

RESOLUTION R-22-002-A

A RESOLUTION OF THE BOONE COUNTY PLANNING COMMISSION RELATING TO THE ADOPTION OF THE FLORENCE, KY MAIN STREET ZONING UPDATE THAT INCLUDES TEXT AND ZONING MAP AMENDMENTS THAT AFFECT ARTICLE 23 OF THE BOONE COUNTY ZONING REGULATIONS AND SECTION 3440.C-FLORENCE MAIN STREET SPECIAL SIGN DISTRICT, AS WELL AS THE ZONING MAP BOUNDARIES FOR THE FLORENCE MAIN STREET DISTRICT WITHIN THE CITY OF FLORENCE, KENTUCKY; AND RECOMMENDING THAT THIS FLORENCE, KY MAIN STREET STUDY UPDATE, INCLUDING ITS TEXT AND MAP AMENDMENTS SET FORTH HEREIN BE ADOPTED AND MADE ENFORCEABLE AS LAND USE REGULATIONS UNDER THE BOONE COUNTY ZONING REGULATIONS, TEXT AND MAP, AS APPLICABLE TO THE CITY OF FLORENCE, KENTUCKY.

WHEREAS, the Boone County Planning Commission is a joint planning commission that serves the city-county planning unit of Boone County, Kentucky, established and operating pursuant to Chapter 100 of the Kentucky Revised Statutes; and

WHEREAS, the City of Florence, Kentucky, being one of the legislative bodies served by the Boone County Planning Commission, pursuant to the Boone County planning unit established according to Chapter 100 of the Kentucky Revised Statutes, requested that the Boone County Planning Commission evaluate the Florence Main Street Study ("FMS") and its related Florence, KY Main Street Zoning Study Update and make appropriate recommendations to change, revise, and amend the Boone County Zoning Regulations (both Text and Map) as applicable to the Florence Main Street area to promote, meet, and satisfy an updated vision and goals of the Main Street area, this requesting being made on December 16, 2020; and

WHEREAS, upon receiving that request, the Technical/Design Review Committee of the Boone County Planning Commission initiated the Florence, KY Main Street Study Zoning Update on January 20, 2021, hiring Emersion Design, LLC, as a consultant for technical services (draft review, recommendations, and graphic design), and a kick-off meeting and site visit being held with Boone County Planning Commission staff and the consultant (Emersion) team in February; and

WHEREAS, the Boone County Planning Commission staff conducted various meetings, including input from City of Florence staff and the consultant leading to a Caucus meeting held August 3, 2021, with Florence City Council as the legislative body for the City of Florence, leading to open house workshops for information and discussion purposes with members of the public, as well as posting the draft Study and all other relevant project information on the Florence Main Street Project page of the Boone County Planning Commission website; and

WHEREAS, the Technical/Design Review Committee reviewed the draft Study, providing direction and discussion of possible revisions based on public comments, as well as City of Florence staff, resulting in the Technical/Design Review Committee acting to place the Florence, KY Main Street Study Update Draft as a Public Hearing before the Boone County Planning Commission, as a whole on December 1, 2021; and

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WHEREAS, the Boone County Planning Commission staff presented its Staff Report dated December 1, 2021, at the Public Hearing on behalf of the Technical/Design Review Committee to the public and the Planning Commission as a whole, for consideration of the draft Florence, KY Main Street Study Zoning Update, including a series of amendments to the Boone County Zoning Regulations Text and the Boone County Zoning Map applicable to the City of Florence, Kentucky, this Update comprising approximately 77.6 acres as the Study area generally bounded by Burlington Pike to the north, Dixie Highway to the south, U.S. 42 to the west, and Turfway Road to the east, which enlarges the boundaries of the Florence Main Street District area from approximately 49.3 acres to approximately 77.6 acres for this updated Florence Main Street Study area, this Staff Report marked Exhibit "A" and Zoning Update marked Exhibit "B", both attached hereto and incorporated herein as if fully set out; and

WHEREAS; at its regular scheduled Committee Meeting held December 15, 2021, the Technical/Design Review Committee considered and discussed the record of the December 1, 2021, Public Hearing, that Technical/Design Review Committee meeting being open to the public, and the record considered by that committee, including public comments made at the December 1, 2021, Public Hearing, the Boone County Planning Commission staff members presented recommendations as revisions to the Florence, KY Main Street Study Update as presented at the December 1, 2021 Public Hearing, including revisions to the Amendments to the applicable Boone County Zoning Regulations and Boone County Zoning Map for that update, resulting in a Committee Report of the Technical/Design Review Committee, marked Exhibit "C", attached hereto and incorporated herein as if fully set out.

NOW, THEREFORE, BE IT RESOLVED BY THE BOONE COUNTY PLANNING COMMISSION AS FOLLOWS:

SECTION I

That the Staff Report dated December 1, 2021, to consider the 2021 Florence, KY Main Street Study Zoning Update ("FMS Update"), and the Staff PowerPoint Presentation made at the December 1, 2021, Boone County Planning Commission Public Hearing, marked Exhibit "A", shall be and is hereby adopted and approved as part of the Record to support the 2021 FMS Update, and is incorporated herein by reference as if fully set out.

SECTION II

That the 2021 Florence, KY Main Street Zoning Study Update ("FMS Update") attached to that Staff Report and presented at the December 1, 2021, Boone County Planning Commission Public Hearing, marked Exhibit "B", shall be and is hereby adopted and approved as amendments to the Boone County Zoning Regulations applicable to the City of Florence, Kentucky, for Article 23 and Section 3440.C, and the official Zoning Map as set forth in Appendix A attached to Exhibit "B", which are incorporated by reference as if fully set out herein, subject to the revisions described in the Technical/Design Review Committee Report, dated January 5, 2022, set forth in Section III herein.

SECTION III

That the Technical/Design Review Committee Report dated January 5, 2022, attached hereto and marked as Exhibit "C" discussed at the public meeting for that Committee on December 15, 2021, shall be and is hereby adopted and approved as revisions to the Florence, KY Main Street Study Zoning Update ("FMS Update"), and its Appendix A regarding Text and Map amendments to the Boone County Zoning Regulations applicable to the City of Florence, Kentucky.

SECTION IV

That the 2021 Florence, KY Main Street Zoning Update ("FMS Update") is a land use and zoning study that includes a series of amendments that affect Boone County Zoning Regulations, Text, and Zoning Map that comprises approximately 77.6 acres generally bounded by Burlington Pike to the north, Dixie Highway to the south, U.S. 42 to the west, and Turfway Road to the east.

SECTION V

This Resolution and its recommended Text and Zoning Map amendments to the Boone County Zoning Regulations applicable to the City of Florence, Kentucky, are based on the Findings of Fact adopted by the Boone County Planning Commission as outlined in the Technical/Design Review Committee Report dated January 5, 2022, that Report being Exhibit "C", attached hereto and incorporated by reference as if fully set out.

SECTION VI

This Resolution and its Text and Zoning Map amendments to the Boone County Zoning Regulations are intended to promote the Public Health, Safety, and General Welfare of the Planning Unit, to facilitate orderly and harmonious land use development and intensity of land use, and to assist in proper regulation of congestion, circulation of people and commodities, and other legitimate governmental purposes recognized in Chapter 100 of the Kentucky Revised Statutes.

SECTION VII

All other terms, provisions, clauses, parts, sections, subparts, subsections, or portions of the current Zoning Regulation Text and Map as applicable to the City of Florence, Kentucky, shall and do hereby remain in full force and effect.

SECTION VIII

If the approval of this Resolution or its Text or Zoning Map amendments herein shall be held invalid, in whole or in part, by any court of proper jurisdiction, that invalidity shall not affect the validity of any of the other zoning text regulations, zoning map, comprehensive plan, or other portions, provisions, or terms of any other regulations adopted as zoning or land use regulations as they are severable from this Resolution, and are intended to have continued full force and effect regardless of any invalidity relating to this Resolution.

PASSED AND APPROVED ON THIS 19TH DAY OF JANUARY, 2022.

APPROVED:



CHARLIE ROLFSEN
CHAIRMAN

ATTEST:



TREVA L. BEAGLE
MANAGER, ADMINISTRATIVE SERVICES

EXHIBIT

“A”

STAFF REPORT

Request of the Boone County Planning Commission Technical/Design Review Committee to consider the Florence, Kentucky Main Street Study Zoning Update, which includes a series of Amendments to the Boone County Zoning Regulations and the Boone County Zoning Map. The approximately 77.6 acre Study Area is generally bounded by Burlington Pike to the north, Dixie Highway to the south, U.S. 42 to the west and Turfway Road to the east.

December 1, 2021

This is a request of the Boone County Planning Commission's Technical/Design Review Committee to consider the 2021 Florence, Kentucky Main Street Study Zoning Update and the accompanying text and map amendments to the Boone County Zoning Regulations. The Committee has worked since early 2021 to prepare the Study and is presenting the proposed draft for Planning Commission review as part of the Staff Report (**Exhibit 1**) as well as the Staff Power Point presentation (**Exhibit 2**).

BACKGROUND AND HISTORY

In 1994, the City of Florence requested that the Boone County Planning Commission (BCPC) prepare the Florence Main Street Zoning Study, which examined Main Street and the surrounding area and recommended the Florence Main Street Zoning Study (FMS) District with the following characteristics:

- An area comprised of parcels fronting the 4 original blocks of Main Street bounded on either end by Dixie Highway (US 25)
- Creation of Design Review Standards based on Federal Secretary of the Interior Standards for Rehabilitation to address building-related maintenance and construction as well as demolition, signage, landscaping and lighting
- A Certificate of Appropriateness (COA) application and staff review process with appeals to a new Main Street Design Review Board
- Permitted Uses and Minimum Standards for lot sizes, frontage, etc.
- Streetscape improvements, which were completed in the late 1990s

Following adoption in 1994, the Study was included in the Boone County Zoning Regulations as Article 23 - Florence Main Street Zoning Study (FMS) and Section 3440.C - Florence Main Street Special Sign District as well as the official Zoning Map.

By the late 2010s, the City and BCPC recognized the need to update the FMS District study and related zoning regulations to reinvigorate the FMS District and better encourage investment in the City of Florence's historic core. The 1994 study and zoning text helped preserve the historic building stock and streetscape of the FMS District by minimizing demolition and requiring appropriate rehabilitation. However, after 25 years, some of the standards were outdated and the review process was a potential impediment to development.

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In 2019, the City initiated the update by hiring historic preservation consultants to assess areas adjacent to the FMS for potential expansion of the zoning overlay district (**Exhibit 3**). The City engaged two other consulting firms to review and analyze the 1994 FMS District zoning and its impact. The consultants worked with a stakeholder committee of BCPC and City staff and other professionals to establish the goals for the 2021 FMS Zoning Update.

In December 2020, Florence Mayor Diane Whalen requested that the BCPC evaluate the current FMS District and offer recommendations to revise the relevant text and map sections of the Boone County Zoning Regulations to “meet the new vision and goals of the Main Street area” (**Exhibit 4**). The BCPC Technical/Design Review Committee approved initiation of the Florence, Kentucky Main Street Study Zoning Update on January 20, 2021. The Committee also approved hiring consultant firm Emersion Design, LLC, to provide technical services in the form of draft review, recommendations, and graphic design. In February, a project kick-off meeting and site visit were held with BCPC staff and the Emersion team.

BCPC staff worked on the Study through the Spring and Summer of 2021 with frequent input from City of Florence staff and Emersion Design. At the August 3, caucus meeting of Florence City Council, staff provided a project timeline and summarized proposed changes to the zoning and design standards. Two Open House Workshops (1 in person, 1 virtual) were held in late August to both inform and address issues brought up by members of the public. The draft study and all other relevant project information were posted on an FMS Project page on the BCPC website.

During the year, the Technical/Design Review Committee met to review the Study and provide direction and discussion of any revisions based on comments from the public and the City of Florence. Finally, at the October 6, 2021, Technical/Design Review Committee meeting, the committee recommended the Study to be added as a New Business Item and a Public Hearing was scheduled for December 1, 2021.

FMS STUDY DOCUMENT

INTRODUCTION, PROJECT BACKGROUND AND OBJECTIVES

The 1994 FMS District and associated development and design standards were created largely because the variety of land uses, and authenticity found on Main Street could not be adequately accommodated by the standard zoning districts in the Boone County Zoning Regulations. City of Florence staff worked with consultant teams, a stakeholder committee, and BCPC staff to identify the following objectives for the 2021 update:

- Update the FMS zoning text, map, and special sign district in the zoning regulations
- Expand the FMS and special sign districts to include new areas to the north and south
- Create user-friendly development standards and design requirements
- Revise and streamline the review process to emphasize standards over procedure
- Implement standards that promote an active, walkable, mixed-use district

The revised FMS District standards and review process in this update promote a flexible, mixed-use environment essential to the future viability and character of Florence Main Street. The intent

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is to preserve and protect the character of existing businesses and residences, ensure their continued vitality, and promote growth and redevelopment within the District. Going forward, the FMS District should (1) provide a mixing of commercial, professional and residential uses, (2) establish, protect, and promote neighborhood and community identity, (3) encourage a more urban character that provides needed community services, (4) promote and protect pedestrian activity, and (5) establish and maintain the district as an authentic daily destination.

The project background section of the FMS Study includes details of the public engagement process for the project and discusses relevant Previous Plans and Related Studies, beginning with the 1994 Florence Main Street Zoning Study. It summarizes the results and recommendations of the reports prepared by consultants retained by the City of Florence prior to engaging the BCPC to finalizing the 2021 update. These reports include the historic structures inventory mentioned above, the Florence Main Street Diagnostic Report (2019) by Calfee Zoning and The Main Street Activation Guide and Zoning Standards (2020) prepared by Yard & Company. Taken together, the findings and recommendations of these previous studies established the goals, parameters and map update addressed in the 2021 Florence, Kentucky Main Street Study Zoning Update.

The project map in the study shows the original boundaries of the 1994 Florence Main Street Study and the proposed new boundaries of the Florence Main Street (FMS) district (**Exhibit 4**). The district presently includes 56 parcels on 49.3 acres. The proposed expansion adds 71 parcels in approximately 10 blocks (28.3 acres). All of the additional properties are currently zoned Commercial Two (C-2). Many of the current uses are presently commercial, including numerous businesses operating in formerly residential structures.

BUILDING TYPES AND ARCHITECTURAL STYLES IN THE FMS

The FMS District includes an eclectic mix of buildings dating back to the 1840s with a range of uses, types, and architectural styles. The pre-1960 historic core of the District is complemented by later buildings which provide context and reflect development over time. Recognizing the characteristics of the various building types/styles helps determine what features are important to historic integrity and what standards are needed to provide balance between preservation and new development. This section of the study discusses the defining characteristics of historic building types/styles found in the FMS District, which provide historic context for evaluating proposed alterations and new construction. Coupled with the Building Typology presented later in the Study, they provide a baseline for the proposed zoning text amendments.

REVIEW PROCESS

One of the main objectives of this update is a revised and streamlined review process. Application for and approval of a Certificate of Appropriateness (COA) remains the basis for review in the FMS District. However, a pre-application meeting between applicants and BCPC staff is now required. This will allow staff to advise the applicant early in the process and determine whether a Zoning Permit, Site Plan Permit, Sign Permit, or Tenant Finish Permit may also be required. A COA is not required for ordinary maintenance and repairs. If the Zoning Administrator denies an

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application, appeals may be made to the Florence Board of Adjustment rather than the Main Street Design Review Board, as required under the current process.

DEVELOPMENT STANDARDS AND DESIGN REQUIREMENTS

This section lists the uses (Principally Permitted, Accessory, and Conditional) permitted in the FMS District as well as minimum dimensional standards and other elements with FMS-specific requirements such as Fencing, Landscaping, and Parking. The allowed uses are intended to promote a walkable, mixed-use district that meets the City's vision for Main Street as the center of Florence's food and beverage scene. With the exception of auto sales and repair, gasoline sales, and small-scale workshop manufacturing, Principally Permitted uses in the FMS are comparable to those of the existing Small Community Overlay District in place in similar small areas elsewhere in Boone County. The FMS District places even greater emphasis on arts and entertainment, allowing art galleries and studios, as well food trucks (with permit) under the broader Eating and Drinking Establishments use. While banks are Principally Permitted and automatic teller machines are allowed Accessory Uses; drive-throughs are not permitted as an accessory for any permitted use in the FMS District.

In anticipation of the BCPC county-wide zoning update to be completed in 2022, several uses appropriate in the FMS District have been included since the public hearing draft was released. The following Principally Permitted uses will be added to the Study and revised zoning text: Brewpub, Microbrewery, Microdistillery, Funeral Home, Veterinary Animal Hospital or Clinic, College and University, School, Heritage Tourism, Historic Sites and Structures, Mixed Use Buildings. The following Conditional Use will also be added: Safety Services.

To allow flexibility while maintaining a traditional Main Street character and encourage mixed uses, building form is emphasized over use in the FMS District. The Study introduces a form-based code of seven (7) building types with standards presented in graphic form: Small House, Large House, Multi-Plex, Civic, Main Street Mixed-Use, Flex, and Carriage House. Each type is briefly described and illustrated. New construction must follow one of the defined building types. Additions to existing buildings are given some flexibility but encouraged to follow standards for the closest corresponding type.

There are no minimum lot sizes or frontages established in the zoning text. The setback standards are designed to create a varied streetscape with commercial and mixed-use buildings built close to the sidewalk and detached residential structures set back slightly with small front and side yard setbacks. Building height is limited to four (4) stories and generous parking requirements should encourage more commercial investment. The requirement for dining establishments is 1 space per 2 seats in most districts vs. 1 space per 4 seats in the revised FMS District, which has no parking requirement for outdoor seating. The Study also proposes a 10% reduction in the parking requirement for non-residential uses within 650 feet of a municipal parking lot. This should benefit larger businesses locating near the center of the district where the City is planning two new parking lots.

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The development standards and design requirements for signs in the FMS District are not changing substantially. The types, sizes, locations, and specifications are comparable to those of the 1994 Study. Information is presented more clearly with sample images of allowed signage.

As with the 1994 Study, design requirements for buildings in the FMS District are based on the concepts of the U.S. Secretary of the Interior's Standards for Rehabilitation. The Secretary's Standards set baselines for acceptable rehabilitation of historic buildings and new construction in historic districts. Best practices for meeting those standards are detailed in numerous National Park Service publications, which are suggested in the FMS Study for reference purposes.

Rehabilitation and maintenance of historic buildings requires materials and methods which can vary by construction date and architectural style. Each building element may require a different approach to maintenance and rehabilitation. The Study specifies approved and prohibited methods and materials for masonry, siding, roofs, gutters, downspouts, doors, windows, porches, driveways/parking areas, access modifications (ramps/fire escapes), and lighting fixtures. The topics covered and specific requirements are comparable to the 1994 Study, although the presentation format has changed.

ADDITIONS, NEW CONSTRUCTION, AND DEMOLITION

The final chapters of the Study cover requirements for additions (minor and major), new construction, and demolition. The Study recognizes that preservation should not prohibit new construction, either as infill development or replacement. However, it does stipulate that new construction must consider the streetscape, existing visual characteristics of the block, and adjacent buildings. This includes building shape, age, setback, architectural style, height, width, materials, detailing, roof form, spacing of window and door openings, and floor-to-ceiling heights. Additions should be contemporary in design and complement the subject historic building without mimicking historic construction. Finally, while demolition of significant historic structures will continue to be discouraged in the FMS District, it is permissible when safety is a concern, or a building is beyond repair or will not bring a reasonable economic return.

RELATIONSHIP TO COMPREHENSIVE PLAN

The 2021 Florence, Kentucky Main Street Study Zoning Update was created to help guide the future direction of the Central Florence Area as mentioned in Our Boone County - Plan 2040 (adopted in June 2019). This Study specifically addresses the Comprehensive Plan's Future Land Use vision for Florence's Main Street, which discusses evaluating and expanding the FMS District to make it more economically viable, surveying historic structures, adding parking, encouraging mixed uses, and including entertainment and public spaces for events and activities. The 2021 FMS Study also meets Objective C.3 of the Natural & Cultural Resources Element, which states in part that "Priorities shall be established for the conservation, restoration, preservation, and protection of natural and cultural features using land use regulatory tools and incentives." Upon adoption, the 2021 Florence, Kentucky Main Street Study Zoning Update will be used in the review of any requests in the FMS District Study Area that come before the Boone County Planning

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Commission. The recommendations contained in this Study should be evaluated during the next five year update of the Comprehensive Plan with updates to the Land Use text and Future Land Use map as appropriate.

RELATIONSHIP TO ZONING REGULATIONS AND MAP

The adoption of the 2021 Florence, Kentucky Main Street Study Zoning Update will serve as an amendment to the Boone County Zoning Regulations (both text and map) and includes new FMS district boundaries and review process, as well as revised land uses, development standards and design standards. The FMS revisions will precede the full update of the Boone County Zoning Regulations and Zoning Map slated for completion in 2022. The Study itself shall not require updating to accommodate future amendments to the FMS District zoning text and map, provided they are supported by the data and recommendations of the Study.

CONCLUSION

The 2021 Florence, Kentucky Main Street Study Zoning Update should be reviewed as to how it promotes and builds upon Our Boone County - Plan 2040 by providing a guide for balancing preservation and development in the Florence Main Street area. Should this Study be approved and adopted, the Zoning Map and Zoning Text Amendments included as Appendix A in the Florence, Kentucky Main Street Study Zoning Update, will result in updating the official Zoning Map in the Boone County Zoning Regulations and replacing the existing Article 23 - Florence Main Street Zoning Study (FMS) and Section 3440.C - Florence Main Street Special Sign District.

