

**CITY OF LAKESIDE PARK, KENTUCKY
ORDINANCE 13-2024**

**AN ORDINANCE OF THE CITY OF LAKESIDE PARK, KENTUCKY AMENDING THE
LAKESIDE PARK ZONING ORDINANCE, ADOPTED AS ORDINANCE 01-2024.**

WHEREAS, the City of Lakeside Park adopted a new Zoning Code and Map as set forth in Ordinance 01-2024 on March 11, 2024 after a public hearing was held by the Kenton County Planning Commission with the Kenton County Planning Commission having given its recommendation for approval with Findings of Fact for such new text and a new official zoning map; and

WHEREAS, the City of Lakeside Park has determined that Article 10.18 (C) is inapplicable to the City of Lakeside Park; and

WHEREAS, the City of Lakeside Park has determined that Article 11.05 (7) did not conform to the recommendation of the City of Lakeside Park Z-21 Committee recommendation and such recommendations were inadvertently omitted from the final draft previously adopted;

WHEREAS, the City of Lakeside Park applied to the Kenton County Planning Commission to address such issues with a text amendment and a Public Hearing was held on October 3, 2024 at which time such text amendment was approved by the Kenton County Planning Commission; and

WHEREAS, the City Council for the City of Lakeside Park having reviewed the record compiled by the Kenton County Planning Commission, and the City Council, agreeing with the recommendations of the Planning Commission, hereby adopts the Planning Commission's Findings of Fact in support of the text amendment.

***NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
LAKESIDE PARK, KENTUCKY AS FOLLOWS:***

SECTION I

The Lakeside Park Zoning Ordinance Provisions adopted as Ordinance 01-2024, specifically Article 10.18, Article 11.05 (7) and Article 11.09, are hereby amended and incorporated into the Lakeside Park Zoning Code. The Amendments to the Zoning Ordinance are attached hereto and incorporated by reference.

SECTION II

All Ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, if any, hereby repealed.

SECTION III

The provisions of this Ordinance are severable and the invalidity of any provision of this

Ordinance shall not affect the validity of any other provisions hereof, and such other provisions shall remain in full force and effect as long as they remain valid in the absence of that provision determined to be invalid.

SECTION IV

This Ordinance shall be in full force and effect when passed, recorded, and published according to law. Said publication may be in summary form or by internet publication as allowed by law.

FIRST READING: October 14, 2024


SECOND READING: November 11, 2024

APPROVED:



HON. PAUL MARKGRAF MAYOR

ATTEST:



TERESA BRUCK
CITY CLERK/TREASURER

AYES 4
NAYS 0

EXHIBIT A

Proposed Text Amendments to the Lakeside Park Zoning Ordinance
Words to be **deleted** are [~~lined through~~] - Words to be **added** are underlined.

ARTICLE 10 PARKING & LOADING SANDARDS

10.18 Access Management and Circulation

A. Purpose

It is the intent of the City to maximize safety and minimize disruption of traffic flow by directing access from abutting properties to existing or planned public streets, and to maximize the City investments in their roadway infrastructure for mobility's sake. These regulations are being implemented to implement Goal 6, Objective A and Mobility Element Recommendation 2, Task 1 of the Kenton County Comprehensive Plan, and the subsequent and tasks related to access management on roadways. These regulations shall apply to all streets identified by the legislative body, or in the case of new or proposed Streets, as identified on the submitted subdivision.

B. General Standards

1. All developments must meet the requirements of the Access Control Regulations of the Kenton County Subdivision Regulations following the procedures in Section 6.09, Required Improvements for Developments.
2. All developments shall be subject to the Traffic Impact Studies Requirements and mitigation of traffic impacts following the procedures in Section 6.09, Required Improvements for Developments.
3. The design of all roadway elements shall be in compliance with the Kenton County Subdivision Regulations Article 4, Section 4.1, Streets.
4. Modifications to the access management requirements of this Article may be granted following the procedures in the Section 6.09, Required Improvements for Developments

