



**CITY COMMISSION MEETING
AGENDA FOR AUGUST 27, 2024
5:00 PM
CITY HALL COMMISSION CHAMBERS
300 SOUTH FIFTH STREET**

*Any member of the public who wishes to make comments to the Board of Commissioners is asked to fill out a Public Comment Sheet and place it in the box located at the end of the Commissioner's desk on the left side of the Commission Chambers. The Mayor will call on you to speak during the **Public Comments** section of the Agenda.*

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

PUBLIC HEARING 2024-2025 Proposed Tax Rate

NEW EMPLOYEE INTRODUCTION Police Department Employees: Deflection Specialist- Allison Blackwell and Deflection Officer- Matthew Wentworth. B. LAIRD

PROCLAMATION September is Attendance Awareness Month - Troy Brock, Director of Pupil Personnel, Paducah Public Schools

PROCLAMATION September - City Government Month

PRESENTATION Paducah Power System Update - Dave Carroll

ADDITIONS/DELETIONS

PUBLIC COMMENTS

MAYOR'S REMARKS

Items on the Consent Agenda are considered to be routine by the Board of Commissioners and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Board member so requests, in which event the item will be removed from the Consent Agenda and considered separately. The City Clerk will read the items recommended for approval.

	I.	<u>CONSENT AGENDA</u>
	A.	Approve Minutes for the August 13, 2024, Board of Commissioners Meeting
	B.	Receive & File Documents
	C.	Reappointment of Bob Wade to the Paducah Planning Commission.
	D.	Reappointment of Anthony Walton and Appointment of Charles Gurley to the Paducah Human Rights Commission
	E.	Personnel Actions
	F.	Purchase of Solid Waste Dumpsters for FY2024-2025 from Wastequip Utilizing the HGABuy Purchasing Group in a Not-to-Exceed amount of \$150,000.

		G.	Accept Donation of Properties located at 1128 N 13th Street and 1104 Ellis Street
		H.	Declaration and Sale of Surplus Property 1314 Oscar Cross Ave
		I.	Approve Contract Modification #2 to Professional Services Contract with HDR, Inc. for the Paducah Riverfront Infrastructure Improvement Project (BUILD Grant) for \$30,000.00
	II.	<u>ORDINANCE(S) - ADOPTION</u>	
		A.	Medical Cannabis Zoning Text Amendment - J. SOMMER
	III.	<u>ORDINANCE(S) - INTRODUCTION</u>	
		A.	City of Paducah Proposed Tax Rates - FY2025 - J. PERKINS
		B.	Paducah Independent School District Tax Rates to be collected by City of Paducah - J. PERKINS
	IV.	<u>DISCUSSION</u>	
		A.	Street Paving Program - G. GUEBERT
	V.	<u>COMMENTS</u>	
		A.	Comments from the City Manager
		B.	Comments from the Board of Commissioners
	VI.	<u>EXECUTIVE SESSION</u>	

August 13, 2024

At a Regular Meeting of the Paducah Board of Commissioners held on Tuesday, August 13, 2024, at 5:00 p.m., in the Commission Chambers of City Hall located at 300 South 5th Street, Mayor George Bray presided. Upon call of the roll by the Assistant City Clerk, the following answered to their names: Commissioners Guess, Henderson, Smith, Wilson, and Mayor Bray (5).

INVOCATION

Commissioner Smith led the Invocation.

PLEDGE OF ALLEGIANCE

Mayor Bray led the pledge.

NEW EMPLOYEE INTRODUCTIONS

Assistant Director Taylor Morsching of the Paducah Parks & Recreation Department - introduced Emelyn Herndon (recently promoted to Recreation Supervisor) and Elizabeth Kimball – Recreation Specialist –

PROCLAMATION – Mayor George Bray presented a proclamation to Levi McDuffee proclaiming August 19 as Paducah Coffee Shop and Barista Appreciation Day.

PRESENTATION:

Communications Manager, Pam Spencer, provides the following summary:

Open Finance Budget Portal Presentation

“Finance Director Jonathan Perkins introduced a new online portal that makes accessing City of Paducah financial information more practical and efficient. Paducah Open Finance is an interactive site to gain a better understanding of the revenues collected and how those revenues are used. The site is updated weekly and includes data from prior fiscal years for comparison. To view Paducah Open Finance, visit <https://paducahky-of.finance.socrata.com/#!/dashboard>.”

PUBLIC COMMENTS:

Gordon Bremenkampf spoke about the need for additional swimming facilities in Paducah.