Respectfully submitted,

Matthew E. Becher, AICP
Rural/Open Space Planner



Exhibits:

1. Florence, Kentucky Main Street Study Zoning Update
2. Public Hearing Power Point Presentation
3. Map: 1994 and Proposed FMS District Boundaries
4. Request of Florence Mayor Diane Whalen to perform study

FLORENCE, KY MAIN STREET ZONING STUDY UPDATE



Prepared by the Boone County Planning Commission
for the City of Florence, Kentucky
DRAFT: October 20, 2021

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Appendix A: Revised Boone County Zoning Code

Article 23 Florence Main Street Zoning Study (FMS)

and Section 3440.C Florence Main Street Special Sign District.....A-1

FLORENCE, KY, MAIN STREET ZONING STUDY

2021 UPDATE

1. INTRODUCTION AND OBJECTIVES

The Florence Main Street (FMS) District hosts an eclectic mix of buildings dating back to the 1840s with a range of uses, types, and architectural styles. The pre-1960 core of Stringtown, as the area was once called, is complemented by later buildings which provide context and reflect the District's development over time.

The FMS District and associated development and design standards were created in 1994 and codified as Article 23 in the Boone County Zoning Regulations. After 25 years of development under the 1994 FMS District zoning, the City of Florence determined that an update was appropriate. City staff worked with three different consultant teams, a stakeholder committee, and Boone County Planning Commission (BCPC) staff to identify several project objectives for the 2021 project update:

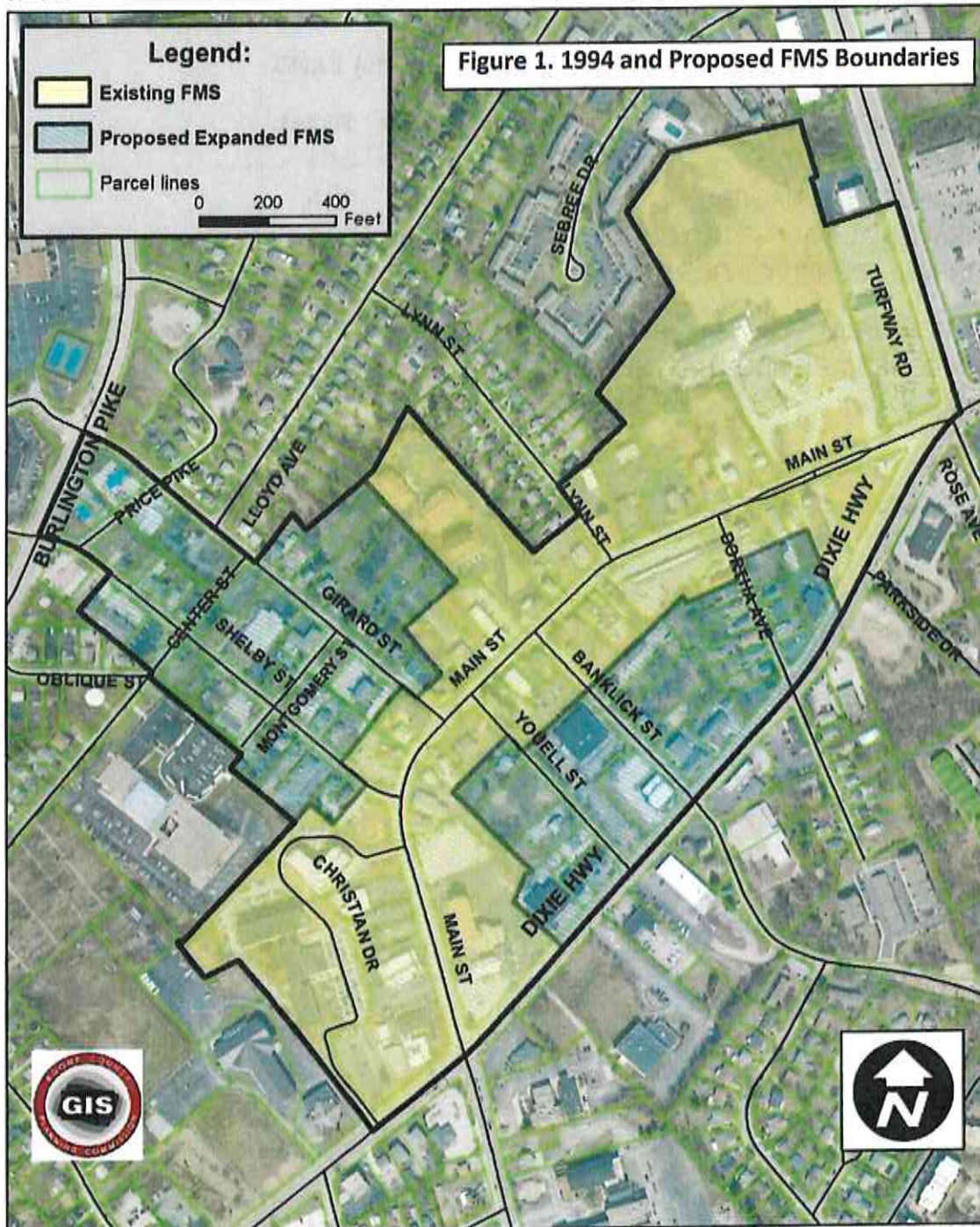
- Update the FMS zoning text, map, and special sign district in the zoning regulations
- Expand the FMS and special sign districts to include new areas to the north and south
- Create user-friendly development standards and design requirements
- Revise and streamline the review process to emphasize standards over procedure
- Implement standards that promote an active, walkable, mixed-use district

The variety of land uses and authenticity found on Main Street cannot be adequately accommodated by any of the existing standard zoning districts in the Boone County Zoning Regulations. The revised FMS District standards and review process presented in this study promotes a flexible, mixed use environment which is essential to maintaining the vitality, viability, and character of Main Street. The intent of this update is to preserve and protect the existing character of the businesses and residences found along Main Street and to promote their continued vitality. Going forward, the FMS District should (1) provide a mixing of commercial, professional and residential uses, (2) establish, protect and promote neighborhood and community identity, (3) establish a more urban character that provides needed community services, (4) promote and protect pedestrian activity, and (5) establish and maintain the district as an authentic 24-hour daily destination.

The following sections identify the FMS District character to be maintained and provide guidelines and methods for maintaining the desired feel of the District while promoting growth and redevelopment within the District.

2. ZONING MAP UPDATE

The original boundaries included in the 1994 Florence Main Street Study, and the proposed new boundaries of the Florence Main Street (FMS) district, are shown on **Figure 1**. The present district includes 56 parcels on 49.3 acres, most of which contribute to the district's historic character under current National Park Service (NPS) guidelines.



The proposed expansion includes 71 additional parcels in approximately 10 blocks (28.3 acres) on Main Street, Youell Street, Girard Street, Shelby Street, Montgomery Street, and portions of Banklick Street, Center Street, Dortha Avenue, and Dixie Highway. All of the additional properties are currently zoned Commercial Two (C-2). Most uses are currently commercial, including numerous businesses operating in formerly residential structures. **Table 1** compares acreages by existing land use of the current 49.3-acre FMS District and proposed expanded 77.6-acre FMS District.

TABLE 1: FMS DISTRICT ACREAGE BY EXISTING (2019) LAND USE

LAND USE (IN ACRES)	EXIST	PROP	TOTAL
COMMERCIAL (C)	14.6	15.5	34.1
PUBLIC/INSTITUTIONAL (P)	10.0	0.5	10.5
RECREATIONAL (R)	10.1	0	10.1
SUBURBAN DENSITY RESIDENTIAL (SR)	1.1	7.3	8.4
TRANSPORTATION (T)	4.3	0.9	5.2
URBAN DENSITY RESIDENTIAL (UD)	7.7	0	7.7
WOODLAND (W)	1.6	0	1.6
TOTAL	49.3	28.3	77.6

3. FMS DISTRICT BACKGROUND

PREVIOUS PLANS AND RELATED INITIATIVES

At the City of Florence's request, the BCPC prepared the original Florence Main Street Zoning Study adopted by the City in 1994. The study examined Main Street and the surrounding area and recommended creation of the Florence Main Street Zoning Study (FMS) District overlay:

- An area comprised of parcels fronting the 4 original blocks of Main Street bounded on either end by Dixie Highway (US 25)
- Design Review Standards based on Federal Secretary of the Interior Standards for Rehabilitation to address building-related maintenance and construction as well as demolition, signage, landscaping and lighting
- A Certificate of Appropriateness (COA) application and review process
- Permitted Uses and Minimum Standards for lot sizes, frontage, etc.
- Streetscape improvements, which were completed in the late 1990s

In the late 2010s, both the City and BCPC had determined that the 1994 FMS District zoning text and map needed updating. Initial groundwork efforts began in 2019 when the City hired the historic preservation consultants Sullebarger Associates to assess areas adjacent to the FMS for potential expansion of the zoning overlay district. This included documentation and determination of historic significance of properties within and adjacent to the FMS district and proposed expansion areas shown above on **Figure 1**. Kentucky Historic Inventory (KHI) forms were completed for 40 historic properties in the expansion areas. A student intern concurrently updated existing inventory forms for previously recorded properties within the district to meet current KHI standards.

The firms of Yard & Company and Calfee Zoning were engaged to review and analyze the 1994 FMS District zoning and its impact. The consultants worked with the stakeholder committee of BCPC and City staff and other professionals. The recommendations from those analyses established the goals for this zoning update, which covers the combined existing and proposed expansion areas. The zoning overlay helps to preserve and protect the historic nature of the area and includes development and design standards that aid in the preservation and protection of the area.

Calfee Zoning's Florence Main Street Diagnostic Report was completed in October, 2019. The report reflects the firm's professional judgement based on experience with zoning codes and best practices in Kentucky and elsewhere. The committee determined that the 1994 regulations had protected the built environment and that the update should build upon that and focus on five (5) primary goals. The existing zoning code and present

circumstances were analyzed in terms of opportunities for and barriers to achieving the following five goals:

- Be a better version of ourselves
- Increase foot traffic
- Be the Florence food and beverage scene
- Create a 24-hour place
- Emphasize standards over process

The study provided several recommendations for achieving the goals, including:

- Revising parking requirements
- New regulations that support higher density residential uses where appropriate
- Replacing regulation of uses by square footage with regulations that control for higher density and intensity through building placement
- Enhancing the readability of the regulations through the use of graphics and tables over dense text
- Extending the FMS District into adjacent residential areas and toward Dixie Hwy
- Incorporating modern uses such as co-working spaces, breweries and food trucks
- Making "one stop shop" regulations which don't require multiple documents to decipher

The Main Street Activation Guide and Zoning Standards by Yard & Company was completed in July, 2020. The intent of this study was to provide a "decision making framework" for BCPC staff to approve COAs and other zoning applications. The activation guide seeks to embrace the uniqueness of Florence Main Street, focus on building an active street life, and push beyond the regulatory aspect of zoning to implement significant positive development within the district.

Working with the stakeholder committee, Yard & Company identified pros and cons in the FMS. Among the things listed as "working" are the eclectic mix of historic and more recent buildings, past and projected capital improvements, the potential of the core near the intersection of Main, Girard & Shelby streets, presence of a built-in population, and Florence's continuing strong economic growth. Issues identified as "not working" include a lack of an identity or theme and sense that Main Street is a cut-through rather than a destination. With the exception of the core area, much of the streetscape feels fragmented by the mix of building setbacks. The available building stock tends to be smaller than is needed to meet current market demands.

Based on the analysis of strengths and weaknesses, the study identified five clear Development and Growth Priorities:

- Build on strengths of Main Street's eclectic nature and unique story
- Increase foot traffic by enhancing the pedestrian experience at every level, slowing vehicular traffic and encouraging active storefronts
- Be Florence's food and beverage scene – a key factor in the foot traffic equation
- Create an 18-hour District
- Focus on standards over process

To achieve these five goals, the Activation Guide made detailed recommendations on how Article 23 should be revised, including a streamlined “staff only” review process that eliminates the need for a stand-alone Main Street design review board. Chapter 2 of the Activation Guide is devoted to land uses, metrics (lot size, setbacks, heights, parking requirements, signage, etc.) and illustrations related to a form based code of nine building types. The Review Process, Development Standards and Signage components of the 2021 FMS District update are based primarily on Chapter 2 of the Activation Guide, although the number of building types has been reduced from nine to seven.

The final chapter of the Activation Guide “Management and Operations” is a play book for going beyond regulating the zoning code toward implementing the Development and Growth Priorities they are designed to achieve. It recommends formation of a Community Development Corporation (CDC) type organization to guide marketing, branding events, and engagement. It also recommends staffing and funding options for that organization. The study concludes with recommendations for phasing and staging events to activate Florence Main Street.

While it was not completed specifically for the FMS District, some recommendations of the City of Florence Bike and Pedestrian Plan 2019 Update are relevant to the 2021 FMS Study Update. The 2019 Bike/Ped plan was an update of the 2002 Florence Pedestrian and Bike Plan. It recommended that the City work toward a regional system of Multi-Use paths which has begun to form over the last two decades. This includes expanding the sidewalk on one side of Main Street to connect into new Multi-Use paths on US 42 and Turfway. The study included a prioritized list of over 25 sidewalk needs across the City, including Lynn St. (from Main St. to Lloyd Ave.) and parts of Montgomery and Center streets in/near the FMS District. It also recognized the logistical challenges posed by the narrow public Rights-of-Way on many of the streets in the older parts of Florence.

Finally, an existing incentive available in the FMS District is relevant to the goal of reinvigorating Main Street. The City's Main Street Reinvestment Business Growth & Development Program: Main Street Reinvestment was enacted in 2014. It offers

businesses moving into and renovating/updating a vacant property an incentive payment of 50% of employees' payroll withholdings for a period of up to 2 years.

PUBLIC ENGAGEMENT

In 2019, the City mailed letters to residents in and around the FMS District prior to initiating the historic structures inventory in the potential expansion areas. The public engagement process for the 2021 FMS Update began August 10, 2021, when an invitation letter, project summary, and district map were sent by certified mail to property owners in the existing and proposed expanded FMS District. The letter announced two upcoming public workshops where the draft study would be presented with project staff available for questions and answers. The draft study, project summary, 1994 FMS study, and other background materials were uploaded to a Florence FMS Project page on the BCPC website. City of Florence staff posted project information, including webpage links, and announced the workshops on separate dates via the Mayor's Office social media pages.

The in-person workshop (Florence Main Street District Open House Workshop) took place Thursday, August 26, 5:00 – 7:00pm, at the Florence Nature Park Event Center. A dozen members of the public attended the workshop, although only 8 signed the registration sheet. Two Florence City Council members and Florence Mayor, Diane Whalen, also attended. Staff gave a PowerPoint presentation summarizing the draft study twice during the course of the evening. Concerns raised by attendees included:

1. *Whether the change in zoning from Commercial-2 Zoning to FMS in the expansion areas would negatively impact property values.* Staff replied that the opposite is expected due to the increased parking and flexibility of uses available under FMS zoning compared to Commercial-2 zoning.
2. *Costs for a COA for residential vs. commercial properties.* There is no plan to change the current COA fee schedule – presently \$40 for a single family residence and \$150 for commercial/office.
3. *If the City does or will offer any sort of incentives for businesses in the district.* City staff explained the 2014 Main Street Reinvestment program (see Pg. 6 above).
4. *Whether the City would address stormwater issues relating to new development.* City staff are aware of existing stormwater issues and will monitor new developments for potential opportunities to mitigate the problem.
5. *How increased pedestrian activity would be safely accommodated, especially given the narrow sidewalks and Rights-of-Way on some side streets.* The City is working on streetscape improvements for the District which will be designed to address pedestrian safety. Relevant recommendations of 2019 Bike and Ped Plan Update were also referenced.

6. *Whether the zoning study update would address issues relating to homeless persons camping or loitering in the district.* Staff explained that this issue is outside the scope of the study and zoning update but emphasized that every instance of trespassing should be reported to the police.

The PowerPoint presentation was given again remotely via the Zoom web platform (Florence Main Street District Virtual Workshop) on Monday, August 30, 6:00pm. In addition to staff, six members of the public joined the virtual meeting. Residents were interested in hearing what capital improvements the City anticipated making in the district in the near future. Several hours prior to the meeting, one public comment was received at the Planning Commission by email from a resident asking if "the update would allow for additional homeless-related relief activities on Main Street, such as, overnight stays in a shelter?" and specifically referenced "homeless camps" set up in the Village Park neighborhood and around the Florence Nature Park. While these areas are adjacent to the expanded FMS district and technically outside and south of the district boundary, the issue was noted in conjunction with comments about homeless persons made at the other workshop.

4. BUILDING TYPES AND ARCHITECTURAL STYLES IN THE FMS

The original boundaries included in the 1994 Florence Main Street Study, and the proposed new boundaries of the FMS District are shown on Figure 1. The 127 total parcels in the FMS District host 111 properties; the majority are considered to be contributing to the district's historic character under current National Park Service guidelines. Alterations have occurred to some buildings, but rarely have the buildings been modified to the extent that they are considered non-contributing. Streets included in the expanded district are Main Street, Youell Street, Girard Street, Shelby Street, Montgomery Street, and portions of Banklick Street, Center Street, Dortha Avenue, and Dixie Highway.

A variety of building types and styles can be found in the FMS District, each with distinguishing characteristics. Recognizing the characteristics of the various building types/styles helps determine what features are important to historic integrity and what standards are needed to balance preservation and development. Many buildings have been altered over the years, but most retain features that identify them as a specific building type or architectural style.

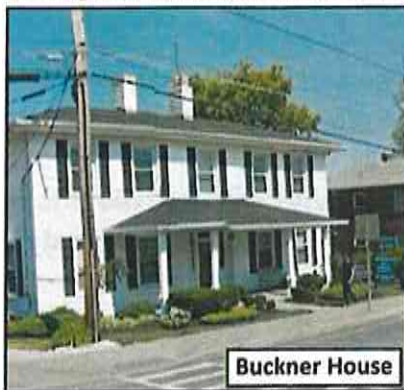
Building types and styles represented in the FMS include Greek Revival, Italianate, Queen Anne, Colonial Revival, Tudor, Bungalow and Ranch, as well as mid-Century Commercial. Quite a few of the buildings are considered stylistically vernacular as they may have only a few features of one building style, features of several styles and/or reflect popular local construction methods.

Defining characteristics of the different building styles can be found elsewhere. The following information provides more general information about buildings specific to the area. Most of the property specific information presented here is based on prior surveys of architectural resources, including a countywide survey effort in the 1990s and the previously mentioned recent survey in Florence.

1840 – 1860 Greek Revival The two earliest structures in the FMS are the c. 1840 Adam Finch House (13 Banklick) and the c. 1842 Samuel Craig House (241 Main). Both houses exhibit common features of the Greek Revival style popular during this period, including symmetrical façades and roofs that are gently pitched and either hipped or side-gabled. The lintels above the doors and windows are stone and flush with the building plane. The Finch House front door features a narrow band of transom windows and sidelights, also typical of Greek Revival.



Finch House



Buckner House

The c. 1860 Buckner House (246 Main) combines elements of both Greek Revival and Italianate styles, which was then becoming regionally popular. The large house has a center-passage floor plan with paired chimneys piercing its hipped roof. Window lintels are flush with the building plane, and the front door is framed by a narrow band of transom windows and sidelights.

1870 – 1885 Italianate By 1870, the Italianate style was well established in Boone County. Characteristic elements of the style appear on several FMS structures, including low pitched roof, overhanging eaves with decorative brackets, and tall arched windows with decorative hood moldings. However, local variations on the style may include rectangular window openings, front porches, and recessed entries.



William Tanner House

The c. 1860 William Tanner House (247 Main) retains its ornate hoodmolds but there have been many alterations to the building. The building remains significant, however, in that it is a rare early

commercial building in Boone County featuring this style. The Mrs. Conner House (258 Main) is also of this period. While the front porch has been enclosed, it retains its decorative bracketed cornice and cornice returns.

The tallest building on Main Street is the Independent Order of Odd Fellows Hall (255 Main) built in 1869. The



Odd Fellows Hall

low pitched roof, bracketed overhanging cornice, and arched window openings with decorative hood moldings typical of the Italianate style remain. Other identifying features of the style have been altered.

1880 – 1955 Queen Anne, Colonial Revival, Tudor Revival, Craftsman

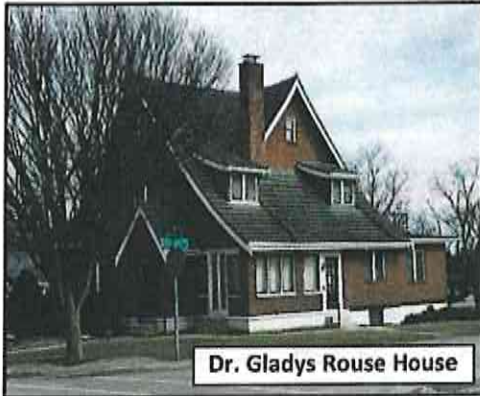
Numerous styles came into popularity in the late 19th Century. Several are represented in the FMS although often by only one example. Houses are often considered vernacular or simply a reflection of the type of buildings that local residents liked and may lack details representative of a distinctive style.



