
ARTICLE

23

FLORENCE MAIN STREET ZONING STUDY (FMS)

SECTION 2300

Intent/Purpose

The intent of this article 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. The 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 provide a mixing of commercial, professional and residential uses which establish, protect and promote a neighborhood and community identity while establishing a more urban character that provides needed community services.

The variety of land uses and unique character found on Main Street cannot be practically accommodated by the other basic zoning districts established by this order. Therefore, this article creates and permits the flexibility and mixing of uses that are essential to maintaining the vitality, viability and character of Main Street.

The purpose of the Design Review Guidelines for Main Street in Florence, to be implemented in conjunction with a new zoning district, is to provide a unified direction for proposed alterations to existing Main Street buildings, or new construction within the zoning district. The guidelines are based on maintaining the historic character of Main Street in terms of scale, rhythm, and massing, but are not intended to recreate a particular historical time period or architectural style. These guidelines will serve as an advisory tool for property owners contemplating changes to their buildings, or planning new construction. The Guidelines will also provide standards on which a Design Review Board can base decisions. All exterior alterations (except those noted in the guidelines), additions, demolitions, or new construction within the study area would be required to obtain a Certificate of Appropriateness for the proposed work.

Design Review Guidelines can assist in re-establishing and reinforcing a unique sense of place for Main Street. They encourage a positive relationship between buildings and open spaces, and provide for continuity of existing scale, rhythm, massing, and setback. These guidelines are not intended to force a property owner to make unwanted changes, or require that new construction mimic historical design. The Design Review Guidelines support an effort to make Main Street a pleasant, accessible, and identifiable community center for the residents of Florence.

SECTION 2305

Location

The Study area is defined as all properties which have lot frontage along Main Street in Florence, Kentucky and is identified on Map #2. This zoning district is identified on the Official Florence Zoning Map as Florence Main Street (FMS).

SECTION 2310

Principally Permitted Uses

All principally permitted uses can be found within the Florence Main Street Zoning Study.

SECTION 2315

Accessory Uses

All accessory uses can be found within the Florence Main Street Zoning Study.

SECTION 2320

Conditional Uses

All conditional uses can be found within the Florence Main Street Zoning Study.

SECTION 2325

Applicability and Review

The Florence Main Street Zoning Study application and review requirements shall be applied to all properties identified by the Official Florence Zoning Map under the identification of Florence Main Street (FMS) and other applicable articles of this zoning order.

Application and review procedural requirements are specified in Florence Main Street Zoning Study as well as other appropriate articles in this zoning order. Design review and sign permits will be required for all developments as outlined in the Florence Main Street Zoning Study.

SECTION 2330

Procedure

An applicant will be required to file an application for a Certificate of Appropriateness (COA) in conjunction with the procedures required in Article 30 and 31 of this order for any property located within the Florence Main Street Zoning Study area on which a building is proposed to be erected, altered or expanded. A COA will not be required for any interior alterations to an existing building.

All applications for a Certificate of Appropriateness shall be reviewed by a designated Boone County Planning Commission staff member. Approval of applications shall be based on the compliance with the Design Review Guidelines established specifically for the Florence Main Street Zoning Study. A COA will 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. A list of ordinary maintenance and repairs can be found in Appendix C of the Study.

The designated staff members can approve a COA for alterations, additions, and signs but can not deny any application made for a COA, but rather shall forward the application to the Florence Main Street Design Review Board. The Board's action on the application shall be based on the Intent and Purpose section of the Florence Main Street Zoning Study and the established Design Review Guidelines. Site Plan approval and/or Zoning Permit approval shall only be issued in conjunction with the appropriate COA.

SECTION 2335

Waiver of Requirements

The Zoning Administrator in conjunction with the Florence Main Street Design Review Board may reasonably waive or modify, with conditions, the design review guidelines within this Article if it is determined that such action is warranted given the nature of an individual project and such action will serve to preserve the Intent and Purpose of this Article. In addition, a waiver can be granted if the strict provision of the regulations found within this Article would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant. The applicant shall request a waiver of the Design Review Guidelines in writing and shall have the responsibility of demonstrating the hardship and reasons for the waiver.

SECTION 2340

Minimum Dimensional Standards

Building setbacks, lot size requirements and parking requirements are identified in the Florence Main Street Zoning Study. Minimum standards not mentioned within the Florence Main Street Zoning Study shall be found in other applicable articles of this zoning order.

SECTION 2345

Design Review Board

A Design Review Board is created to review proposed alterations, additions, and/or new construction in the Florence Main Street Zoning Study area in accordance with the Design Review Guidelines within the Study. The Board will have the ability to issue a Certificate of Appropriateness (COA), signed by the Chairmen, after a vote by a majority of the Board.

SECTION 2350

Membership

The Florence Main Street Design Review Board shall consist of a minimum of five (5) and a maximum of seven (7) members, to be appointed by the Mayor and City Council of Florence. Board membership should include at least two Main Street property or business owners, a professionally certified architect, at least one member with a demonstrated interest in, and knowledge of historic preservation, or architectural history, and other members with an interest in the Main Street corridor, and a background in business, real estate, planning, or a related field.

Initially, three members shall be appointed for three years, two members for two years, and two members for one year. Subsequently, members shall be appointed to three year terms, and may be reappointed. Board vacancies shall be filled within sixty days.

SECTION 2355

Organization and Meetings

The Board shall annually elect a Chairman and Vice-Chairman from their members. A quorum shall consist of a majority of the members, and is required in order to vote on an application. Board members shall serve without compensation. No member of the Board may vote on any matter that may affect the property, income, or business interests of that member. Meetings shall be held on an as needed basis. Regular meetings may be held more frequently, depending on the number of requests received. The Chairman, or in his/her absence the Vice-Chairman, as well as the Florence City Council, may call a special meeting, as necessary.

The Board shall keep minutes of its proceedings, as well as any other business. These records will be available for public inspection. The Board will also adopt rules and procedures, and make them public.

SECTION 2360

Meeting Notification

Notice of all meetings shall be published in a newspaper of general circulation (one or more), at least 7, but not more than 21 days prior to the meeting date. Such notice shall include the date, time and place of a meeting, and the addresses of properties being reviewed.

SECTION 2365

Powers and Duties

The Board shall take necessary and appropriate action as to accomplish the purpose and intent of the Design Review Guidelines. This includes, but is not limited to, issuing a COA, denying a COA, and advising an applicant of possible alternatives in accordance with the Guidelines.

SECTION 2370

Appeals

In the event that a Certificate of Appropriateness is denied an appeal of the Board decision can be made to the Florence City Council within 30 days of the Boards action for denial. The Florence City Council will have 60 days upon receipt of the appeal and render a decision on the appeal.