~~C. Congestion Mitigation Corridor~~

- ~~1. In addition to subsections a. and b. above, the City has established Congestion Mitigation Corridors. Access roads, access easements, turning restrictions or shared access points may be required where they have been determined to be beneficial and necessary for the safe operations of a transportation corridor.~~
- ~~2. Establishment~~
 - ~~a. The City hereby establishes designated Congestion Mitigation Corridors. These areas are designated as follows:~~
 - ~~1. Dixie Highway corridor from Commonwealth Avenue to Turfway Road (example)~~
 - ~~2. Kentucky 17 from Kyles Lane to Hands Pike (example)~~
- ~~3. Policy~~
 - ~~a. It is the policy of the City to reduce and prevent congestion and improve safety within these designated areas through careful access management and circulation design and removal of unnecessary access points as redevelopment or new development occurs.~~
 - ~~b. Within these areas, it is the policy of the City, that access to contiguous nonresidential developments shall be coordinated to form one or more private access (such as frontage or rear private access) roads serving adjoining parcels and contiguous development areas. These roads~~

~~should be designed to collect and funnel traffic onto collector and arterial streets at appropriately spaced shared access points.~~

- ~~c. Reducing congestion and implementing access management is of vital importance on these roadways. Therefore, certain development standards may be modified if necessary in order to implement this access management policy.~~
- ~~d. It is understood by the City that temporary access may need to be provided to sites within a Congestion Mitigation Corridor until the full implementation of the access management plan can be achieved.~~

4. Process

- ~~a. Developments located within designated Congestion Mitigation Corridor require additional coordination of access management and circulation design. The following process shall guide the determination of access management requirements within these areas:
 - ~~1. Applicants must request an access management pre-application meeting in addition to any required pre-application meeting for the overall development proposal.~~
 - ~~2. At the time of the pre-application meeting, the applicant will be provided with an access management plan for the identified access management area, or staff will provide a timeline for the establishment of an access management plan for which the applicant must comply. At the time of the pre-application meeting, the applicant will be given Traffic Impact Study scope requirements per the Kenton County Subdivision Regulations, Article 7, Section 7.4, Study Requirements.~~
 - ~~3. The access management plan will establish required locations for access roads, access points, access easements, and any turning restrictions that have been determined to be beneficial and necessary for the safe operations of the transportation corridor.
 - ~~a. The applicant must furnish a Traffic Impact Study based upon the scope identified in the pre-application meeting.~~
 - ~~b. The City, together with recommendations from PDS staff, and the Kentucky Transportation Cabinet (where applicable) shall establish an access management plan for the identified access management area.
 - ~~i. The access management plan may be established prior to proposed developments, or in response to proposed development plans along corridors for which successful implementation of access management requires the coordination of multiple properties and parcels.~~
 - ~~ii. The access management plan shall account for unique needs of the adjacent roadways and intersections, and topography of the surrounding land uses.~~
 - ~~iii. The access management plan shall identify access locations, including common access points and cross access location and design.~~
 - ~~iv. The access management plan shall establish the timing of termination of any temporary access points or access points that are not compliant with the access management plan.~~~~
 - ~~c. No permit shall be issued which is not in compliance with the access management plan.~~~~
 - ~~b. Once an access management plan has been established, all new developments or redevelopments that occur within the access management area shall be required to have a development agreement between the property owner and the City prior to development approval.~~~~

1. ~~The development agreement shall require the development to adhere to the access management plan.~~
2. ~~The development agreement shall require that any access restrictions, required easements or access point to be terminated shall be recorded as a land use restriction on each property within the development agreement.~~
3. ~~As a part of the development agreement, the Zoning Administrator may provide relief from zoning requirement such as setbacks, buffer yards and other dimensional requirements to facilitate compliance with the access management plan where the implementation of such plan would have an egregious effect on the development or use.~~

ARTICLE 11 SIGNS

11.05 Temporary Signs

One temporary sign will be permitted on each site in a non-residential zone, subject to the following standards and conditions:

1. It shall not exceed 16 square feet in area;
2. It shall be attached at all four corners or otherwise firmly affixed to a wall of the principal building or it may be freestanding;
3. If it is freestanding, it shall be supported by one or more posts or similar devices in the ground and shall not exceed six feet in height;
4. In no case shall such a sign be affixed to a tree or other natural feature, a fence, a utility pole, or a fixture or structure on the property other than the principal building;
5. If freestanding, it shall be set back a minimum of 10 feet from any property line;
6. It shall not be separately illuminated;
7. ~~If the message relates to an event, such sign shall be removed within seven days following the conclusion of the event.~~ Signs related to the sale of personal property shall be removed within twenty-four hours after the end of the sale. Signs related to the sale, lease or rental of the premises shall be removed no later than the date on which the deed, lease or other document representing the transaction is completed. If a message relates to an election or special event, such sign shall be permitted no more than sixty (60) days prior to such event and shall be removed within seven (7) days following the conclusion of such election or other event.
8. Such a sign may bear any commercial or noncommercial message.

11.09 Allowed Signs

ZONING DISTRICT	SIGN TYPE	MAXIMUM NUMBER ALLOWED	MAXIMUM AREA (SQ FT)	MAXIMUM SIGN HEIGHT (FT)	ILLUMINATION	CHANGEABLE COPY	MINIMUM SETBACK (FT)		ADDITIONAL REGULATIONS
							STREET	OTHER PROPERTY LINE	
R-CVS, R-CPS, R-	Wall	1 per dwelling	2	N/A	No	No	N/A	N/A	

U	Detached Yard	4 - 1 may be permanent	6	6	No	No	N/A	N/A	<p>1. The permanent sign shall not contain a commercial message, and no more than 2 signs (including wall signs) may contain commercial messages.</p> <p>2. Signs related to the sale of personal property shall be removed within 24 hrs after the end of a sale.</p> <p>3. Sales Signs related to the sale, lease, or rental of the premises shall be removed no later than the date on which the deed, lease, or other document representing the transaction is complete.</p> <p>4. If a sign relates to an election or special event, the sign shall be permitted no more than sixty (60) days prior to such event and shall be removed 7 days following the conclusion of the election or special event.</p>
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									5. The only commercial messages allowed are messages related to commercial activity lawfully conducted on the premises, including the lawful occasional sale of personal property, or the sale, rental or lease of the premises.
	Temporary Subdivision	1 sign at each principal entrance. No more than 1 sign for each 50 lots proposed	16	6	No	No	5	10	<p>Must be removed upon the earlier of the following:</p> <ol style="list-style-type: none"> 1. Installation of a permanent entrance sign; 2. Sale of more than 90% of the lots in the subdivision; or 3. 2 years from the date of installation.
	Permanent Entrance	1 per main entrance	32 - Can be divided between 2 signs located on opposite sides of the same entrance	6	External or internal, direct or concealed source	No	5	10	1. Must be located at the main entrances.
R-MF	Wall	1 per dwelling	2	N/A	No	No	N/A	N/A	
	Additional Wall	1 per public entrance	4	N/A	No	No	N/A	N/A	1. For buildings with 3+ units sharing a common entrance.

									2. Allowed at the public entrance and not legible from a public right-of-way.
Detached Principal	1 per street frontage	25	6	External or internal, direct or concealed source	No	5	10		
Detached Directory	1 per vehicle entrance	6	4	Concealed source	No	15	15		
Detached Additional	1 per public entrance per building	6	4	Concealed source	No	25	25		
Detached Yard	4 - 1 may be permanent	6	6	No	No	N/A	N/A		<p>1. The permanent sign shall not contain a commercial message, and no more than 2 signs (including wall signs) may contain commercial messages.</p> <p>2. Signs related to the sale of personal property shall be removed within 24 hrs after the end of a sale.</p> <p>3. <u>Sales Signs</u> related to the sale, lease, or rental of the premises shall be removed no later than the date on which the deed, lease, or other document representing the transaction is complete.</p>

								<p>4. If a sign relates to an election or special event, the sign shall be permitted no more than sixty (60) days prior to such event and shall be removed 7 days following the conclusion of the election or special event.</p> <p>5. The only commercial messages allowed are messages related to commercial activity lawfully conducted on the premises, including the lawful occasional sale of personal property, or the sale, rental or lease of the premises.</p>
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