MAYOR REMARKS:

Communications Manager, Pam Spencer, provides the following summary:

HeartStrong Kentucky Grant and Recognition of Premed Students Jackson Miller and Ethan Morgan

Mayor George Bray presented Dukes of Paducah to premed students Jackson Miller and Ethan Morgan. Miller and Morgan are graduates of Marshall County High School and currently in the Lewis Honors College at the University of Kentucky. Michael Muscarella, executive director of ambulatory services at Baptist Health, explained that this summer, the students served as interns for

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the five-year HeartStrong Kentucky grant from the Centers for Disease Control & Prevention. The grant focuses on reducing the risk for cardiovascular disease in Census Tract 302 in the Southside. Miller and Morgan worked to map out mailable addresses for health information to be shared with residents, they worked at health fairs focusing on reducing total cholesterol and high blood pressure, and they engaged with residents for the City's Greenway Trail project underway with the National Park Service. Community partners from the Southside Steering Committee mentored them as they developed community relationships to promote health.

CONSENT AGENDA

Mayor Bray asked if the Board wanted any items on the Consent Agenda removed for separate consideration. No items were removed. Mayor Bray asked the City Clerk to read the items on the Consent Agenda.

I(A)	Approve Minutes for the July 23, 2024, Board of Commissioners Meeting
I(B)	Receive and File Documents: <u>Deed File:</u> 1. Permanent Easement – 2338 South 25th Street for South 24th Street Improvement Project – MO #2891 <u>Contract File:</u> 1. BUILD Grant Project – \$3.5 million – MO #2908 2. Fleet Maintenance Contract Agreement with Livingston EMS – MO #2929 3. Contract with Flock Safety – License Plate Readers - \$64,250 – MO #2932 4. Concession Agreement with Oscar Cross Boys & Girls Club – MO #2933 5. Contract For Services with Paxon Park Golf Board - \$100,000 – MO #2935 <u>Financials:</u> 1. Paducah Water Works – Month ended June 30, 2024. <u>Bids and Proposals File:</u> 1. Atmos Energy Natural Gas Franchise – ORD 2024-07-8819
I(C)	Appointment of Gregory Cannon to the Brooks Stadium Commission to replace Howard Finley, who resigned. This term shall expire December 5, 2024.
I(D)	Personnel Actions
I(E)	A MUNICIPAL ORDER DECLARING THE REAL PROPERTY LOCATED AT 621 AND 623 MCKINLEY STREET, PADUCAH, KENTUCKY TO BE SURPLUS PROPERTY, ACCEPTING THE BID OF BRADLEY MOXEY IN THE TOTAL AMOUNT OF TWO DOLLARS (\$2) AND AUTHORIZING THE MAYOR TO EXECUTE THE DEED AND ALL DOCUMENTS RELATED TO SAME (MO #2936; BK 13)
I(F)	A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE CITY MANAGER TO INITIATE A REQUEST FOR PROPOSALS FOR RENOVATION OF THE COLEMAN PARK SPRAYGROUND (MO #2937; BK 13)

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I(G)	A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE CITY MANAGER TO INITIATE A REQUEST FOR PROPOSALS FOR REPAIRS TO THE TRANSIENT BOAT DOCK (MO #2938; BK 13)
I(H)	A MUNICIPAL ORDER APPROVING AN EMPLOYMENT AGREEMENT BETWEEN THE CITY OF PADUCAH AND POLICE OFFICER MATTHEW WENTWORTH, AND AUTHORIZING THE MAYOR TO EXECUTE SAME (MO #2939; BK 13)
I(I)	A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A LEASE AGREEMENT BETWEEN AMERICAN TOWERS LLC AND THE CITY OF PADUCAH FOR LEASE OF THE AMERICAN TOWERS TOWER LOCATED AT 6765 CONTEST ROAD (MO #2940; BK 13)
I(J)	A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR SERVICES WITH THE GREATER PADUCAH ECONOMIC DEVELOPMENT COUNCIL IN AN AMOUNT OF \$250,000 FOR SPECIFIC SERVICES (MO #2941; BK 13)
I(K)	A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH PADUCAH AREA TRANSIT SYSTEM IN THE AMOUNT OF \$215,000 FOR PUBLIC TRANSPORTATION SERVICES (MO #2942; BK 13)
I(L)	A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH BARKLEY REGIONAL AIRPORT IN THE AMOUNT OF \$120,000 FOR GENERAL AVIATION AND AIR CARRIER SERVICES (MO #2943; BK 13)
I(M)	A MUNICIPAL ORDER APPROVING A TERMINATION OF \$365,000 SUBDIVISION PERFORMANCE AND WARRANTY SURETY BOND WITH WALKER PROPERTIES OF WESTERN KENTUCKY LLC FOR TRAILS END SUBDIVISION, AND AUTHORIZING THE MAYOR TO EXECUTE SAID TERMINATION AND ALL DOCUMENTS RELATED TO SAME (MO #2944; BK 13)
I(N)	A MUNICIPAL ORDER APPROVING THE ACCEPTANCE OF A \$365,000 SUBDIVISION PERFORMANCE AND WARRANTY SURETY BOND WITH TRAILS END DEVELOPMENT, LLC FOR TRAILS END SUBDIVISION, AND AUTHORIZING THE MAYOR TO EXECUTE SAID ACCEPTANCE AND ALL DOCUMENTS RELATED TO SAME (MO #2945; BK 13)
I(O)	A MUNICIPAL ORDER ACCEPTING THE BID OF LINWOOD MOTORS FOR SALE TO THE CITY OF PADUCAH SEVEN (7) PATROL SUV'S IN AN AMOUNT OF \$56,510 EACH AND TWO (2) K-9 SUV's IN THE AMOUNT OF \$61,835 EACH, FOR A TOTAL AMOUNT OF \$519,240, FOR USE BY THE PADUCAH POLICE DEPARTMENT AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR SAME (MO #2946; BK 13)
I(P)	A MUNICIPAL ORDER AUTHORIZING A MASTER INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT WITH OMNIA PARTNERS AND AUTHORIZING THE PURCHASE OF ROLL-OUT CONTAINERS, LIDS, AND ADDITIONAL REPLACEMENT PARTS OFF OF THE OMNIA PARTNERS COOPERATIVE PURCHASING CONTRACT WITH TOTER, INC., IN AN AMOUNT NOT TO EXCEED \$300,000 FOR THE PUBLIC WORKS SOLID WASTE DIVISION (MO #2947; BK 13)

