumber and Wood Products	C	P
Paper and Related		P
Printing / Publishing	P	P
Chemicals / Petroleum	C	P
Rubber / Plastics	C	P
Leather Products		P
Stone, Clay, Concrete, Glass	P	P
Primary Metals	P	P
Industrial Equipment	P	P
Transportation Equipment	C	P
Temporary Towing/Auto Storage Center (90-day limit)		P
Electronics	P	P
Distribution Center	P	P
Commercial & Industrial Warehousing (not mini-warehouses)	P	P
Truck Freight Terminals	C	P
Other uses which, in the opinion of the Board of Adjustment, are deemed to be compatible and consistent with the permitted uses in this zone	C	C
Adult (sexually explicit) Entertainment		P
Massage Parlor		C
Brewery	P	P
Winery	P	P
Distillery	P	P
Microbrewery	P	P
Micro-Winery	P	P

<u>Agriculture*</u>	<u>A</u>	<u>B1</u>	<u>B2</u>	<u>B3</u>
Crop Production	P			
Pastures	P			
Timber	P			
Orchard fruits / Vineyards	P			
Horticulture	P			
Livestock Production**	P / C			
Poultry Production**	P / C			
Farm Machinery Repair / Servicing	P			
Aquaculture	P			
Agricultural Products Retail Outlet ***	P	C	C	P
Commercial Nursery ***	P			C

*See the definition of agricultural uses in Article VI. a five acre or larger lot the principal use of which is for a single-family dwelling is not considered as an agricultural use.

**High density livestock activity such as cattle / hog feed lots, and similar intensive feeding operations are prohibited.

*** See Appendix J