The **Queen Anne** style gained regional popularity in the late 19th century, particularly so in Boone County c. 1884 - 1910. Locally, elements may include spindlework entry porches, gable-end bargeboards or braces, or varied materials and textures. The style had several subtypes, but on Main Street, there are two remaining examples: the circa 1890 Henry Olsner House and the c. 1883 Florence Hotel. Both buildings were built with cross-gabled roofs and ornately detailed partial width porches.

The **Colonial Revival** style has been popular in Boone County since the late 1800s. Several examples are found in the FMS District. The style has a number of subtypes so there is some variation in form and the features from house to house can be difficult to strictly classify. Traditionally, Colonial Revival houses have balanced plans, a rectangular form, gabled or hipped roofs, and doorways enhanced by fanlights and multi-pane sidelights. The Schramm House, circa 1903, and the 1922 Virginia Corey Goodridge House are both stylistically Colonial Revival.





Dr. Gladys Rouse House

The ***Tudor Revival*** style was popular in the second quarter of the 20th Century; two examples are found in the FMS District. Tudor Revival is typified by steeply pitched cross-gabled roofs, wide massive chimneys, windows that are frequently tall and narrow, and arched doorways. The earliest example in the District is the 1926 Dr. Gladys Rouse House and Office (221 Main). A later mid-century home at 8 Youell Street also reflects aspects of Tudor Revival.

The ***Craftsman*** style grew out of the 19th century Arts and Crafts movement. While Craftsman stylistic elements appear on various house forms including Bungalow, American Foursquare, and Prairie plans, the most common type in the FMS District is the Bungalow. Extremely popular in the area in the first quarter of the 20th Century, many notable examples are present across Florence. Distinguishing features include gently pitched roofs, natural materials such as stained wood shingles, stucco and rubble stone, broad porches, and windows with geometrical muntins.



Craftsman House (245 Main St.)



Ranch House (Holian Monuments)

Ranch The Ranch style developed in California in the mid-1930s. These houses are typically one story with a low-pitched roof that is either hipped, cross-gabled or side-gabled, and with a medium to wide overhang. The Ranch style grew in popularity during the 1940s and became the dominant house type in the 1950s to the 1970s, particularly in suburban areas. A number of FMS District ranches have been converted to commercial uses.

Mid-Century Commercial Most of the commercial buildings constructed in the FMS during the mid-1900s are one story, flat roofed, rectilinear masonry buildings of either brick or concrete block, with large plate glass windows. They are found primarily on Main Street, but also along Dixie Highway in the southern proposed expansion area.



The existing architectural styles in the FMS, and their characteristics, provide historic context for evaluating proposed alterations and new construction in the district. Coupled with the Building Typology, they provide a baseline for the zoning requirements discussed below and presented in Appendix A.

5. REVIEW PROCESS

Application for and approval of a Certificate of Appropriateness (COA) is the basis of the review process in the FMS District. A pre-application meeting between applicants and Planning Commission staff is a requirement of the application process.

CERTIFICATE OF APPROPRIATENESS (COA)

An application for a Certificate of Appropriateness (COA) is required to be filed in conjunction with the procedures required in Article 30, Site Plan Review, and Article 31, Supplemental Performance Standards, of the Boone County Zoning Regulations for any property located within the FMS District on which a building is proposed to be erected, altered, expanded, or demolished. A COA is not required for interior alterations to an existing building.

All applications for a COA shall include a pre-application meeting with BCPC staff. The designated BCPC staff member will determine whether a Zoning Permit or Site Plan application. Compliance with the Site Design requirements shall be determined through the applicable Site Plan process as required by Article 30 of the Boone County Zoning Regulations. The Zoning Permit (or Site Plan) and applications shall be submitted concurrently. Seven (7) sets of full size architectural elevations, one (1) letter or legal size set of architectural elevations and color rendering, material samples or product literature, and sufficient design details which demonstrate compliance with these requirements shall be submitted as part of the application. Architectural plans shall be stamped or sealed by a registered architect licensed by the Commonwealth of Kentucky. Approval of applications shall be based on compliance with the Development Standards and Design Requirements established specifically for the FMS District. A COA is not required for ordinary maintenance and repairs intended to correct deterioration, and where no change is made to the appearance of the building or grounds. See **Table 2** for ordinary maintenance and repairs not requiring a COA.

The designated BCPC staff member shall not deny any application made for a COA, but if unable to approve, shall forward the application to the Zoning Administrator who has the authority to approve or deny the submitted application. The action of the Zoning Administrator shall be based on compliance with the Design Review Guidelines and the intent and purpose as stated in this document. In the case of a denial of the COA, an appeal can be filed within 30 days of the denial action to the Florence Board of Adjustment and Zoning Appeals (FBOA). New building construction (excluding additions to existing structures) and demolitions of existing structures cannot receive a COA from the designated Boone County Planning Commission staff member and will require approval

by the Zoning Administrator (see Sections 7 and 8). Site Plan approval and/or Zoning Permit approval shall only be issued after approval of a COA.

TABLE 2. ORDINARY MAINTENANCE AND REPAIRS NOT REQUIRING COA
BUILDING MAINTENANCE/REPAIRS
Interior changes not impacting exterior appearance
Repainting with the same color
Caulking, weather-stripping, reglazing windows
Replacing window glass, as long as window shape or style are not altered
Small surface repairs, such as deteriorated siding, porch flooring or steps, or roofing material as long as replacements match the existing in materials, design, and color
Replacement of gutters and downspouts, or existing roof ventilators on rear slopes, as long as the shape and color matches the original element in materials, design, and color
Repair or replacement of exterior mechanical equipment (e.g., HVAC), providing there is no change to appearance of the building
Installation of house numbers or mailboxes compatible with the original
SITE MAINTENANCE/REPAIRS
Minor landscaping unless the entire yard or site is being replanted
Repairs to fences, walks, and driveways as long as replacement materials match the existing or original materials, details, and color
Repair of yard or house lighting

6. DEVELOPMENT STANDARDS

PRINCIPALLY PERMITTED USES

1. Grocery stores and supermarkets, retail sale of meat, fish, dairy and poultry products, bakery, produce and specialty foods;
2. Professional services and professional offices to include legal, engineering, real estate, insurance, accounting, financial, travel agencies and similar type uses;
3. Design services and offices to include architectural design, fashion design, graphic design, interior design, industrial design, landscape architecture, product development, software development, urban design, and similar type uses;
4. Studios and coworking spaces for arts and services specified in 2 and 3 above and also artists, musicians, photographers, music and dance studios/schools;
5. Live/work units;
6. Florists excluding greenhouses;
7. Postal services and packaging services provided the use is essential for pick-up and delivery convenience and not storage or transfer activities more appropriate to an employment district;
8. Medical, dental or optical clinics;
9. Beauty and barber services and tanning salons;
10. Day care centers;
11. Antiques, art, craft and hobby supplies and products, gifts and novelties;
12. Apparel stores, department stores, general merchandise, shoe stores, specialty clothing or boutiques and other apparel retail trade;
13. Eating and drinking places including alcoholic beverages that provide entertainment, but excluding drive-through facilities;
14. Household electronic sales;
15. Churches, synagogues, temples and other places of religious assembly for worship;
16. Detached single-family, duplex, townhouse, apartments, condominium and landminium dwelling units;
17. Art, music and dancing schools, libraries and museums;
18. Motion picture theaters, play houses, puppet shows (indoor);
19. Recreation centers, gymnasiums, parks, clubs and similar athletic uses;
20. Professional schools and special training and schooling facilities;
21. Sporting goods including bicycles;
22. Draperies, curtains, upholstery and floor coverings, furniture sales and repair;
23. Books, stationery, newspapers, magazines, related media, greeting cards and party supplies;
24. Hardware, paint, glass and wallpaper stores;
25. Banks and financial institutions (excluding drive-through facilities);

26. Dry cleaning services, shoe repair, and tailoring;
27. Elderly housing facilities and nursing homes;
28. Jewelry stores;
29. Body-art services;
30. Short term rentals.

ACCESSORY USES

1. Accessory uses for a dwelling unit:
 - a. private garages;
 - b. structures such as fences and walls;
 - c. buildings such as storage sheds, private greenhouses and gazebos;
 - d. private swimming pool, sauna, bath house and similar accessories;
 - e. keeping of household pets;
2. Parking located in the side or rear of the lot (See Article 33);
3. Temporary buildings incidental to construction;
4. Play lots and tot lots;
5. Signage (See Article 34);
6. Automatic teller services;
7. Outside storage, display, loading, uncrating or unpacking areas which are an integral function of a permitted use and do not create outside spaces which will tend to enlarge or overpower the activities of permitted uses, and which are conducted in accordance with Section 3154;
8. Recycling collection containers;
9. Small-batch manufacturing (brewing, distilling, bakeries, ice cream/candy, artisanal workshops or studios);
10. Mobile food vending vehicles;
11. Accessory dwelling units.

CONDITIONAL USES

The following uses and appropriate accessories are subject to the approval and qualifications of the Board of Adjustments and Zoning Appeals provided: a) the activity is an integral and subordinate function of a permitted use, and functions to preserve and protect the existing character of businesses and residences found along Main Street; b) the activity will further add to, not detract from, the creation of a compact, multi-purpose and pedestrian oriented environment; c) the arrangement of use, building, or structure is compatible with the arrangement or organization of permitted and accessory uses which are to be protected in the district;

1. Bed and breakfast inns and hotels with more than four guest rooms;
2. Horse related uses, including riding and boarding stables, as defined by KRS 100.111 (2)(c).

MINIMUM STANDARDS

The mixing of uses, such as residential, retail and office uses is permitted within the FMS District. The mixing of uses can occur within one building or within multiple buildings located on the same property. However, retail, dining, and office uses should be located on the ground floor of mixed use buildings with residential in the rear or upper levels.

1. Minimum Lot Sizes – none required
2. Minimum Lot Frontage – none required
3. Height Standards – 4 story maximum
4. Yard Standards – existing buildings located further than 10 feet from the front property line will be permitted to construct an addition which is consistent with the existing building setback
 - Front – 10 feet maximum
 - Side – None required
 - Corner Side – None required
 - Rear – 20 feet required when a non-residential use adjoins an existing residential use

BUILDING TYPOLOGY

To allow flexibility while maintaining a traditional Main Street character and encouraging mixed uses, building form is emphasized over use in the FMS District. This section presents the standards for building types permitted within the district in graphic form. Each type is also briefly described and illustrated with photos of representative examples. Use descriptions are illustrative of ways buildings could be used. New construction shall follow a defined type. Additions and modifications to existing buildings should follow the standards for the closest corresponding type.

SMALL HOUSE Small single-unit principal structure on a small lot that may have office or commercial uses (see below examples). Usually a small footprint building on a small lot with minimal setbacks, less than 3 stories high with a gabled roof and front stoop/porch.

Location Requirement:

n/a

Parking Location:

Rear

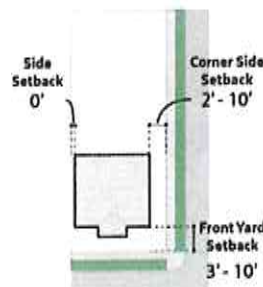
Signage Requirement:

n/a

Max Width: 40'

Minimum Ground Floor: n/a

Max Stories: 3



LARGE HOUSE Larger principal structure on a medium to large lot that may have 2 or more dwelling units, office, commercial or mixed uses. Usually a moderate footprint building on a larger lot with deeper setback, at least 2 stories high with gabled roof and front porch.

Location Requirement:

n/a

Parking Location:

Rear, Side

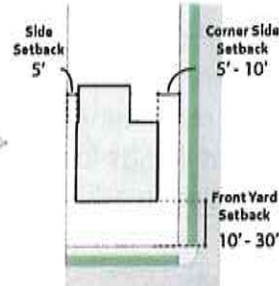
Signage Requirement:

n/a

Max Width: 60'

Minimum Ground Floor: 12'

Max Stories: 4



MULTI-PLEX Multi-unit, multi-story, residential structure with a minimum of 4 units that may have ground floor storefronts. This type includes multi-unit residential developments of all sizes within the district. Typically at least 2 stories with minimal setback, flat roof, horizontal windows and prominent entrance.

Location Requirement:

n/a

Parking Location:

Rear, Side

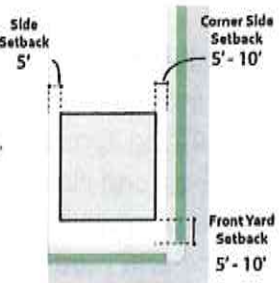
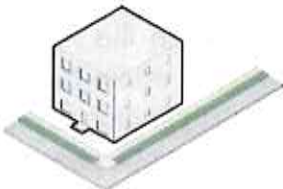
Signage Requirement:

n/a

Max Width: n/a

Minimum Ground Floor: 12'

Max Stories: 4



CIVIC Small to large principal structure typically built for public uses such as government, churches, libraries and schools. Variable lot size and includes a broad range of building sizes/styles, frequently with a grand entrance and/or landscaped approach.

Location Requirement:

Main Street, Shelby & Girard*

Parking Location:

Rear, Side

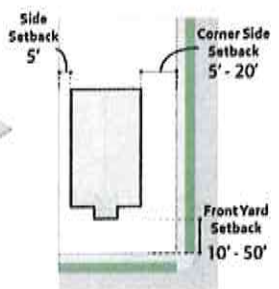
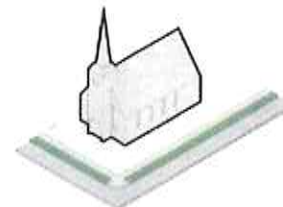
Signage Requirement:

No Awning, Canopy, Window signs

Max Width: n/a

Minimum Ground Floor: 12'

Max Stories: n/a



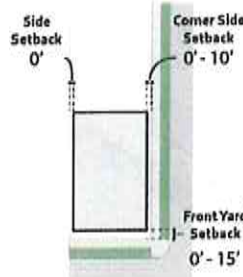
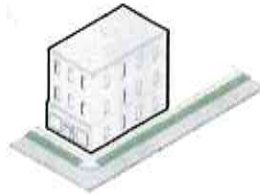
MAIN STREET MIXED USE Medium to large structure, typically attached, intended to provide mixed uses with ground level retail or service uses and upper floor services or residential. At least 2, often differentiated, stories with a flat or parapet roof and vertical emphasis, including windows. This type is suited to the central part of the district including Main Street frontages and the blocks to the north along Shelby and Girard streets (see **Figure 2**).



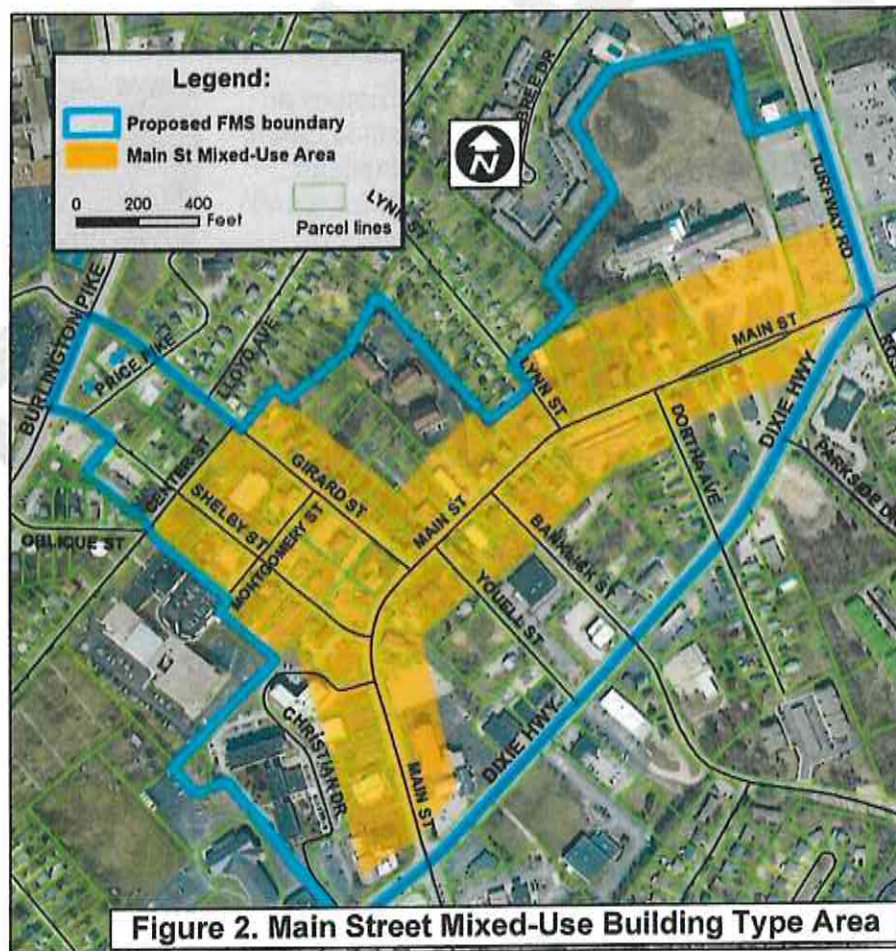
Location Requirement:
Main Street, Shelby & Girard*

Parking Location:
Rear, Side

Signage Requirement:
No freestanding signs



Max Width: 120'
Minimum Ground Floor: 12'
Max Stories: 4



FLEX Medium to larger principal structure, usually detached, 1–3 stories tall on a large lot with parking. Building forms are typically boxy with flat or low pitched roofs. They may be single or mixed use with a vertical mix of uses such as ground-floor industrial, service, or retail and upper-floor service or residential. This type includes 1 story commercial buildings on Dixie Highway and Main St; new buildings on Main St. must be a minimum of 2 stories.

Location Requirement:

Dixie Highway,
Main Street (2+ story only)

Parking Location:

Rear, Side

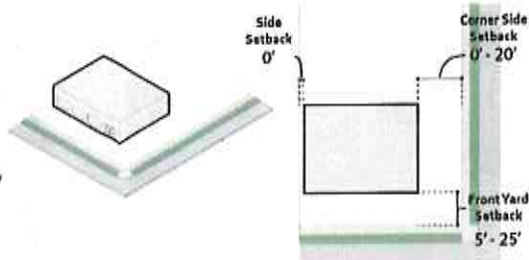
Signage Requirement:

Monument signs on Dixie Hwy only

Max Width: 80'

Minimum Ground Floor: 12'

Max Stories: 3



CARRIAGE HOUSE A detached accessory structure at the rear of a lot that may be residential, home office, small commercial, mixed use or accessory to such functions. They usually echo the principal structure in both form and style.

Location Requirement:

Accessory only

Parking Location:

Side, Front

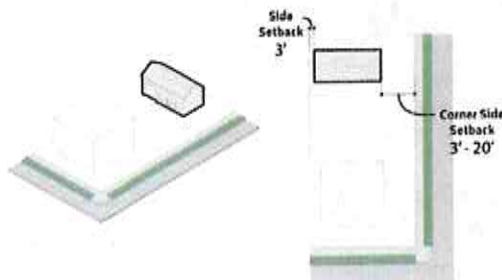
Signage Requirement:

No freestanding signs

Max Width: 36'

Minimum Ground Floor: n/a

Max Stories: 2



FENCING

Fencing should be compatible with the design and material of the building and block. Generally, cast iron fences, dark architectural steel or milled wood "picket" style fences are most appropriate for front yards. Aside from the specific requirements noted below, Boone County Zoning Regulations Section 3655 shall be followed:

1. Chain link, plastic, PVC, split rail and other "rustic" look wood, unmilled dimensional lumber, and similar materials are not permitted
2. Fences shall be no less than 50% open or transparent
3. Fences and walls up to 42" are permitted in front yards. Fences or walls over 42" are permitted for an enclosed courtyard.

LANDSCAPING

See Boone County Zoning Regulations Article 36 for landscaping requirements. Note that buffer yard widths specified in Article 36 shall not exceed setback requirements in Article 23.

PARKING REQUIREMENTS

Parking requirements in the FMS shall be in accordance with Article 33 of the Boone County Zoning Regulations, with the differences to required minimums listed below. Joint Use agreements per Section 3320 are strongly encouraged. Fractional parking space numbers shall be increased to the next whole number.

1. Residential uses: 2 spaces per multi-bedroom units; 1.5 spaces for 1 bedroom or studio units
2. Non-residential uses:
 - a. Lodging: 1 space per guest room or suite
 - b. Office: 1 space per 500 square feet of Gross Floor Area (GFA)
 - c. Retail: 1 space per 500 GFA
 - d. Civic/Theater/Auditoriums/Churches: 1 space per 6 seats that are used simultaneously
 - e. Eating and Drinking Establishments: 1 space per every 4 seats, no requirement for outdoor seating
3. Non-residential uses within 650 feet of a municipal parking lot shall qualify for a ten percent (10%) reduction in required parking

LIGHTING

See Boone County Zoning Regulations Section 33.16 for lighting requirements.

7. SIGNAGE

DEVELOPMENT STANDARDS FOR SIGNS

Signs located in the FMS District shall be in accordance with Article 34 of the Boone County Zoning Regulations, the Design Requirements in Section 8, and those below. The Design Requirements illustrate the proper location, type and size of building mounted, projecting, window, canopy, monument, and free-standing signs that can be erected within the FMS District.

- a. The size of **building mounted** signs for single tenant buildings shall not exceed one (1) square foot of sign area per lineal foot of building width for the elevation upon which the sign is to be mounted. For multi-tenant buildings, the size of building mounted signs shall not exceed one (1) square foot of sign area per lineal foot of building width for that portion of the building elevation occupied by an individual business.
- b. **Projecting signs** cannot project more than four (4) feet into the right of way and the bottom of the sign shall be located a minimum of ten (10) feet above the ground. The maximum permitted size for a projecting sign shall not exceed 16 square feet. Permission from the right-of-way holder is also required.
- c. **Window signs** (interior or exterior) shall not be allowed to cover more than twenty-five percent (25%) of the window on which it is located.
- d. **Canopy/awning signs** are permitted on all three (3) sides of the canopy/awning, provided the canopy/awning is attached directly to the principal building. The size of each sign will be determined by the canopy/awning/face upon which the sign is mounted and not the building width.
- e. Signage shall only be permitted on a maximum of two (2) building elevations for single tenant buildings and three (3) building elevations for multi-tenant buildings.
- f. On any single building elevation for a single tenant building, only one building mounted sign, one projecting sign, one canopy/awning, sign and multiple windows signs will be allowed, or any combination thereof, provided the total sign area for all signs does not exceed thirty-two (32) square feet.
- g. On any single building elevation for a multi-tenant building, only one building mounted sign, one projecting sign, one canopy/awning, sign and multiple windows signs will be allowed for each tenant, or any combination thereof, provided the total sign area for all signs does not exceed thirty-two (32) square feet.
- h. **Architectural free standing and monument** signs are only permitted according to the Building Typology and are limited to one (1) per site and shall not exceed eight (8) feet in height above ground level and thirty-two (32) square feet in size.

Architectural free standing and monument signs shall be set in a landscaped area. In addition, architectural free standing and monument signs shall be located out of all public rights of way and shall not obstruct driver visibility.

- i. **A-Frame signs** will be permitted but shall not exceed eight (8) square feet in size. One sign shall be permitted per building entrance and can be located on the public sidewalk next to the building. The sign shall not be located in such a way as to obstruct movement along the sidewalk or driver visibility. The sign shall be removed at the close of business each day.
- j. **Murals** shall require the approval of the City of Florence and may not be placed on the primary façade or previously unpainted walls of a historic building.
- k. **Changeable copy signs**, manual or electronic, shall be prohibited.

DESIGN REQUIREMENTS FOR SIGNS

Signs shall be compatible with the design of the buildings and not obscure any architectural details or features. Regardless of type, (building mounted, projecting, freestanding, etc.) signage shall be of a size proportionate to the building. Examples of appropriate signs which illustrate the FMS District sign requirements are shown on the following pages. Others can be found in Section 2.6.2 of the [Florence Main Street Activation Guide and Zoning Standards](#). Also see [Preservation Brief 25](#).

- a. Where present, existing historic signs such as those painted on walls should be preserved and sensitively restored without making them look like new.
- b. Signs shall be of a design and include materials that are compatible with the architectural design, form, scale, and exterior materials of the principal structure and scale and design of a small town "main street" pedestrian environment.
- c. Durable materials used historically in the district and modern materials such as urethane board that appear similar to historic materials are encouraged. Rough, unfinished surfaces, plastic and glossy materials, and pressure-treated wood are not appropriate. Pin mounted metal lettering is allowed. Individually mounted plastic letters are not permitted.
- d. Signs and support structures shall not damage or obscure significant architectural features of a building, including window/door frames, cornices, molding, or other ornamental feature.
- e. Signs and their support structures must be able to be removed in the future without leaving evidence such as damaged surfaces or altered original materials or details.

- f. Sign colors and lettering shall be compatible with the principal structure. Florescent, neon and reflective paints and materials are not permitted with the following exceptions: internally lit signs and neon sign elements are permitted only for the Multi-Plex, Flex, and Main Street Mixed Use building types.
- g. Projecting signs shall be of wood or metal construction.
- h. Sheet metal, flat board or plexi-glass cabinet type signs are not permitted building mounted designs.
- i. Metal-framed canvas awnings are appropriate for most buildings in the FMS; metal awnings may be acceptable on some existing mid-20th Century buildings and new construction. Firmly structured awnings with an "inflated" or plastic appearance shall not be used.
- j. Sign lighting should be indirect and sufficient to allow identification without detracting from the surrounding area.

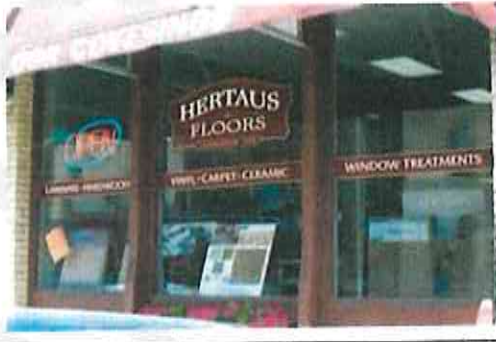
EXAMPLES OF SIGNAGE APPROPRIATE IN THE FMS DISTRICT



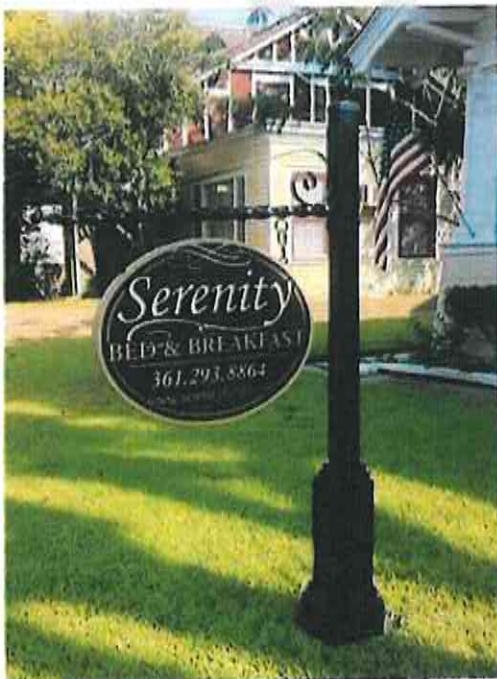
AWNING SIGNS



WINDOW & AWNING



FREE-STANDING SIGN



APPROPRIATE SIGN LIGHTING



8. DESIGN REQUIREMENTS

The purpose of the Design Review Requirements for Florence Main Street, to be implemented in conjunction with the zoning district, is to provide a unified direction for proposed alterations to existing buildings and new construction within the zoning district. Their intent is to maintain the eclectic historic character of Main Street in terms of scale, rhythm, and massing without recreating a particular historical time period or architectural style. They are also designed to help make Main Street a pleasant, accessible, and authentic place for residents, visitors and business owners. These requirements serve as an advisory tool for property owners contemplating changes to their buildings, or planning new construction. They also provide standards on which reviewers base decisions. All exterior alterations (except those noted in the guidelines), additions, demolitions, or new construction within the study area are required to obtain a Certificate of Appropriateness (COA) for the proposed work.

These requirements supersede the normal requirements of the Boone County Zoning Regulations. When specific development standards or requirements are not outlined in this document, the normal requirements of the Boone County Zoning Regulations shall apply. Specific, individual requirements in this document may be modified by the Zoning Administrator provided the proposal will create an equivalent or superior solution to the requirement in question, and the proposal does not diminish the design character which would otherwise be created by the normal requirement.

GENERAL GUIDELINES

Certain general guidelines apply in all rehabilitation projects in the FMS District. Keeping these guidelines in mind when approaching a project will help with making appropriate choices. While the majority of the exterior work performed on the buildings in the FMS District is likely to be general maintenance and repair, even routine maintenance requires consideration to ensure that original materials are not damaged in the process. The guidelines in this document provide information to assist in meeting this goal.

Rehabilitation and maintenance of historic buildings requires varying methods of construction, period materials and levels of craftsmanship vary. Each feature of the building may require a different approach to maintenance and rehabilitation. Masonry, siding, roofs, gutters, downspouts, doors, windows, porches, and paint all require attention to the manner in which they contribute to the historic character of the building. The National Park Service's [Preservation Briefs](#), [Interpreting the Standards Bulletins](#), and [Preservation Tech Notes](#) offer appropriate techniques for nearly every rehabilitation topic discussed below.

MASONRY

Goal: Preserve the building's original exterior appearance

- ? See [Preservation Brief 1](#) about masonry cleaning, [see Preservation Brief 10](#) for paint removal and [Preservation Brief 2](#) for pointers about mortar.

PREFERRED STRATEGY

- Maintain, preserve and repair rather than replace historic masonry
- Gentle cleaning only when necessary, preferably with low pressure water
- Repainting previously painted masonry when needed
- Use of mortar compatible with the original in color, texture and chemical composition

INAPPROPRIATE OR PROHIBITED

- Sandblasting or harsh chemical cleaning
- Using sealants or painting previously unpainted masonry
- Covering original masonry with any type of siding or stucco
- Replacing missing brick with another material
- Mortar type, color, width and profile differing from the original
- Use of Portland cement in some instances

SIDING

Goal: Preserve the building's original exterior appearance

- ? See [Preservation Brief 8](#) about siding on historic buildings.

PREFERRED STRATEGY

- Maintain, preserve and repair rather than replace historic siding
- Replacement siding matches the original in board width, profile, and texture
- Cementitious board may be approved when replacing wall areas previously covered with synthetic siding
- Preserve architectural details such as cornices, lintels, corner boards and porch posts

INAPPROPRIATE OR PROHIBITED

- Replacing repairable wood siding
- Synthetic siding including vinyl, aluminum, composite shingle, formstone, brick veneer, synthetic stucco, EIFS
- Altering board width, profile and texture
- Re-finishing painted woodwork for a "natural" look
- Covering or altering historic details

Right - The first floor of this prominent building at Shelby & Main was once covered in aluminum siding, which was later removed to reveal the original brick wall and rear storefront.



ROOFS AND GUTTERS

Goal: Maintain texture and original roof appearance

? See [Preservation Brief 4](#) for roofing, gutters, and downspouts.

PREFERRED STRATEGY	INAPPROPRIATE OR PROHIBITED
<ul style="list-style-type: none"> ➤ Preserve and maintain original roof shape and materials ➤ Replacement roof coverings that match the original (standing seam metal, slate, etc.) ➤ Inconspicuous locations for roof-mounted equipment ➤ Retain and rebuild box gutters ➤ Paint gutters and downspouts to match building trim, unless copper is used 	<ul style="list-style-type: none"> ➤ Altering roof pitch or raising roof height ➤ New roofing materials that obscure details such as chimneys, dormers, or brackets ➤ New dormers or skylights visible from the public ROW ➤ Replacing box gutters with the possible exception of half-round gutters on side and rear facades in extreme cases



Above - The steep pitch and tile covering are key stylistic elements of the Tudor Revival National Register-listed Gladys Rouse House on Main Street.

Below - The original arched openings of this brick building have been infilled with brick and concrete block to accept smaller windows



WINDOWS, DOORS AND SHUTTERS

Goal: Maintain historic windows, their design and placement

? See [Preservation Brief 9](#) for wood windows, [Preservation Brief 13](#) for metal windows, and [ITS 23](#) for replacement windows. See [Preservation Brief 11](#) and [ITS 4](#) for doors.

PREFERRED STRATEGY	INAPPROPRIATE OR PROHIBITED
<ul style="list-style-type: none"> ➤ Maintain and preserve rather than replace historic doors, windows and shutters ➤ Replacements (when needed) match originals in size, design and materials ➤ Storm windows of anodized aluminum or baked enamel with finish to match window frames ➤ Storm doors with large expanses of glass and made of wood or dark anodized metal; wooden screen doors are acceptable 	<ul style="list-style-type: none"> ➤ Replacing repairable historic doors & windows ➤ Using tinted or solarized glass ➤ Changing window glazing pattern or size ➤ Infilling window or door openings or changing the size of openings ➤ Obscuring historic windows with storm windows



Above – The cantilevered metal awning of the Hennessey Building at 240 Main St. is appropriate for a 1960 commercial building.
Below - The original wood porch was removed from the Florence Hotel before it attained National Register status, but the painted façade is cited in the nomination and should remain painted.



PORCHES AND AWNINGS

Goal: Maintain the form, design and materials of historic porches and awnings

? See [Preservation Brief 45](#) and [ITS 39](#) for porches and [Preservation Brief 44](#) and [ITS 27](#) for awnings.

PREFERRED STRATEGY	INAPPROPRIATE OR PROHIBITED
<ul style="list-style-type: none"> ➤ Maintain and preserve original porch design and materials, including railings, supports, and roof form ➤ Replacement elements match originals ➤ Reconstruction based on historic photos and appropriate materials ➤ New porches and decks may be appropriate when not visible from the public ROW ➤ Fabric or canvas awnings or canopies may be appropriate but cannot obscure architectural details 	<ul style="list-style-type: none"> ➤ Removing historic porches or elements ➤ Adding, removing or replacing historic porch features ➤ Enclosing a porch to create interior space ➤ Reroofing a porch with a different material ➤ Repairs with non-matching new materials including vinyl, aluminum, and dimensional lumber ➤ Internally lit awnings or canopies ➤ Metal awnings, with the exception of some mid-20th Century buildings

PAINT

Goal: Use of paint colors and schemes appropriate to the building's age and style

? See [Preservation Brief 10](#) and [ITS 7](#) about paint on historic woodwork

PREFERRED STRATEGY	INAPPROPRIATE OR PROHIBITED
<ul style="list-style-type: none"> ➤ Painting previously unpainted masonry or wood ➤ Gentle cleaning of existing paint in good condition rather than repainting ➤ Surface prep by the least destructive methods (scraping & sanding) when possible 	<ul style="list-style-type: none"> ➤ Intense bright colors such as fluorescents on walls or trim; dark colors (e.g., black) on walls ➤ Potentially destructive paint removal by sandblasting, blow torch, etc. ➤ Artistic murals not approved by the city

DRIVEWAYS AND PARKING AREAS

Goal: Driveways and parking areas serve their intended purpose while being as unobtrusive as possible

? See [ITS Bulletin 39](#) about site changes.

PREFERRED STRATEGY

- Parking does not obscure primary facades of historic buildings
- Parking is screened per Article 31
- Parking areas maintain the setback of their respective block
- New parking areas and garages located behind the building with driveways to the rear where possible

INAPPROPRIATE OR PROHIBITED

- Circular driveways or small frontage parking pads
- Removing historic buildings to provide parking
- Parking located in front of the primary façade or on the ground floor in the front

ACCESS MODIFICATIONS (RAMPS AND FIRE ESCAPES)

The design of additional means of access to meet safety or ADA requirements must be compatible with the historic building being accessed. Work should not obscure, change, or destroy character-defining features. See [ITS Bulletin 53: Designing New Additions to Improve Accessibility](#).

1. Ramps shall be sited alongside facades with entrances on the front whenever possible
2. Fire escapes shall be located on side or rear facades
3. Ramps visible from the public Right-of-Way should be of concrete or masonry materials with metal or wood handrails
4. Railing elements of ramps and fire escapes should not be utilitarian or overly ornate but stylistically appropriate to the building they serve
5. Ramps and fire escapes should be installed without damaging or removing historic building materials and be reversible
6. In some cases, interior modifications such as elevators may be more feasible than exterior access modifications

LIGHTING FIXTURES

Lighting fixtures on buildings shall not detract from the building or general character of the street. While lighting should be sufficient for safety needs, it should be carefully planned and adhere to the following:

1. When present, existing historic light fixtures should be preserved
2. New light fixtures should be contemporary in design and/or based on existing historic examples within the district
3. Designs should be compatible with the building's age and style
4. Fixtures should be made of brass, copper, iron or painted metal

5. Imitation historic lighting such as “Williamsburg” style carriage lights are not permitted
6. When necessary, security and foot lighting should be unobtrusive and installed on secondary facades

ADDITIONS

Additions to existing buildings in the FMS District are further classified as follows:

Minor Additions:

- Cosmetic alterations to the front or side of a building
- Rear additions that increase the original structure’s square footage by less than 50%

Major Additions (see **Figure 3**):

- New construction
- Any addition to front or side façade
- Rear additions that increase the original structure’s square footage by more than 50%

See [Preservation Brief 14](#) and [ITS Bulletin 3](#) pertaining to new exterior additions to historic buildings.



Figure 3. Conceptual Rendering of a Major Addition

7. NEW CONSTRUCTION AND MAJOR ADDITIONS

Preservation of the character and defining features of the FMS does not prohibit new construction, either as infill development or replacement. However, the design of new construction should consider the streetscape, existing visual characteristics of the block, and adjacent buildings. Key factors include building shape, age, setback, architectural style, height, width, materials, detailing, roof form, spacing of window and door openings, and floor-to-ceiling heights. Section 2307 of the zoning text found Appendix A of this document regulate the specific requirements for new construction and major additions within the FMS District.

NEW CONSTRUCTION (see Figures 4 and 5):

1. Follow the Building Typology in this document unless incompatible with existing structures on the block or functionally incompatible with the site
2. Be contemporary in design but compatible with existing buildings on the block
3. Not mimic historic styles or create a false sense of history
4. Conform to the materials requirements specified in Section 7: Design Requirements
5. Be no more than 30% taller than adjacent buildings
6. Screen HVAC and other mechanical equipment

The design of major additions to historic buildings should consider the above block-level factors but focus more closely on the building to be modified.



Figure 4. Conceptual Rendering of Small Infill Construction

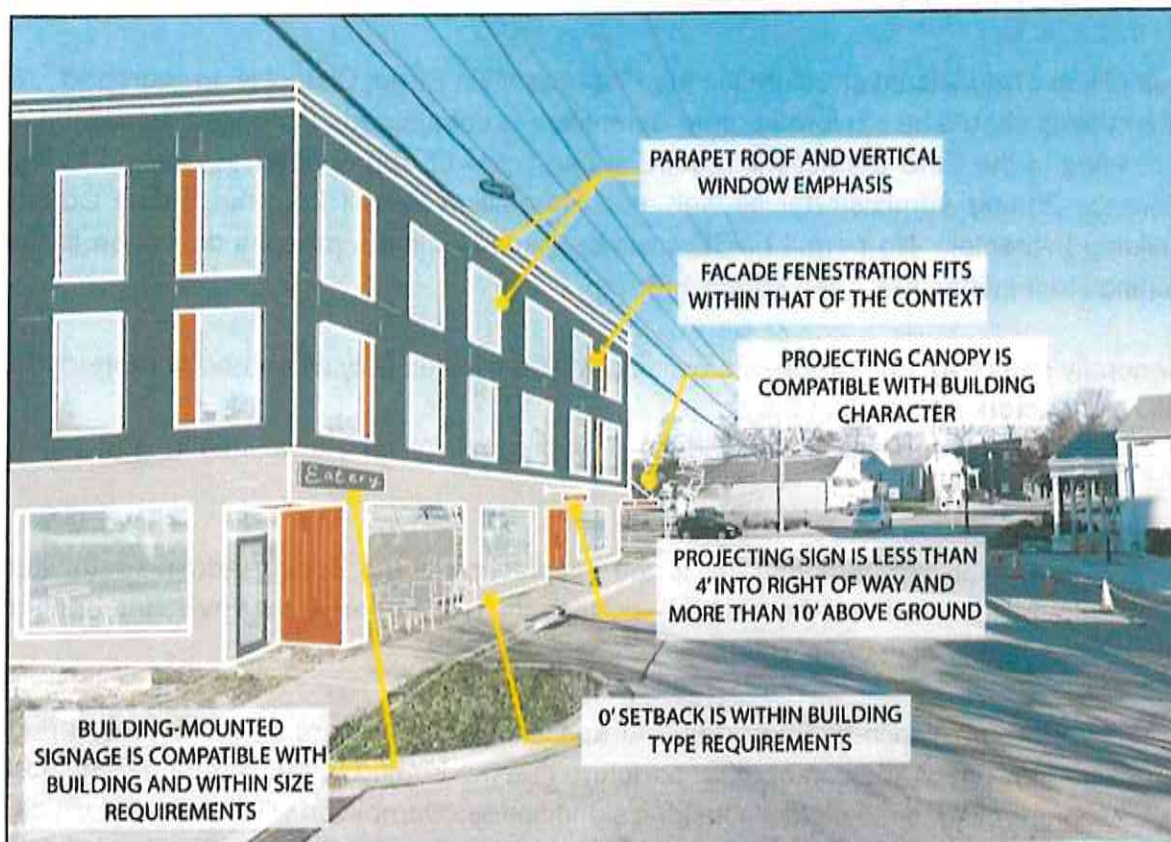


Figure 5. Conceptual Rendering of Large Infill Construction

MAJOR ADDITIONS (see Figure 3) shall:

1. Follow the Building Typology in this document unless incompatible with existing structures on the block or functionally incompatible with the site
2. Be contemporary in design and compatible with the building, while being clearly differentiated from it
3. Not damage or remove existing historic materials and be designed to avoid compromising the building form/materials if removed in the future
4. Conform to the materials requirements specified in Section 7: Design Guidelines
5. Avoid the front façade or readily visible side façade of a building
6. Additions visible from the public right-of-way shall be treated in a more formal architectural manner, be complementary to yet differentiated from the main building through, for example, color or texture
7. Follow existing roof lines, materials, style and massing of the building
8. Not re-orient the building's primary entrance from the front to the side or rear

8. DEMOLITION

Demolition of significant structures in the Florence Main Street District is discouraged. All alternatives should be explored before demolition is considered. Proposed demolition of a building in the FMS District will require a Certificate of Appropriateness issued by the Florence Zoning Administrator as well as a Demolition Permit from the Boone County Building Inspector. No permit or COA will be issued until the process described in the Zoning Regulations has been completed.

Generally speaking, demolition of a building will be allowed only when one or more of the following factors applies:

1. Demolition has been ordered by a public official for public health and safety reasons.
2. The owner can demonstrate, to the satisfaction of the Zoning Administrator that the building cannot be reused, or that its full or partial use will not bring a reasonable economic return.
3. The demolition request pertains to an accessory structure of a different period, inappropriate addition or other structure that the Zoning Administrator deems non-contributing to the district's historic significance. Demolition will be allowed if it can be shown that this action will not have a negative or adverse impact on the integrity of the FMS District.
4. The demolition is consistent with plans or policies adopted by the City of Florence.

9. CONCLUSION

Since its adoption by the City of Florence and Boone County Planning Commission, the 1994 Florence Main Street Study has been implemented in the Boone County Zoning Regulations as Article 23 - Florence Main Street Zoning Study (FMS) and Section 3440.C - Florence Main Street Special Sign District. By minimizing demolition and requiring appropriate rehabilitation, the original study and zoning text have helped preserve the historic building stock and streetscape of the FMS District. However, after 25 years, both City and BCPC recognized the need to update both study and regulations to reinvigorate the FMS District and better encourage investment into this historic portion of the City of Florence.

This Florence, KY, Main Street Zoning Study Update meets the goals established by the team of consultants, staff and citizen professionals the City engaged to analyze and address the issue. The update is user-friendly and graphic-driven, expands the FMS District, and revises the associated zoning map and special sign district. It recommends best practices, and guides the user toward appropriate additional resources where needed. It streamlines the review process and includes standards designed to go beyond preservation to promote an active, pedestrian-oriented, mixed-use district. Finally, Appendix A articulates zoning text intended to achieve the study's intent and more clearly facilitate development which maintains the historic character of the area. These standards and associated boundary map replace the 1994 FMS District text, map and special sign district in the Boone County Zoning Regulations. In conjunction with the recommendations of Yard & Company's Main Street Activation Guide and Zoning Standards, the updated FMS District zoning text will help to make Florence's Main Street the active, authentic, destination neighborhood it is meant to be.

DEFINITIONS

Addition – New construction added to an existing building or structure

Alteration – Work which impacts any exterior architectural feature including construction, reconstruction, or removal of any building or building element.

Architectural Feature – A significant part or element of a building, structure, or site.

Bracket – An ornamental or structural member, or both, set under a projecting element, such as the eaves of a house.

Compatibility – Harmony in appearance of two or more exterior design elements in the same area.

Cornice – Any projecting ornamental molding along the top of a wall, building, etc.

Demolition – Any process that destroys part or all of a building in the Main Street District.

Dormer – Small window, with its own roof, that projects from a roof.

Elevation – Any one of the external faces of a building.

Façade – The main face or front of a building.

Gabled Roof – A roof with a central ridge and one slope at each end.

Lintel – A horizontal beam or stone bridling an opening, and carrying the weight of the wall.

Live/Work Unit – A building or portion therein where a dual primary use is shared between a residential use and a commercial or production use allowed in the zoning district.

Mural – A graphic displayed on the exterior of a building, generally for the purpose of decoration or artistic expression, which depicts a scene or event of natural, social, cultural, or historic significance. A mural is not a sign.

Non-contributing – properties that due to date of construction, alterations, or other factors, do not contribute to a historic district's historic significance or character

Proportion – the balanced relationship of parts of a building, site, landscape, or group of buildings to each other and the area as a whole.

Scale – Proportional relationship of the size of parts to one another, and to the human figure.

Siding – The exterior wall covering or sheathing of a structure.

Streetscape – The observable scene along a public street that contains natural and manmade features such as buildings, plantings, fencing, paving, and miscellaneous structures.

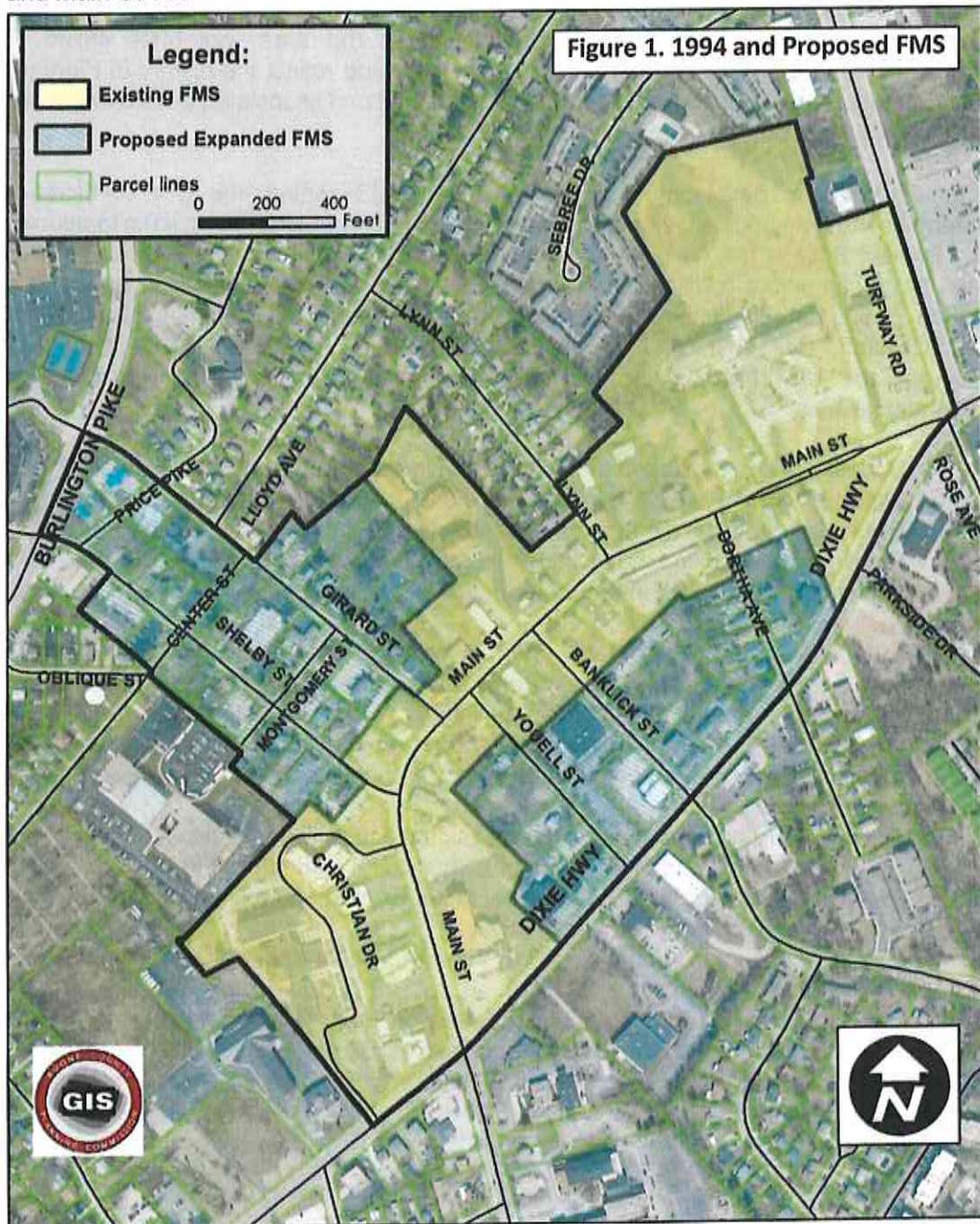
APPENDIX A: Revised Boone County Zoning Code Article 23 Florence Main Street Zoning Study (FMS) and Section 3440.C Florence Main Street Special Sign District

Section 2300 Intent/Purpose

- A. The Florence Main Street (FMS) District consists of an eclectic mix of buildings dating from the 1840s to the 2000s with a range of uses, building types, and architectural styles. The core of pre-1960 structures in Stringtown, as the area was once called, is complemented by later buildings that provide context and reflect the history of Florence Main Street's development over time. The FMS District and associated development and design standards were originally created in 1994.
- B. After 25 years of development under the 1994 FMS zoning, the City of Florence determined that an update was appropriate and retained three consulting firms to address key issues. Sullebarger Associates updated the historic architectural survey along Main Street and completed additional survey work in adjacent areas. Yard & Company and Calfee Zoning, in conjunction with a committee of Boone County Planning Commission (BCPC) staff, City staff, and architectural-engineering professionals, reviewed and analyzed the 1994 FMS zoning and subsequent impact. These initiatives identified several objectives:
1. Update Article 23 text and the zoning map in the zoning regulations
 2. Expand the FMS district to include additional blocks to the north and south
 3. Create user-friendly development standards and design requirements
 4. Revise and streamline the review process to emphasize standards over procedure
 5. Implement standards that promote an active, walkable, mixed-use district
- C. The intent of these updated standards and review process is to preserve and protect the existing character of the businesses and residences found along Main Street in Florence, Kentucky, and to promote their continued vitality. Florence Main Street affords the opportunity to create a strong community identity and pedestrian environment; therefore, the zoning should encourage and promote this type of development. The purpose of this zoning district is to:
1. Provide a mixing of commercial, professional and residential uses.
 2. Establish, protect and promote neighborhood and community identity.
 3. Establish a more urban character that provides needed community services.
 4. Promote and protect pedestrian activity.
 5. Establish and maintain the district as an authentic 24-hour daily destination.
- D. The variety of land uses and authenticity found on Main Street cannot be practically accommodated by the other existing basic zoning districts established. Therefore, the use of the FMS district will promote more flexibility and mixing of uses essential to maintaining the vitality, viability, and character of Main Street.

Section 2301 Location

The original boundaries included in the 1994 Florence Main Street Study, and the proposed new boundaries of the Florence Main Street (FMS) district, are shown on Figure 1. The expanded boundary includes all parcels immediately abutting Main Street between Dixie Highway and Turfway Road, all parcels located between Main Street and Dixie Highway, southeast of Main Street, and all parcels oriented toward Girard Street and Shelby Street between Burlington Pike and Main Street.



Section 2302 Applicability and Review

A. New Building Construction, Demolition of Buildings, Building Additions

1. Development proposals shall follow the following process:
 - a. Pre-Application Meeting: the applicant shall meet with staff for a pre-application meeting at which the applicant shall present the proposed uses and other project details and staff will inform the applicant of the study's goals, standards, and recommendations.
 - b. The applicant will be required to submit a Certificate of Appropriateness (COA) application. The application shall include a set of plans containing the applicable items of Section 3004 and Section 403.
 - c. Staff will determine if the proposal meets the requirements of this Article as well as the other regulations contained herein.
 - d. If staff determines that the COA can be approved, the Zoning Administrator shall provide a copy of the approved application to the applicant.
 - e. The applicant will be required to submit a Site Plan application or a Zoning Permit application, as applicable, only when a COA is required.
 - (1) The Site Plan application or the Zoning Permit application can be submitted simultaneously with the COA or after the COA has been approved.
 - (2) The Site Plan application or the Zoning Permit application cannot be approved until the COA has been approved.
 - f. If the COA cannot be approved, the Zoning Administrator will provide the applicant with a copy of the denied application, along with the bases of the denial.
 - (1) The applicant may file an appeal to the Board of Adjustment, pursuant to Section 245.
 - g. A COA shall not be required for ordinary maintenance and repairs intended to correct deterioration, and where no change is made to the appearance of the building or grounds.
 - (1) Ordinary maintenance and repairs include:
 - a. Building Maintenance Repairs
 - i. Interior changes not impacting exterior appearance
 - ii. Repainting with the same color
 - iii. Caulking, weather-stripping, reglazing windows

- iv. Replacing window glass, as long as window shape and/or style are not altered
 - v. Small surface repairs, such as deteriorated siding, porch flooring or steps, or roofing materials as long as replacements match the existing in materials, design, and color
 - vi. Replacement of gutters and downspouts, or existing roof ventilators on rear slopes, as long as the shape and color matches the original element in materials, design, and color
 - vii. Repair or replacement of exterior mechanical equipment (e.g. HVAC), providing there is no change to appearance of the building
 - viii. Installation of house numbers or mailboxes compatible with the original
- b. Site Maintenance Repairs
- i. Minor landscaping unless the entire yard or site is being replaced
 - ii. Repairs to fences, walks, and driveways as long as replacement materials match the existing or original materials, details, and color
 - iii. Repair of yard or house lighting with the same wattage bulbs

B. Change of Use, Accessory Structures and Uses, and Signs

- 1. For a change of use, the applicant will be required to submit a Tenant Finish Permit application, pursuant to Section 400.
- 2. For an accessory structure and use, the applicant will be required to submit either a Zoning Permit or a Site Plan.
- 3. For a sign, the applicant will be required to submit a Sign Permit application, pursuant to Section 3405.

Section 2303 Principally Permitted Uses

1. Art gallery
2. Body art services
3. Business and trade school
4. Business support services
5. Cultural exhibits
6. Day care center
7. Duplex dwelling unit
8. Eating and drinking establishments
9. Elderly housing facility
10. Financial services
11. Medical, dental, optical clinics
12. Multi family dwelling unit
13. Nursing Home
14. Office
15. Personal service
16. Postal services
17. Recreation, commercial
18. Recreation, non-commercial
19. Religious assembly
20. Residential care facility for handicapped persons
21. Retail
22. Short term rental
23. Single family dwelling unit
24. Studios for artists, designers, photographers, musicians, and sculptors
25. Townhouse dwelling unit

Section 2304 Accessory Uses

1. Accessory dwelling units
2. Automatic teller machines
3. Customary accessory buildings and uses
4. Fences
5. Home Occupation
6. Outside storage, display, loading, uncrating or unpacking areas
7. Parking located in the side or rear of the lot
8. Recreation, passive
9. Recycling collection containers
10. Signs

Section 2305 Conditional Uses

- A. The following uses and their customary accessory uses are subject to the approval and qualifications of the Board of Adjustment provided: a) the activity is an integral and subordinate function of a permitted use, and functions to preserve and protect the existing character of businesses and residences found along Main Street; b) the activity will further add to, not detract from, the creation of a compact, multi-purpose and pedestrian oriented environment; c) the arrangement of use, building, or structure is compatible with the arrangement or organization of permitted and accessory uses which are to be protected in the district.
1. Hotel
 2. Horse related uses, including riding and boarding stables, as defined in KRS 100.111(2)(c)

Section 2306 Development Standards

- A. The mixing of uses can occur within one building or within multiple buildings located on the same site.
- B. When uses are mixed in the same building, residential uses shall be located on floors above non-residential uses or in the rear of the building.
- C. Minimum Lot Size: None.
- D. Minimum Frontage: None.
- E. Maximum Intensity: None.
- F. Setback Requirements
1. New construction shall meet the requirements of Section 2306.H, Building Typology.
 2. Additions to existing buildings located ten (10) feet or less from the front property line shall meet the requirements of Section 2306.H, Building Typology.
 3. Additions to existing buildings located more than ten (10) feet from the front property line shall meet the following requirements:
 - a. Front Yard: Ten (10) feet maximum.
 - b. Side Yard: None required.
 - c. Corner Side Yard: None required.
 - d. Rear Yard:
 - (1) Ten (10) feet minimum when a residential use adjoins any other use.

- (2) Twenty (20) feet minimum when a non-residential use adjoins a residential use.
- (3) Ten (10) feet minimum when a non-residential use adjoins a non-residential use.

G. Developments shall comply with the applicable requirements of Article 31 Supplemental Performance Standards.

H. Building Typology:

The purpose of building typology is to allow flexibility while maintaining a traditional Main Street character and to encourage mixed uses. Building form is emphasized over building use in the FMS District. This subsection presents the standards for building types permitted within the district, primarily in graphic form. Each type is also briefly described and illustrated with photos of representative examples. Use descriptions are illustrative of ways buildings could be used. See Table of Building Typologies.







New construction shall follow one of the defined Building Typology standards set within this Section.

Additions and modifications to existing buildings should follow the standards for the closest corresponding Building Typology as identified in this Section.

Building Typologies Table

Building Type	Description	Location Requirement	Parking Location	Signage Requirements	Maximum Building Width	Minimum Ground Floor	Maximum Building Height	Illustration	Examples
Small House	Small single unit principal structure on a small lot that may have office or commercial uses. Usually a small footprint building in a small lot with minimal setbacks, less than three (3) stories high with a gabled roof and front stoop porch.	N/A	Rear	N/A	40'	N/A	3 Stories		
Large House	Larger principal structure on a medium to large lot that may have two (2) or more dwelling units, office, commercial or mixed uses. Usually a moderate footprint building on a larger lot with deeper setbacks, at least two (2) stories high with gabled roof and front porch.	N/A	Rear, Side	N/A	60'	12'	4 Stories		
Multi-Plex	Multi-unit, multi-story, residential structure with a minimum of four (4) units that may have ground floor storefronts. This type includes multi-unit residential developments of all sizes within the district. Typically at least two (2) stories with minimal setbacks. Flat roof, horizontal windows and prominent entrance.	N/A	Rear, Side	N/A	N/A	12'	4 Stories		
Church	Small to large principal structure typically built for public uses such as government, churches, libraries and schools. Variable lot size and includes a broad range of building styles/facilities, frequently with a grand entrance and/or landscaped approach.	Main Street, Shelby Street, Girard Street	Rear, Side	No Awning, Canopy, Window Signs	N/A	12'	N/A		

Building Typologies Table (continued)

Building Typology	Description	Location Requirements	Parking Location	Signage Requirements	Maximum Building Width	Minimum Ground Floor	Maximum Height	Illustrations	Examples
Main Street Mixed Use	Medium to large structure, typically attached, intended to provide mixed uses with ground level retail or service uses and upper floor services or residential. At least two (2) often differentiated, stories with a flat or parapet roof and vertical emphasis, including windows. This type is suited to the central part of the district including Main Street frontages and the blocks to the north along Shelby and Grand streets (see Figure 2).	Main Street, Shelby Street, Grand Street	Rear, Side	No Freestanding Signs	120'	12'	4 Stories		
Flex	Medium to larger principal structure, usually detached, 1-3 stories tall on a large lot with parking. Building forms are typically bony with flat or low pitched roofs. They may be single use or mixed use with a vertical mix of uses such as ground floor industrial, service, or retail uses and upper floor service or residential. This type includes one (1) story commercial buildings on Dixie Highway and Main Street, new buildings on Main Street must be a minimum of 2 stories.	Dixie Highway, Main Street (2+ story only)	Rear, Side	Monument signs on Dixie Highway Only	80'	12'	3 Stories		
Carriage House	A detached accessory structure at the rear of a lot that may be residential, home office, small commercial, mixed use or accessory to such functions. They usually echo the principal structure in both form and style.	Accessory Only	Side, Front	No Freestanding Signs	35'	N/A	2 Stories		

I. Fences

1. Fences shall meet the requirements of Section 3655, except as modified herein.
2. Fences shall be compatible with the design and material of the building and block. Cast iron, dark architectural steel, or milled wood "picket" style fences are most appropriate in front yards.
3. Chain link, plastic, PVC, split rail and other "rustic" wood, unmilled dimensional lumber, and similar materials shall be prohibited.
4. Fences shall be designed to have an opacity of fifty percent (50%) or less.
5. Fences and walls having a height of forty-two (42) inches or less shall be permitted in front yards.
6. Fences and walls having a height greater than forty-two (42) inches shall be permitted for an enclosed courtyard.

J. Landscaping

1. Landscaping shall meet the applicable requirements of Article 36.
 - a. Buffer yard widths identified in Article 36 shall not be required to exceed setback requirements of Article 23.
 - b. All other provisions of Article 36 shall be met.

K. Parking

1. Parking shall meet the requirements of Article 33, except as modified herein. Fractional parking space numbers shall be increased to the next whole number.
 - a. Residential (one bedroom units or studio units): 1.5 spaces per unit
 - b. Residential (two or more bedroom units): 2 spaces per unit
 - c. Lodging: 1 space per guest room or suite
 - d. Office: 1 space per 500 square feet of gross floor area
 - e. Retail: 1 space per 500 square feet of gross floor area
 - f. Cultural exhibits, religious assembly, theaters, auditoriums: 1 space per 6 seats that are used simultaneously
 - g. Eating and drinking establishments: 1 space per 4 seats, indoor dining only
2. Non-residential uses that are located within 650 feet of a municipal parking lot shall be allowed to reduce their required parking by a maximum of ten percent (10%).
3. Joint use agreements, per Section 3320, may be used to meet the required parking space requirements.

Section 2307 Design Requirements

- A. The purpose of the Design Requirements is to provide a unified direction for new construction and alterations to existing buildings while maintaining the eclectic historic character of Main Street in terms of scale, rhythm, and massing. New construction should not attempt to recreate a particular historical time period or architectural style. This Section is designed to help make Main Street a pleasant, accessible, and authentic place for residents, visitors and business owners.
- B. The Design Requirements listed herein supersede the normal requirements of the zoning regulations. When specific design requirements are not identified, the regulations of this ordinance shall apply.
- C. The Zoning Administrator will have the authority to consider minor adjustments to individual design elements of a proposal, provided the adjustment will create an equivalent or superior solution to the element in question, and the proposal does not diminish the design character which would otherwise be created by adherence to the stated requirement.
- E. General maintenance and repair, including some routine maintenance or repair requires regulation to ensure that original materials are not damaged in the process.
- G. Requirements – Rehabilitation and Maintenance, Major Additions, and Minor Additions.

When possible, historically significant structures and details should be maintained or rehabilitated rather than replaced, demolished or rebuilt.

The Zoning Administrator may allow the use of alternative renovation and maintenance strategies, not listed herein, and not specifically prohibited if it is demonstrated by the applicant that the methods will produce an equivalent or superior solution to the requirement in question without compromising or significantly altering the structure or building detail.

1. Rehabilitation and Maintenance. The following shall be utilized when a COA is required:

a. Masonry

- i. Permitted renovation and maintenance strategies and materials include:
 - a) Cleaning only when necessary, preferably with low-pressure water
 - b) Repainting previously painted masonry
 - c) Use of mortar mixes compatible with the original in color, texture and composition
- ii. Prohibited renovation and maintenance strategies and materials include:
 - a) Sandblasting or harsh chemical cleaning
 - b) Painting previously unpainted masonry and use of sealants in most instances
 - c) Covering original masonry with any type of siding or stucco
 - d) Replacing missing brick with an incompatible alternate material
 - e) Mortar type, color, width, profile, texture, or composition differing from the original.

b. Materials

- i. Permitted renovation and maintenance strategies and materials:
 - a) Replacement siding matching the original in width, profile, or texture
 - b) Cementitious board when replacing wall areas previously covered with synthetic siding
 - c) Preservation of architectural details such as cornices, lintels, corner board, and posts
- ii. Prohibited renovation and maintenance strategies and materials:
 - a) Replacing repairable wood siding
 - b) Synthetic siding including vinyl, aluminum, composite shingle, formstone, brick veneer, synthetic stucco, and EIFS
 - c) Replacement siding with not matching the original in width, profile or texture
 - d) Re-finishing painted woodwork for a "natural" look
 - e) Covering or altering historic details

c. Roofs and Gutters

- i. Permitted renovation and maintenance strategies and materials include:
 - a) Maintaining original roof form and materials
 - b) Replacement roof coverings that match the original (standing seam metal, slate, tile, etc.)
 - c) Inconspicuous locations for roof mounted equipment
 - d) Retention and reconstruction of box gutters
 - e) Painting gutters and downspouts to match building trim, unless copper is used
- ii. Prohibited renovation and maintenance strategies and materials include:
 - a) Altering roof pitch or raising roof height
 - b) New roofing materials that obscure architectural details such as chimneys, dormers, or brackets
 - c) New dormers or skylights visible from the public ROW
 - d) Replacing box gutters with the possible exception in extreme cases of half-round gutters on side and rear facades

d. Windows, Doors and Shutters

- i. Permitted renovation and maintenance strategies and materials include:
 - a) Replacements matching originals in size, design, and materials
 - b) Storm windows of anodized aluminum or baked enamel with finish to match window frames
 - c) Storm doors with large expanses of glass and made of wood or dark anodized metal
 - d) Wooden screen doors
- ii. Prohibited renovation and maintenance strategies and materials include:
 - a) Replacing repairable historic doors and windows

- b) Using tinted or solarized glass
- c) Changing window glazing pattern or size
- d) Infilling window or door openings or changing the size of openings
- e) Obscuring historic windows with storm windows

e. Porches and Awnings

- i. Permitted renovation and maintenance strategies and materials include:
 - a) Replacement porch design and materials match the original, including railings, supports, and roof form
 - b) Reconstruction based on historic photos and approved materials
 - c) New porches and decks may be appropriate when not visible from the public ROW
 - d) Fabric or canvas awnings that do not obscure architectural details may be appropriate
- ii. Prohibited renovation and maintenance strategies and materials include:
 - a) Adding, removing or replacing historic porches and elements
 - b) Enclosing a porch to create an interior space
 - c) Reroofing a porch with a different material
 - d) Repairs with non-matching new materials including vinyl, aluminum, and dimensional lumber
 - e) Internally lit awnings or canopies
 - f) Metal awnings, with the exception of some mid-20th Century buildings

f. Paint

- i. Permitted renovation and maintenance strategies and materials include:
 - a) Painting previously unpainted masonry or wood
 - b) Gentle cleaning of existing paint in good condition as an alternative to repainting
 - c) Surface prep by low impact methods such as scraping and sanding when possible
- ii. Prohibited renovation and maintenance strategies and materials include:
 - a) Use of intense bright colors such as fluorescents on walls and trim or dark colors (e.g., black) on walls
 - b) Potentially destructive paint removal by methods such as sandblasting or blow torch
 - c) Artistic murals not approved by the City of Florence

2. Site Improvements and Maintenance - Any site improvement or maintenance requiring a COA shall adhere to the following:

a. Driveways and Parking Areas

- i. Permitted renovation and maintenance strategies and materials include:
 - a) Parking screened per Article 31
 - b) Parking areas that maintain the setback of their respective block
 - c) New parking areas and garages located behind the principal building with driveway to the rear
 - ii. Prohibited renovation and maintenance strategies and materials include:
 - a) Parking that obscures primary facades of historic buildings
 - b) Circular driveways or small frontage parking pads
 - c) Removing historic buildings to provide parking
 - d) Parking located in the front of the primary façade or on the ground floor in the front
- b. Access Modifications (Ramps and Fire Escapes)
 - i. The design of additional means of access to meet safety or ADA requirements shall be compatible with the historic building being accessed. Work shall not obscure, change, or destroy character-defining features.
 - a) Ramps shall be sited alongside facades with entrances on the front whenever possible.
 - b) Fire escapes shall be located on side or rear facades.
 - c) Ramps visible from the public right-of-way shall be of concrete or masonry materials with metal or wood handrails.
 - d) Railing elements of ramps and fire escapes shall not be utilitarian or overly ornate but stylistically appropriate to the building they serve.
 - e) Ramps and fire escapes shall be installed without damaging or removing historic building materials and shall be reversible.
 - f) In some cases, interior modifications such as elevators may be more feasible than exterior access modifications.
- c. Lighting Fixtures
 - i. See Section 3616 for lighting requirements. Lighting fixtures on buildings shall not detract from the building or general character of the street. While lighting should be sufficient for safety needs, it shall be carefully planned and adhere to the following:
 - a) When present, existing historic light fixtures shall be preserved.
 - b) New light fixtures shall be contemporary in design and/or based on existing historic examples within the district.
 - c) Designs shall be compatible with the building's age and style.
 - d) Fixtures shall be made of brass, copper, iron or painted metal.

- e) New lighting designs which evoke a false sense of history (such as "Colonial Williamsburg" style carriage lights on a mid-20th Century building) shall be prohibited.
- f) When necessary, security and foot lighting shall be unobtrusive and installed on secondary facades

3. Additions

a. Minor Additions

- i. Minor work shall consist of cosmetic alterations to the front or side of a building or rear additions that increase the original structure's square footage by less than fifty percent (50%).
- ii. Major work shall consist of new construction, any addition to the front or side façade of a building, or rear additions that increase the original structure's square footage by fifty percent (50%) or more.

b. Major Additions: The design of major additions to historic buildings shall consider the block-level factors for new construction, but focus more closely on the building to be modified. In addition, major additions shall:

- i. Follow the Building Typology in this Article unless incompatible with existing structures on the block or functionally incompatible with the site.
- ii. Be contemporary in design and compatible with the building, while being clearly differentiated from it.
- iii. Not damage or remove existing historic materials and be designed to avoid compromising the building form/materials if removed in the future.
- iv. Conform to the materials requirements specified in the above design requirements.
- v. Avoid the front façade or readily visible side façade of a building.
- vi. Additions visible from the public right-of-way shall be treated in a more formal architectural manner, be complementary in design yet differentiated from the main building yet compatible with the historic materials, features, size, proportion and massing (this requirement is only for additions that are visible from the public right-of-way).
- vii. Follow existing roof lines, materials, style and massing of the building.
- viii. Not re-orient the building's primary entrance from the front to the side or rear unless located on a corner lot, within a courtyard cluster of re-development, or when dividing multiple use spaces within a single building as determined appropriate by the Zoning Administrator.

4. New Construction

Preservation of the character and defining features of the FMS does not prohibit new construction, either as infill development or replacement. However, the design of new construction shall consider the existing visual characteristics of the block and adjacent buildings. Key factors include building shape, age, setback, architectural style, height, width, materials, detailing, roof form, spacing of window and door openings, and floor-to-ceiling heights.

The design of new construction shall consider the existing visual characteristics of the block and adjacent buildings. Key factors include building shape, age, setback, architectural style, height, width, materials, detailing, roof form, spacing of window and door openings, and floor-to-ceiling heights.

New Construction: New construction shall:

- a. Follow the Building Typology in this Article unless incompatible with existing structures on the block or functionally incompatible with the site.
- b. Be contemporary in design but compatible with existing buildings on the block in design and form, respecting building scale, proportion, character and materials.
- c. Not mimic historic styles or create a false sense of history.
- d. Conform to the materials requirements specified in the above design requirements.
- e. Screen HVAC and other mechanical equipment pursuant to Section 3635.

5. Demolition

Demolition of significant structures in the Florence Main Street District is discouraged. All alternatives shall be explored before demolition is considered. Proposed demolition of a building in the FMS District will require a Certificate of Appropriateness as well as a Demolition Permit from the Boone County Building Inspector. A demolition permit shall not be issued until the COA has been approved.

- a. The demolition of a building will be allowed only when one or more of the following factors applies:
 - i. Demolition has been ordered by a public official for public health and safety reasons.
 - ii. The owner can demonstrate, to the satisfaction of the Zoning Administrator, that the building cannot be reused, or that its full or partial use will not bring a reasonable economic return.
 - iii. The demolition request pertains to an accessory structure of a different period, inappropriate addition or other structure that the Zoning Administrator deems non-contributing to the district's historic significance.
 - iv. Demolition will be allowed if it can be shown that this action will not have a negative or adverse impact on the integrity of the FMS District.

- v. The demolition is consistent with plans or policies adopted by the City of Florence.

Article 34 Signs

1. Special Sign Districts Proposed By the Planning Commission and Legislative Bodies

C. Florence Main Street Special Sign District

1. The Florence Main Street Special Sign District applies to those properties within the FMS district.
2. The purpose of the special sign district is to promote the distinct character of the area and to provide signage that is envisioned by the study.
3. Signs located in the FMS District shall be in accordance with Article 34 of the Boone County Zoning Regulations, The Design Requirements in Section 5, and the following requirements. The Design Requirements illustrate the proper location, type and size of building mounted, projecting, window, canopy/awning, monument, and free-standing signs that can be erected in the FMS District.
 - a. Building mounted, projecting, window, and canopy/awning signs shall be permitted, subject to the following provisions:
 - (1) For single tenant buildings, the size of building mounted signs shall not exceed one (1) square foot of sign area per lineal foot of building width for the elevation upon which the sign is to be mounted.
 - (2) For multi-tenant buildings, the size of building mounted signs shall not exceed one (1) square foot of sign area per lineal foot of building width for that portion of the building elevation occupied by an individual business.
 - (3) Projecting signs cannot project more than four (4) feet into the right-of-way and the bottom of the sign shall be located a minimum of ten (10) feet above the ground. The maximum size of a projecting sign cannot exceed sixteen (16) square feet. Permission from the right-of-way holder must be obtained in order to install a projecting sign.
 - (4) Window signs (interior or exterior) shall not be allowed to cover more than twenty-five percent (25%) of the window on which it is located.

- (5) Canopy/awning signs will be permitted on all three (3) sides of the canopy/awning, provided the canopy/awning is attached directly to the principal building. The size of each sign will be determined by the canopy/awning/face upon which the sign is mounted and not the building width.
 - (6) For single use buildings, signage shall only be permitted on a maximum of two (2) building elevations.
 - (7) For multi-tenant buildings, signage shall only be permitted on a maximum of three (3) building elevations.
 - (8) On any single building elevation for a single tenant building, only one building mounted sign, one projecting sign, one canopy/awning, sign and multiple windows signs will be allowed, or any combination thereof, provided the total sign area for all signs does not exceed thirty-two (32) square feet.
 - (9) On any single building elevation for a multi-tenant building, only one building mounted sign, one projecting sign, one canopy/awning, sign and multiple windows signs will be allowed for each tenant, or any combination thereof, provided the total sign area for all signs does not exceed thirty-two (32) square feet.
- b. Architectural free standing and monument signs shall only be permitted according to the Building Typology and are limited to one (1) sign per site and shall not exceed eight (8) feet in height and thirty-two (32) square feet in size. Architectural free standing and monument signs shall be set in a landscaped area. In addition, architectural free standing and monument signs shall not be located in any right-of-way, shall only be allowed in an easement with the permission of the easement holder, and shall not obstruct driver visibility.
 - c. A-frame signs will be permitted but shall not exceed eight (8) square feet in size. One sign shall be permitted per building entrance and can be located on the public sidewalk next to the building. The sign shall not be located in such a way as to obstruct movement along the sidewalk or driver visibility. The sign shall be removed at the close of business each day.

- d. Murals shall require the approval of the City of Florence and may not be placed on the primary facades of a historic building or previously unpainted brick walls of a historic building.
- e. Changeable copy signs, manual or electronic, shall be prohibited.

4. Design Requirements for Signs

Signs shall be compatible with the design of the buildings and not obscure any architectural details or features. Examples of appropriate signs which illustrate the FMS District sign requirements are shown below.

- a. Where present, existing historic signs such as those painted on walls should be preserved and sensitively restored without making them look like new.
- b. Signs shall be of a design and include materials that are compatible with the architectural design, form, scale, and exterior materials of the principal structure and scale and design of a small town "main street" pedestrian environment.
- c. Durable materials used historically in the district and modern materials such as urethane board that appear similar to historic materials are encouraged. Rough, unfinished surfaces, plastic and glossy materials, and pressure-treated wood are not appropriate. Pin mounted metal lettering is allowed. Individually mounted plastic letters are not permitted.
- d. Signs and support structures shall not damage or obscure significant architectural features of a building, including window/door frames, cornices, molding, or other ornamental feature.
- e. Signs and their support structures must be able to be removed in the future without leaving evidence such as damaged surfaces or altered original materials or details.
- f. Sign colors and lettering shall be compatible with the principal structure. Florescent, neon and reflective paints and materials are not permitted with the following exception: internally lit signs and neon sign elements are permitted only for the Multi-Plex, Flex, and Main Street Mixed Use building types.
- g. Projecting signs shall be of wood or metal construction.

- h. Sheet metal, flat board or plexi-glass cabinet type signs are not permitted building mounted designs.
- i. Metal-framed canvas awnings are appropriate for most buildings in the FMS; metal awnings may be acceptable on some existing mid-20th Century buildings and new construction. Firmly structured awnings with an "inflated" or plastic appearance shall not be used.
- j. Sign lighting should be indirect and sufficient to allow identification without detracting from the surrounding area.

Examples of Sign Types Appropriate in the FMS District



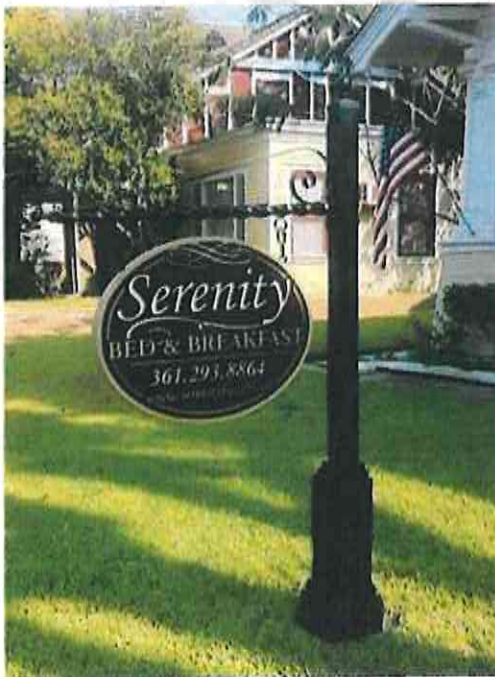
AWNING SIGNS



WINDOW & AWNING

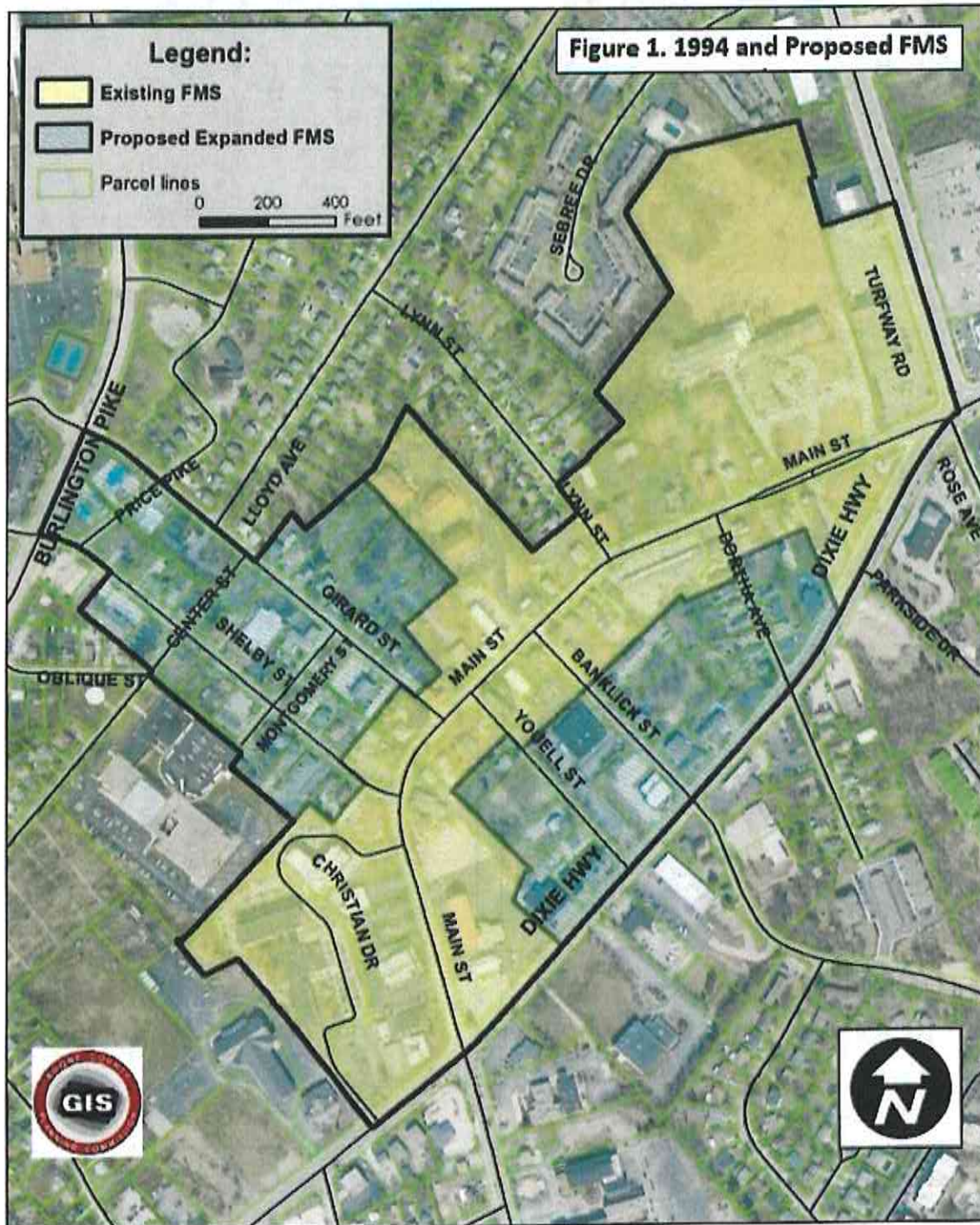


FREE-STANDING SIGN



APPROPRIATE SIGN LIGHTING







ADMINISTRATIVE DEPARTMENT
Diane E. Whalen, Mayor

December 16, 2020

Mr. Kevin Costello
Executive Director
Boone County Planning Commission
2950 Washington Street
Burlington, Kentucky 41005

Dear Kevin:

Thank you for taking time to meet with staff and providing suggestions on next steps with the Florence Main Street (FMS) Zoning District update.

Based on the recommendations you provided, I would like for the Boone County Planning Commission to evaluate the current FMS District and offer recommendations to change the Boone County Zoning Regulations (both Text and Map) in order to meet the new vision and goals of the Main Street area.

As always, the City of Florence looks forward to working with the Boone County Planning Commission, and appreciate the efforts and expertise you and your staff provide.

Sincerely,

A handwritten signature in cursive script that reads "Diane E. Whalen".

Diane E. Whalen
Mayor

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Ms. Corrin Gulick
Mr. Steve Harper
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mr. Don McMillian
Mr. Kim Patton, Vice Chairman
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mrs. Jackie Steele
Mr. Tom Szurlinski
Mr. Steve Turner, Temporary Presiding Officer

COMMISSION MEMBERS NOT PRESENT:

Mrs. Pamela Goetting
Mr. Kenny Vaught

LEGAL COUNSEL PRESENT:

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Ms. Jenna LeCount, AICP, Director, Community Development Services
Mr. Michael D. Schwartz, Director, Zoning Services
Mr. Matt Becher, ACIP, Rural/Open Space Planner

Chairman Rolfsen introduced the second item on the Agenda at 7:56 p.m.

FLORENCE MAIN STREET ZONING UPDATE, Matt Becher, Staff

2. Request of the Boone County Planning Commission Technical/Design Review Committee to consider the Florence, Kentucky Main Street Study Zoning Update, which includes a series of Amendments to the Boone County Zoning Regulations and the Boone County Zoning Map. The approximately 77.6 acre Study Area is generally bounded by Burlington Pike to the north, Dixie Highway to the south, U.S. 42 to the west and Turfway Road to the east.

Staff Member, Matt Becher, referred to his PowerPoint presentation. The Study Area is 4 blocks in the middle of Old Florence from the intersection of Main Street and Dixie Highway up to Turfway Road and Main Street. Originally, the FMS Zoning District was created in 1994. It was 4 blocks fronting Main Street which included approximately 50 parcels. The idea back then was to have Design Review based on federal standards. It has been based on this since the original Study was adopted. It included a Certificate of Appropriateness (COA) process. There was a Florence Main Street Design Review Board formed. It has only met about 3 times since 1994. The Study needs to be updated since it has been 25 plus years. It is outdated. The current regulations don't fit the City's vision. The underlying standards have changed over time. It is felt that the review process may be hindering development. In 2019, a Historic Structures Survey was completed and the City retained two consultants – Calfee Zoning and Yard and Company. The Planning Commission was formally brought into the Study Update process last December at the request of the City of Florence. Mr. Becher referred to the project schedule. All of the work to date was completed in 2021. Staff worked with the Planning Commission's Technical/Design Review Committee, City Council and held 2 public workshops. The Committee recommended a Public Hearing at its October 6, 2021 meeting. That is where we are today. Final adoption of the updated Study will be by the Planning Commission in early January, 2022 and the City Council by February, 2022.

The underlying goals of the project are to update Article 23 Zoning Regulations and Zoning Map, expand the FMS District, create user-friendly design requirements and promote the area to be an active, walkable, mixed-use district and 24 hour destination. The current District comprises 49 acres. The proposal is to add 28 acres for a total of 77.6 acres. It includes the existing plus the Historic town area outlined in the 1883 Atlas. It also includes an additional 60 parcels. Mr. Becher described the public engagement process which included letters to the property owners. Two public workshops were held. The City had social media posts and the Planning Commission posted the draft Study on its webpage.

The current zoning of the proposed expansion area is C-2, which is the same type of zoning on Mall Road dating back to the 1980s. The biggest change is that there will be no FMS Board in the future. It will be a Staff driven Certificate of Appropriateness (COA) review process with the Board of Adjustment reviewing any Staff denials through the Zoning Administrator. Overall, the uses are not changing dramatically. Most of the uses have been permitted under other terminology since 1994. It is very similar to the Small Community Overlay (SC) zoning district. Food trucks are being added at the request of the City of Florence. Uses are planned that attract people to live and work as well as visit. Service uses are recommended. No industrial is allowed but short term rentals will be permitted.

Mr. Becher mentioned other uses to be added on Pages 17-18 of the Study and in Appendix A4 and A5. These uses were not listed in the Public Hearing Draft Study but will be added in the 2021-2022 Zoning Update. The Appendix section is a stand alone document that will be added to the current zoning code. There were no major changes planned for the Development Standards.

These standards result in more compact development. It would encourage buildings to locate closer to the street rather than a typical retail center with parking in front of the building. There would be no minimum lot size, minimal setbacks and up to 4 story buildings. Parking requirements are recommended to be more relaxed. Office/Retail uses could require 1 space per 500 square feet of space instead of 1 space per 250 square feet. In addition, restaurant seating would change. These changes would be in addition to the City of Florence providing public parking spaces. A new feature of the Study is Building Typology. Mr. Becher showed examples of a Multi-Plex and the Main Street Mixed Use buildings. Any new development or redevelopment would follow any of the seven proposed building types. All the Building Types are identified through a series of graphics versus just text. There are no huge changes in the proposed Design Requirements. Ordinary maintenance does not require a Certificate of Appropriateness. There are no paint palettes. Buildings that are painted black or fluorescent colors are not permitted. The Design Requirements suggest that new construction and additions be contemporary, compatible yet distinguishable. A section was added regarding ramps and fire escapes. These were missing from the 1994 Study. Demolition is permitted but discouraged for historic structures. The signage requirements have been updated and illustrated with modern photos. Changeable copy signs including digital signs are not allowed in the district. Any sign that would not meet the new requirements would be grandfathered in until changed in the future. Murals are allowed but only with City approval.

In conclusion, Mr. Becher stated that the FMS Study was created with user-friendly requirements and standards over process reviews. In 10-20 years, the hope is to create an urban, walkable mixed-use district. There won't be an FMS Board and the District is proposed to be expanded. Future updates of the Zoning Text and Zoning Map should not require a new Study as long as the text and map are consistent with the current Study. An example of this would be to change a parking requirement based upon years of experience.

Chairman Rolfsen acknowledged Mr. Josh Hunt from the City of Florence in the audience. Mr. Hunt stated that he was present to observe and answer any questions.

At this time, Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request?

Ms. Nancy Holian, 6900 and 6910 Dixie Highway, expressed a concern about flooding. Since 2009, she has had 9 floods on her property. The stormwater is coming off Main Street. The bulkhead next to her property is too small and doesn't carry the water well. It is coming off Dortha Avenue, Banklick Street and Dixie Highway. She has video of the flooding. At times, they have had 4 feet of water in their buildings. She has met with the City and can't get any satisfaction. She heard that the City is purchasing the retail strip center for a parking lot. She expressed a concern and thinks someone needs to address the problem before new development occurs. If it is a new parking lot, maybe improvements can be made to solve the storm water problem? It also affects Lighting Effects located next door to her. When there might be heavy rain, they take a fire hose and pump to run the water out. She is in favor of development but she wants the problem fixed.

Mr. Josh Hunt responded that storm water is an issue. There has been a storm water analysis completed by Viox & Viox, Inc. There is no contract in place to purchase the retail strip center. The City has purchased property off Youell and Main in the Scientology area. Any public parking lot that the City builds will not only meet the storm water requirements but they will analyze for over detaining. There is a citation to the owner of the retail strip center for filling in their detention pond. There are liens on the property. The retail strip center was developed a while ago so it doesn't meet the current requirements but the matter is being handled by the Code Enforcement Board.

Mr. Eric Hermes, 8 Girard Street, stated that his property is currently not in the Main Street District but would be added. He wanted to make sure that he did not have to make changes after the new regulations go into effect on buildings and signs. He wanted to make sure the existing conditions can stay as they are in the future. His current sign was approved 7 years ago. It would not comply with the new regulations. He would like to see it in writing that he doesn't have to change the sign. Mr. Costello noted that he would be grandfathered as long as he doesn't change the sign. Sign face changes could occur if he sold the building. Mr. Hermes stated that he would like a letter from the Zoning Administrator to that effect. What about approving paint colors? He explained that he had to submit paint colors to the City of Springdale. Will this be required? If so, how will it be handled? Mr. Becher referred to the wording in the proposed code. Mr. Costello noted that it addresses the extreme colors. Color requirements or standards could change in the future but only if another Public Hearing was held to obtain public input.

Mr. Jeff Kennedy, 31 Girard Street, stated that he owns the Swain building, the First Baptist Church and several pieces of property on Shelby Street. It creates a square between Shelby and Girard Streets. A lot of the buildings in the area are Victorian style and paint colors for this style was usually bold or bright to reflect the Victorian period. We should agree on the difference between bold and extreme paint colors. He liked the recommendations. He requested that the wording of "demolition of significant structures is discouraged" be defined. What does significant and discouraged mean? He guessed that 2 of his buildings are significant and 2 are not. There are 2 buildings on Shelby Street in which you would never know they are significant yet they are 2 of the oldest buildings on the street. One doesn't realize what is under the façade of both buildings. It would be good to know what he can develop, demo and maintain in the Study area. Maybe we need to determine what is significant and what is not significant so we know how to plan for the new structures in the community. Can we move buildings? Perhaps we need to pin it down now so we don't argue about it in the future.

Mr. Becher responded that the Historic Structures Survey done in 2019 identified buildings as contributing and non-contributing. Contributing means buildings that are at least 50 years old and they also retain some sort of historic character. Significance can be based upon a variety of criteria – mostly National Register criteria – a person, an event, an architectural style or archeology. Mr. Becher explained that it would most likely be a judgement call at the time an application is filed to know if the building is significant. If a list was created today of significant buildings, the list would be large. Mr. Kennedy wants to know how to help make decisions to develop in the area.

Mr. Patton stated that buildings should be labeled significant because it might be eligible for Federal and State tax credits for redevelopment purposes. The survey could spur additional development.

Mr. Becher emphasized the text wording of the "demolition of significant buildings being discouraged". It was written that way to avoid the word "prohibited". The way it is written does not preclude the demolition of just about anything in the District. Designating National Register Buildings to not be allowed to be demolished is a tall order. Mr. Kennedy stated that he got permission to tear down two buildings as they were not considered significant.

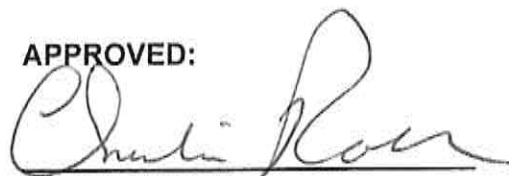
Mr. Scott Schwartz, 288 Main Street, stated that he owns 3 lots and the pizza restaurant/bourbon bar. He expressed a concern about being allowed to tear down buildings. His buildings are over 50 years old. He may renovate the restaurant because of limited seating capacity. The City of Florence has looked at initial plans to renovate. He wondered if the new Study would affect his renovation plans?

Mr. McMillian mentioned that developers usually oppose new regulations but he mentioned when regulations were changed to install shatterproof glass. It was a safety regulation that made it a requirement.

Mrs. Steele asked what caused the flooding problems? Mrs. Holian responded that there was broken pipe on Dixie Highway. A while ago, there were giant potholes caused by the broken pipe. The State won't fix the pipe. The road was repaved and it will be interesting to see if the problems will return since they didn't fix the pipe. She emphasized that her problem started in 2009 after she bought the properties in 2004. Mrs. Steele mentioned that she asked the question so we could avoid the problem in the future.


Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on December 15, 2021 at 6:00 P.M. in the Fiscal Courtroom. This item will be on the Agenda for the Business Meeting on January 5, 2022 at 7:00 p.m. The Chairman Rolfsen closed the Public Hearing at 8:50 p.m.

APPROVED:



Charlie Rolfsen
Chairman

Attest:



Kevin P. Costello, AICP
Executive Director

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
FIRST FLOOR FISCAL COURTROOM
BUSINESS MEETING
JANUARY 5, 2022
7:00 P.M.**

Chairman Rolfsen opened the Business Meeting at 7:00 p.m. and welcomed the audience to the Planning Commission's January 5, 2022 Business Meeting. Chairman Rolfsen then invited everyone to join him in reciting the Pledge of Allegiance.

COMMISSION MEMBERS PRESENT:

Mrs. Pamela Goetting
Ms. Corrin Gulick
Mr. Rick Lunnemann
Mr. Kim Patton, Vice Chairman
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mrs. Jackie Steele
Mr. Tom Szurlinski
Mr. Kenny Vaught

COMMISSION MEMBERS NOT PRESENT:

Mr. Randy Bessler
Mr. Steve Harper
Mrs. Janet Kegley

LEGAL COUNSEL PRESENT:

Mr. Dale T. Wilson, Esq.

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Ms. Jenna LeCount, AICP, Director, Community Development Services
Mr. Michael Schwartz, Director, Zoning Services
Mr. Todd K. Morgan, AICP, Senior Planner
Mr. Matt Becher, AICP, Rural/Open Space Planner

APPROVAL OF THE MINUTES:

Chairman Rolfsen stated that the Commissioners received copies of the Minutes from the December 15, 2021 Business Meeting. Chairman Rolfsen asked if there were any other comments or corrections?

Mr. Patton moved to approve the Minutes as presented. Mrs. Goetting seconded the motion and it carried unanimously.

BILLS:

Mr. Kevin P. Costello, AICP, Executive Director, advised the Commissioners of the **Bills to be Paid**, which included a list of **Expenses** and **Salaries and Benefits** for a time period between December 2, 2021 and January 5, 2022.

EXPENSES:

Accounting Fees	\$ 884.17
Attorney Fees	4,200.00
Auto Expense	307.47
Consultant/Professional Svcs Fees	1,592.50
Filing Fees (CLURS)	1,050.00
GIS Operations	410.00
Legal Ads/Recruitment	297.32
Miscellaneous Expense	324.25
Office & Board Meeting Supplies	914.97
Office Equipment / Expense	2,915.97
Postage Expense	673.70
Printing/Pub/Dues/Subscriptions	<u>554.00</u>

TOTAL: \$ 14,124.35

SALARIES AND BENEFITS:

FICA-BCPC Portion	\$ 7,577.58
Health/Dental/Life/LTD	14,675.59
Retirement – BCPC Portion	27,453.49
Salaries – Staff Expenses	103,358.80
Salaries – BCPC & BOA	<u>1,340.00</u>

TOTAL: \$154,405.46

GRAND TOTAL: \$168,529.81

Ms. Gulick moved that the bills (expenses and salaries and benefits) be approved and paid as presented and indicated approval of those items, which have been previously paid. Mr. Patton seconded the motion and it carried unanimously.

FLORENCE MAIN STREET ZONING UPDATE, Steve Harper, Chairman, Matt Becher, Staff

1. Request of the Boone County Planning Commission Technical/Design Review Committee to consider the Florence, Kentucky Main Street Study Zoning Update, which includes a series of Amendments to the Boone County Zoning Regulations and the Boone County Zoning Map. The approximately 77.6 acre Study Area is generally bounded by Burlington Pike to the north, Dixie Highway to the south, U.S. 42 to the west and Turfway Road to the east.

Staff Member, Matt Becher read the Committee Report, which recommended approval based upon Findings of Facts (see Committee Report). He noted the Committee voted unanimously with Mr. Lunnemann, Mrs. Goetting and Mr. Vaught voting in favor of the request.

Chairman Rolfsen thanked Mr. Becher for his work on the Study. It was labor intensive work. He asked if there was anyone in the audience who wanted to speak in favor or against the request for a total of 5 minutes on either side?

Seeing no one, Chairman Rolfsen asked if there was a motion to proceed?

Mr. Lunnemann moved to approve the Request by Resolution to the City of Florence based upon the Committee Report and subject to the Findings of Fact. Mr. Vaught seconded the motion and it passed unanimously. Mrs. Steele abstained from the vote because she owns property in the Study area.

ZONING MAP AMENDMENT – Kim Patton, Chairman, Todd Morgan, Staff

2. Request of Longbranch Development Inc., attn: Jason Wisniewski (applicant) for Ridgfield Farm LLC, Richard and Sandra Franks, and Peter and Jeanine Geise (owners) for a Zoning Map Amendment from Rural Suburban Estates (RSE) and Agricultural Estate (A-2) to Suburban Residential One (SR-1) and Suburban Residential Two (SR-2), and a dimensional variance, for an approximate 184.77 acre area located at 2788, 2696, 2688, and 2636 Hathaway Road, Boone County, Kentucky. The request is for a zone change to allow single-family residential dwellings and a variance to reduce the side yard building setback requirements of the SR-2 zone.

Staff Member, Todd Morgan, read the Committee Report, which recommended approval based upon Findings of Fact and Conditions and Denial of the Variance Request (see Committee Report). Mr. Morgan referred to a number of slides outlining some of the conditions (3a – 3f, etc) as part of a PowerPoint presentation. He noted the Committee voted unanimously with Mrs. Kegley, Mr. Lunnemann, Mr. Patton and Ms. Gulick voting in favor of the request.

Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request for a total of 5 minutes on either side?

Ms. Hillary Laffin, representing Longbranch Development, Inc., thanked the Committee in making the project better. She is available to answer any questions.

Chairman Rolfsen asked if there was a motion to take action?

Mr. Patton moved to approve the Zoning Map Amendment by Resolution to the Boone County Fiscal Court based upon the Committee Report and subject to the Findings of Fact and Conditions and to deny the Variance request based upon the stated Findings in the Committee Report. Mrs. Goetting seconded the motion.

Chairman Rolfsen asked if nothing happens on the project site until Donegal Avenue connects to Hathaway Road? Mr. Morgan responded correct. Once the connection occurs, Phase 1 of the project can start. Mr. Morgan stated that in any calendar year, the applicant cannot build more than 100 homes. He explained the phases of the project. There are 3 potential connector roads to Ballyshannon Subdivision. Mr. Wilson wanted to clarify that the motion included the Committee Report, which recommended approval of the Zoning Map Amendment request and denial of the Variance request. Action by the Planning Commission is final on the Variance request. Appeal of the Variance denial is through the Boone Circuit Court and the applicant acknowledged that they would not file an appeal.

Chairman Rolfsen complemented the Committee for their work on the project. **He asked for a vote on the original motion made by Mr. Patton and seconded by Ms. Goetting. The motion passed unanimously.**

ZONING MAP AMENDMENT, Corrin Gulick, Chairwoman, Michael Schwartz, Staff

3. Request of **Viox and Viox, per Michelle Bollman (applicant) for BBB Developers, LLC, per J.J. Miller (owner)** for a Zoning Map Amendment from Agricultural Estate (A-2) to Rural Suburban Estate (RSE) for an approximate 31 acre area, being the southern portion of the property located at 2645 Hathaway Road, Boone County, Kentucky. The request is for a zone change to allow a subdivision for detached single family residential dwellings.

Staff Member, Michael Schwartz, read the Committee Report, which recommended approval based upon Findings of Fact (see Committee Report). He noted the Committee voted unanimously with Mrs. Kegley, Mr. Lunnemann, Mr. Patton and Ms. Gulick voting in favor of the request.

Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request for a total of 5 minutes on either side?

Mr. Justin Verst, Viox & Viox, Inc., stated that he was available to answer any questions and is in agreement with the Committee's recommendation.

Ms. Gulick moved to approve the Zoning Map Amendment by Resolution to the Boone County Fiscal Court based upon the Committee Report and subject to the Findings of Fact. Mrs. Steele seconded the motion and it passed unanimously.

NEW BUSINESS:

ZONING MAP AMENDMENT, Todd Morgan, Staff

4. Request of **Tony Berling (applicant)** for **Walton Land Development Company, LLC (owner)** for a Zoning Map Amendment from Commercial Two (C-2) to Commercial Two/Planned Development (C-2/PD) for an approximate 8.4 acre area located along the north, east, and west sides of Towne Center Drive, and being immediately south of the Walton Kroger, located at 635 Chestnut Drive, Walton, Kentucky. The request is for a zone change to allow the development of residential dwellings.

CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN, Michael Schwartz, Staff

5. Request of **Crossroads Community Church Inc. (applicant and owner)** for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development/Mall Road Overlay (C-2/PD/MR) district for an approximate 11.5 acre area located at 828 Heights Boulevard, Florence, Kentucky. The request is for a Concept Development Plan to permit alternative building colors.

Mrs. Goetting moved to schedule the Public Hearings for Items #4 and #5 on February 2, 2022 at 7:30 p.m. via live video teleconference. Mr. Szurlinski seconded the motion and it passed unanimously.

EXECUTIVE DIRECTOR'S REPORT: Mr. Kevin P. Costello, AICP
No Report

COMMITTEE REPORTS:

AIRPORT: Mr. Bessler
No Report

ADMINISTRATIVE/PERSONNEL: Mr. Lunnemann
No Report

ENFORCEMENT:
No Report

LONG RANGE PLANNING/COMPREHENSIVE PLAN: Mr. Schwenke
No Report

TECHNICAL/DESIGN REVIEW: Mr. Harper
No Report

EXECUTIVE: Chairman Rolfsen
No Report

OKI: Mr. Patton
No Report

OTHER: 2022 Election of Officers

Mr. Bob Schwenke, Chair of the Nominating Committee, asked if there were any nominations from the floor for Chairman, Vice-Chairman, Secretary/Treasurer or Temporary Presiding Officer positions? Seeing none, he announced that Charlie Rolfsen and Kim Patton agreed to serve as Chairman and Vice-Chairman and Steve Harper and Jackie Steele expressed interest in running for Secretary/Treasurer. As a result, election ballots were distributed for the Secretary/Treasurer position. Ballots were collected and counted by Mr. Wilson.


In the meantime, Mr. McMillian announced his retirement from the Planning Commission. He served the Board for 40 years as he was appointed January 2, 1982. He thanked the Board members and shared some of his experiences. He has seen a lot of changes and there will be more. A big change was public sewers and the elimination of outside toilets. He has served with a lot of fine people. He remembered a lot of long meetings. He appreciates everyone and told everyone to hang onto your beliefs. He hoped that everyone remembers him as a safety person. Safety is more important than cost. Charlie Rolfsen announced that he would invite Mr. McMillian back for his award along with Mr. Bungler and Mrs. Heilman.

Mr. Schwenke announced that the new Secretary/Treasurer will be Mrs. Jackie Steele. **Mr. Patton moved to appoint Mrs. Steele as Secretary/Treasurer of the Board. Mr. Schwenke seconded the motion and it passed unanimously.**

Mr. Schwenke moved to appoint Mr. Rolfsen as Chairman and Mr. Patton as Vice-Chairman of the Board. Mrs. Steele seconded the motion and it passed unanimously.

There being no further business to come before the Planning Commission, **Mr. Patton moved to adjourn the meeting. Mr. Szurlinski seconded the motion and it passed unanimously. The meeting was adjourned at 7:45 P.M.**

APPROVED



Charlie Rolfsen
Chairman

Attest:



Kevin P. Costello, AICP
Executive Director

EXHIBIT

“B”

TECHNICAL/DESIGN REVIEW COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Steve Harper, Chairman

DATE: January 5, 2022

RE: Request of the Boone County Planning Commission Technical/Design Review Committee to consider the Florence, Kentucky Main Street Study Zoning Update, which includes a series of Amendments to the Boone County Zoning Regulations and the Boone County Zoning Map. The approximately 77.6 acre Study Area is generally bounded by Burlington Pike to the north, Dixie Highway to the south, U.S. 42 to the west and Turfway Road to the east.

REMARKS:

We, the Committee, recommend approval of the request based upon the following Findings of Fact, Staff Report dated December 1, 2021, and subsequent Revisions to the Florence, Kentucky Main Street Study Zoning Update.

FINDINGS OF FACT

The Committee has determined that the Florence, Kentucky Main Street Study Zoning Update and its proposed Zoning Regulations (both map and text) are in agreement with and are designed to further the Our Boone County - Plan 2040 Comprehensive Plan and Boone County Zoning Regulations. Specific references to Our Boone County - Plan 2040 and the Goals and Objectives are outlined in the Staff Report (Exhibit A) for this request.

The recommendations of the Florence, Kentucky Main Street Study Zoning Update are based on current analysis of existing properties (historic and non-historic), infrastructure, zoning, and design review considerations in the Florence Main Street Study Area. The recommendations fully address the Study objectives:

- Update the FMS zoning text, map, and special sign district in the zoning regulations
- Expand the FMS and special sign districts to include new areas to the north and south
- Create user-friendly development standards and design requirements
- Revise and streamline the review process to emphasize standards over procedure
- Implement standards that promote an active, walkable, mixed-use district

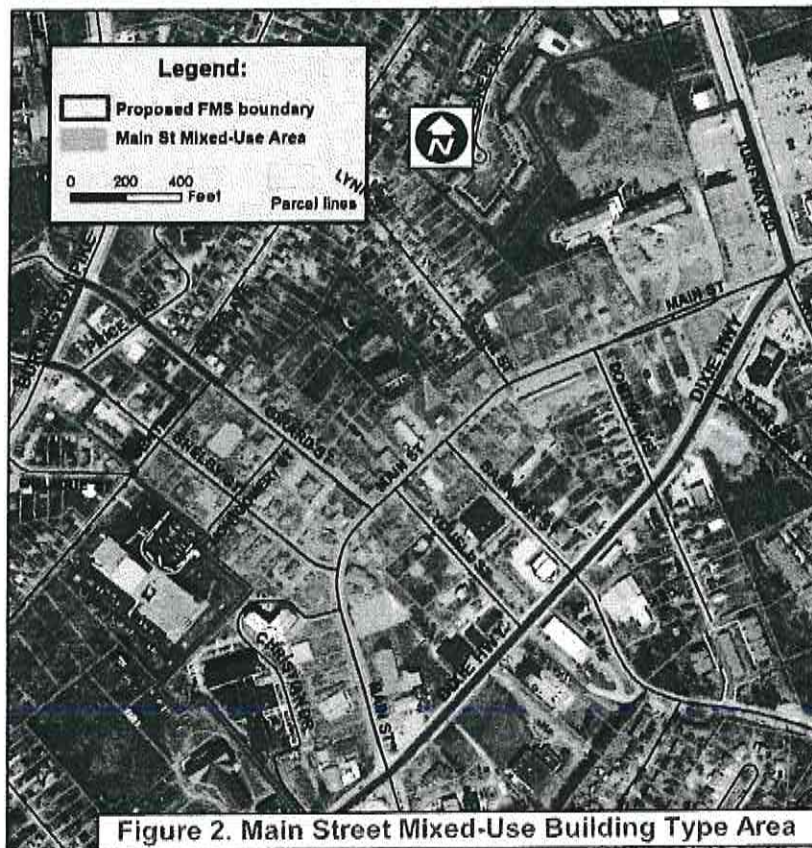
The revised FMS District standards and review process in the Study should promote a flexible, mixed-use environment essential to the future viability and character of Florence Main Street.

REVISIONS

Based on the testimony and evidence given and entered into the record at the December 1, 2021, Public Hearing and subsequent Technical/Design Review Committee meeting on December 15, 2021, the Committee recommends the following revisions to the Florence, Kentucky Main Street Study Zoning Update (October 20, 2021 draft). New text to be added is shown as double-underlined while text to be removed is ~~struck-out~~. When adopted, these changes will be incorporated into the final plan document and Zoning Regulations.

1. Chapter 5 – Review Process (p. 15) and Appendix A (p. A3) – Table 2: Ordinary Maintenance and Repairs Not Requiring:
Amend the Paint requirement in Table 2 from ~~Repainting with the same color to Repainting per PAINT requirements under Design Requirements.~~
2. Chapter 6 – Development Standards (pp. 16-17 and Appendix A (pp. A5-A6)
Add the following uses to the list of Principally Permitted Uses: Brewpub, Microbrewery, Microdistillery, Funeral home, Veterinary Animal Hospital or Clinic, College and University, School, Heritage tourism, Historic sites and structures, Mixed use buildings. Add Safety Services to the list of Conditional Uses.
3. Chapter 8 - Demolition (p. 35) and Appendix A (p. A17):
Amend the first paragraph on both pages as follows:
~~"Demolition of significant structures in the Florence Main Street District is discouraged. Demolition of historic structures (those over 50 years at the time of application) is discouraged. All alternatives should be explored before demolition is considered. Proposed demolition of a building in the FMS District will require a Certificate of Appropriateness issued by the Florence Zoning Administrator as well as a Demolition Permit from the Boone County Building Inspector. No permit or COA will be issued until the process described in the Zoning Regulations has been completed."~~
4. Chapter 9 – Conclusion (p. 36):
Amend the third paragraph to read as follows:
"Finally, Appendix A articulates zoning text intended to achieve the study's intent and more clearly facilitate development which maintains the historic character of the area. These standards and associated boundary map replace the 1994 FMS District text, map and special sign district in the Boone County Zoning Regulations. Future updates of the FMS Zoning text which are supported by the data and findings of this Study may be made through text amendment or periodic Zoning Regulations update without updating the Study itself. In conjunction with the recommendations of Yard & Company's Main Street Activation Guide and Zoning Standards, the updated FMS District zoning text will help to make Florence's Main Street the active, authentic, destination neighborhood it is meant to be."

5. Appendix A - Revised Boone County Zoning Code Article 23 Florence Main Street Zoning Study (FMS) and Section 3440.C Florence Main Street Special Sign District (p. A10):
Include the Mixed Use Building Location Map, which did not appear in the Appendix of the Public Hearing draft.



CONCLUSION

The Florence, Kentucky Main Street Study Zoning Update and the revisions recommended in this Committee Report address the City of Florence's important historic Main Street area. The Committee finds the Study to be based on extensive analysis and meaningful public involvement. The Study presents a comprehensive and reasonable land use approach to balancing preservation with the flexible, mixed-use development needed for the future economic viability of Florence's Main Street.

A copy of the Public Hearing minutes accompanies the findings and recommendation serving as a summary of the evidence and testimony presented by the proponents and opponents of this request. Attached is the signature page for the Technical/Design Review Committee vote.

TECHNICAL/DESIGN REVIEW COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Steve Harper, Chairman

DATE: December 15, 2021

FLORENCE MAIN STREET ZONING UPDATE, Steve Harper, Chairman, Matt Becher, Staff

1. Request of the Boone County Planning Commission Technical/Design Review Committee to consider the Florence, Kentucky Main Street Study Zoning Update, which includes a series of Amendments to the Boone County Zoning Regulations and the Boone County Zoning Map. The approximately 77.6 acre Study Area is generally bounded by Burlington Pike to the north, Dixie Highway to the south, U.S. 42 to the west and Turfway Road to the east.

REMARKS:

We, the Committee Members were present via live video teleconference at the Committee Meeting and voted on the above request or else were absent from voting. Further, based upon the vote, the Committee directs the Staff to draft the findings of fact and conditions if deemed necessary in order to complete the Committee Report.

TECHNICAL/DESIGN REVIEW COMMITTEE
DECEMBER 15, 2021

PAGE 2

Steve Harper, Chairman

For Project ____ Absent ____
Against Project ____
Abstain ____ Deferred ____

Rick Lunnemann

Rick Lunnemann

For Project ☒ Absent ____
Against Project ____
Abstain ____ Deferred ____

Pamela Goetting

Pamela Goetting

For Project ☒ Absent ____
Against Project ____
Abstain ____ Deferred ____

Jacqueline Steele

For Project ____ Absent ____
Against Project ____
Abstain ____ Deferred ____

Kenny Vaught

For Project ____ Absent ____
Against Project ____
Abstain ____ Deferred ____

Recorded Vote by Matt Becher, AICP
Rural/Open Space Planner

TOTAL: ____ DEFERRED ____ FOR PROJECT ____ ABSENT ____
____ AGAINST PROJECT ____ ABSTAIN ____

TECHNICAL/DESIGN REVIEW COMMITTEE
DECEMBER 15, 2021

PAGE 2

Steve Harper, Chairman

For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____

Rick Lunnemann
Rick Lunnemann

For Project ☒ Absent _____
Against Project _____
Abstain _____ Deferred _____

Pamela Goetting

For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____

Jacqueline Steele

For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____

Kenny Vaught
Kenny Vaught

For Project ☒ Absent _____
Against Project _____
Abstain _____ Deferred _____

Recorded Vote by Matt Becher, AICP
Rural/Open Space Planner

TOTAL: _____ DEFERRED _____ FOR PROJECT _____ ABSENT _____
_____ AGAINST PROJECT _____ ABSTAIN _____

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Ms. Corrin Gulick
Mr. Steve Harper
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mr. Don McMillian
Mr. Kim Patton, Vice Chairman
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mrs. Jackie Steele
Mr. Tom Szurlinski
Mr. Steve Turner, Temporary Presiding Officer

COMMISSION MEMBERS NOT PRESENT:

Mrs. Pamela Goetting
Mr. Kenny Vaught

LEGAL COUNSEL PRESENT:

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Ms. Jenna LeCount, AICP, Director, Community Development Services
Mr. Michael D. Schwartz, Director, Zoning Services
Mr. Matt Becher, ACIP, Rural/Open Space Planner

Chairman Rolfsen introduced the second item on the Agenda at 7:56 p.m.

FLORENCE MAIN STREET ZONING UPDATE, Matt Becher, Staff

2. Request of the Boone County Planning Commission Technical/Design Review Committee to consider the Florence, Kentucky Main Street Study Zoning Update, which includes a series of Amendments to the Boone County Zoning Regulations and the Boone County Zoning Map. The approximately 77.6 acre Study Area is generally bounded by Burlington Pike to the north, Dixie Highway to the south, U.S. 42 to the west and Turfway Road to the east.

Staff Member, Matt Becher, referred to his PowerPoint presentation. The Study Area is 4 blocks in the middle of Old Florence from the intersection of Main Street and Dixie Highway up to Turfway Road and Main Street. Originally, the FMS Zoning District was created in 1994. It was 4 blocks fronting Main Street which included approximately 50 parcels. The idea back then was to have Design Review based on federal standards. It has been based on this since the original Study was adopted. It included a Certificate of Appropriateness (COA) process. There was a Florence Main Street Design Review Board formed. It has only met about 3 times since 1994. The Study needs to be updated since it has been 25 plus years. It is outdated. The current regulations don't fit the City's vision. The underlying standards have changed over time. It is felt that the review process may be hindering development. In 2019, a Historic Structures Survey was completed and the City retained two consultants – Calfee Zoning and Yard and Company. The Planning Commission was formally brought into the Study Update process last December at the request of the City of Florence. Mr. Becher referred to the project schedule. All of the work to date was completed in 2021. Staff worked with the Planning Commission's Technical/Design Review Committee, City Council and held 2 public workshops. The Committee recommended a Public Hearing at its October 6, 2021 meeting. That is where we are today. Final adoption of the updated Study will be by the Planning Commission in early January, 2022 and the City Council by February, 2022.

The underlying goals of the project are to update Article 23 Zoning Regulations and Zoning Map, expand the FMS District, create user-friendly design requirements and promote the area to be an active, walkable, mixed-use district and 24 hour destination. The current District comprises 49 acres. The proposal is to add 28 acres for a total of 77.6 acres. It includes the existing plus the Historic town area outlined in the 1883 Atlas. It also includes an additional 60 parcels. Mr. Becher described the public engagement process which included letters to the property owners. Two public workshops were held. The City had social media posts and the Planning Commission posted the draft Study on its webpage.

The current zoning of the proposed expansion area is C-2, which is the same type of zoning on Mall Road dating back to the 1980s. The biggest change is that there will be no FMS Board in the future. It will be a Staff driven Certificate of Appropriateness (COA) review process with the Board of Adjustment reviewing any Staff denials through the Zoning Administrator. Overall, the uses are not changing dramatically. Most of the uses have been permitted under other terminology since 1994. It is very similar to the Small Community Overlay (SC) zoning district. Food trucks are being added at the request of the City of Florence. Uses are planned that attract people to live and work as well as visit. Service uses are recommended. No industrial is allowed but short term rentals will be permitted.

Mr. Becher mentioned other uses to be added on Pages 17-18 of the Study and in Appendix A4 and A5. These uses were not listed in the Public Hearing Draft Study but will be added in the 2021-2022 Zoning Update. The Appendix section is a stand alone document that will be added to the current zoning code. There were no major changes planned for the Development Standards.

These standards result in more compact development. It would encourage buildings to locate closer to the street rather than a typical retail center with parking in front of the building. There would be no minimum lot size, minimal setbacks and up to 4 story buildings. Parking requirements are recommended to be more relaxed. Office/Retail uses could require 1 space per 500 square feet of space instead of 1 space per 250 square feet. In addition, restaurant seating would change. These changes would be in addition to the City of Florence providing public parking spaces. A new feature of the Study is Building Typology. Mr. Becher showed examples of a Multi-Plex and the Main Street Mixed Use buildings. Any new development or redevelopment would follow any of the seven proposed building types. All the Building Types are identified through a series of graphics versus just text. There are no huge changes in the proposed Design Requirements. Ordinary maintenance does not require a Certificate of Appropriateness. There are no paint palettes. Buildings that are painted black or fluorescent colors are not permitted. The Design Requirements suggest that new construction and additions be contemporary, compatible yet distinguishable. A section was added regarding ramps and fire escapes. These were missing from the 1994 Study. Demolition is permitted but discouraged for historic structures. The signage requirements have been updated and illustrated with modern photos. Changeable copy signs including digital signs are not allowed in the district. Any sign that would not meet the new requirements would be grandfathered in until changed in the future. Murals are allowed but only with City approval.

In conclusion, Mr. Becher stated that the FMS Study was created with user-friendly requirements and standards over process reviews. In 10-20 years, the hope is to create an urban, walkable mixed-use district. There won't be an FMS Board and the District is proposed to be expanded. Future updates of the Zoning Text and Zoning Map should not require a new Study as long as the text and map are consistent with the current Study. An example of this would be to change a parking requirement based upon years of experience.

Chairman Rolfsen acknowledged Mr. Josh Hunt from the City of Florence in the audience. Mr. Hunt stated that he was present to observe and answer any questions.

At this time, Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request?

Ms. Nancy Holian, 6900 and 6910 Dixie Highway, expressed a concern about flooding. Since 2009, she has had 9 floods on her property. The stormwater is coming off Main Street. The bulkhead next to her property is too small and doesn't carry the water well. It is coming off Dortha Avenue, Banklick Street and Dixie Highway. She has video of the flooding. At times, they have had 4 feet of water in their buildings. She has met with the City and can't get any satisfaction. She heard that the City is purchasing the retail strip center for a parking lot. She expressed a concern and thinks someone needs to address the problem before new development occurs. If it is a new parking lot, maybe improvements can be made to solve the storm water problem? It also affects Lighting Effects located next door to her. When there might be heavy rain, they take a fire hose and pump to run the water out. She is in favor of development but she wants the problem fixed.

Mr. Josh Hunt responded that storm water is an issue. There has been a storm water analysis completed by Viox & Viox, Inc. There is no contract in place to purchase the retail strip center. The City has purchased property off Youell and Main in the Scientology area. Any public parking lot that the City builds will not only meet the storm water requirements but they will analyze for over detaining. There is a citation to the owner of the retail strip center for filling in their detention pond. There are liens on the property. The retail strip center was developed a while ago so it doesn't meet the current requirements but the matter is being handled by the Code Enforcement Board.

Mr. Eric Hermes, 8 Girard Street, stated that his property is currently not in the Main Street District but would be added. He wanted to make sure that he did not have to make changes after the new regulations go into effect on buildings and signs. He wanted to make sure the existing conditions can stay as they are in the future. His current sign was approved 7 years ago. It would not comply with the new regulations. He would like to see it in writing that he doesn't have to change the sign. Mr. Costello noted that he would be grandfathered as long as he doesn't change the sign. Sign face changes could occur if he sold the building. Mr. Hermes stated that he would like a letter from the Zoning Administrator to that effect. What about approving paint colors? He explained that he had to submit paint colors to the City of Springdale. Will this be required? If so, how will it be handled? Mr. Becher referred to the wording in the proposed code. Mr. Costello noted that it addresses the extreme colors. Color requirements or standards could change in the future but only if another Public Hearing was held to obtain public input.

Mr. Jeff Kennedy, 31 Girard Street, stated that he owns the Swain building, the First Baptist Church and several pieces of property on Shelby Street. It creates a square between Shelby and Girard Streets. A lot of the buildings in the area are Victorian style and paint colors for this style was usually bold or bright to reflect the Victorian period. We should agree on the difference between bold and extreme paint colors. He liked the recommendations. He requested that the wording of "demolition of significant structures is discouraged" be defined. What does significant and discouraged mean? He guessed that 2 of his buildings are significant and 2 are not. There are 2 buildings on Shelby Street in which you would never know they are significant yet they are 2 of the oldest buildings on the street. One doesn't realize what is under the façade of both buildings. It would be good to know what he can develop, demo and maintain in the Study area. Maybe we need to determine what is significant and what is not significant so we know how to plan for the new structures in the community. Can we move buildings? Perhaps we need to pin it down now so we don't argue about it in the future.

Mr. Becher responded that the Historic Structures Survey done in 2019 identified buildings as contributing and non-contributing. Contributing means buildings that are at least 50 years old and they also retain some sort of historic character. Significance can be based upon a variety of criteria – mostly National Register criteria – a person, an event, an architectural style or archeology. Mr. Becher explained that it would most likely be a judgement call at the time an application is filed to know if the building is significant. If a list was created today of significant buildings, the list would be large. Mr. Kennedy wants to know how to help make decisions to develop in the area.

Mr. Patton stated that buildings should be labeled significant because it might be eligible for Federal and State tax credits for redevelopment purposes. The survey could spur additional development.

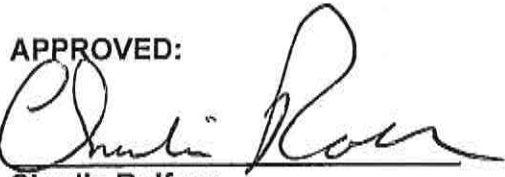
Mr. Becher emphasized the text wording of the "demolition of significant buildings being discouraged". It was written that way to avoid the word "prohibited". The way it is written does not preclude the demolition of just about anything in the District. Designating National Register Buildings to not be allowed to be demolished is a tall order. Mr. Kennedy stated that he got permission to tear down two buildings as they were not considered significant.

Mr. Scott Schwartz, 288 Main Street, stated that he owns 3 lots and the pizza restaurant/bourbon bar. He expressed a concern about being allowed to tear down buildings. His buildings are over 50 years old. He may renovate the restaurant because of limited seating capacity. The City of Florence has looked at initial plans to renovate. He wondered if the new Study would affect his renovation plans?

Mr. McMillian mentioned that developers usually oppose new regulations but he mentioned when regulations were changed to install shatterproof glass. It was a safety regulation that made it a requirement.

Mrs. Steele asked what caused the flooding problems? Mrs. Holian responded that there was broken pipe on Dixie Highway. A while ago, there were giant potholes caused by the broken pipe. The State won't fix the pipe. The road was repaved and it will be interesting to see if the problems will return since they didn't fix the pipe. She emphasized that her problem started in 2009 after she bought the properties in 2004. Mrs. Steele mentioned that she asked the question so we could avoid the problem in the future.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on December 15, 2021 at 6:00 P.M. in the Fiscal Courtroom. This item will be on the Agenda for the Business Meeting on January 5, 2022 at 7:00 p.m. The Chairman Rolfsen closed the Public Hearing at 8:50 p.m.

APPROVED:

Charlie Rolfsen
Chairman

Attest:


Kevin P. Costello, AICP
Executive Director

EXHIBIT

“C”



ADMINISTRATIVE DEPARTMENT
Diane E. Whalen, Mayor

December 16, 2020

Mr. Kevin Costello
Executive Director
Boone County Planning Commission
2950 Washington Street
Burlington, Kentucky 41005

Dear Kevin:

Thank you for taking time to meet with staff and providing suggestions on next steps with the Florence Main Street (FMS) Zoning District update.

Based on the recommendations you provided, I would like for the Boone County Planning Commission to evaluate the current FMS District and offer recommendations to change the Boone County Zoning Regulations (both Text and Map) in order to meet the new vision and goals of the Main Street area.

As always, the City of Florence looks forward to working with the Boone County Planning Commission, and appreciate the efforts and expertise you and your staff provide.

Sincerely,

A handwritten signature in cursive script that reads "Diane E. Whalen".

Diane E. Whalen
Mayor