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Commissioner Guess offered Motion, seconded by Commissioner Henderson, that the items on the consent agenda be adopted as presented.

Adopted on call of the roll yeas, Commissioners Guess, Henderson, Smith, Wilson, and Mayor Bray (5).

MUNICIPAL ORDERS

APPROVE THE PURCHASE OF CHRISTMAS DÉCOR FROM HOLIDAY OUTDOOR DÉCOR THROUGH BUY BOARD NATIONAL PURCHASING COOPERATIVE IN THE AMOUNT OF \$48,554

Commissioner Henderson offered Motion, seconded by Commissioner Guess, that the Board of Commissioners adopt a Municipal Order entitled, “A MUNICIPAL ORDER APPROVING THE PURCHASE OF CHRISTMAS DÉCOR FROM HOLIDAY OUTDOOR DÉCOR THROUGH BUY BOARD, NATIONAL PURCHASING COOPERATIVE IN THE AMOUNT OF \$48,554, AND AUTHORIZING THE MAYOR TO EXECUTE ANY DOCUMENTS RELATED TO SAME.”

Adopted on call of the roll yeas, Commissioners Guess, Henderson, Smith, Wilson, and Mayor Bray (5). (MO #2948, BK 13)

AUTHORIZE THE ACCEPTANCE OF A MELLON FOUNDATION GRANT IN THE AMOUNT OF \$1.34 MILLION ON BEHALF OF THE UPPERTOWN HERITAGE FOUNDATION

Commissioner Smith offered Motion, seconded by Commissioner Wilson, that the Board of Commissioners adopt a Municipal Order entitled, “A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO RECEIVE GRANT FUNDS THROUGH THE MELLON FOUNDATION HUMANITIES IN PLACE GRANT PROGRAM IN THE AMOUNT OF \$1,340,000 FOR CAPITAL IMPROVEMENTS TO THE HOTEL METROPOLITAN AND PURPLE ROOM AND TO BUILD THE CAPACITY OF THEIR BOARD AND ORGANIZATION.”

Adopted on call of the roll yeas, Commissioners Guess, Henderson, Smith, Wilson, and Mayor Bray (5). (MO #2949, BK 13)

ORDINANCE INTRODUCTION

MEDICAL CANNABIS ZONING TEXT AMENDMENT

Commissioner Wilson offered Motion, seconded by Commissioner Smith, that the Board of Commissioners introduce an Ordinance entitled, “AN ORDINANCE OF THE CITY OF PADUCAH, KENTUCKY AMENDING SECTION 126 OF THE PLANNING AND/OR ZONING ORDINANCE RELATING TO MEDICAL CANNABIS.” This Ordinance is summarized as follows: This Ordinance regulates land use applicable to medical cannabis businesses in the City of Paducah, including zones in which licensed businesses may operate as dispensaries, cultivators, producers and safety compliance facilities. This ordinance places reasonable limitations on medical cannabis businesses in geographic location as well as in advertisement.

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DISCUSSION

BUILD GRANT

Communications Manager Pam Spencer offered the following summary:

“The Paducah Board of Commissioners and City Manager Daron Jordan discussed the BUILD Grant Project. In 2019, the City received notification that it would be receiving a \$10.4 million Better Utilizing Investments to Leverage Development (BUILD) Grant to improve the riverfront area of downtown Paducah with a project scope that includes a riverboat excursion pier, transportation enhancements, and improvements to the river side of the floodwall in a general area between the Paducah-McCracken County Convention & Expo Center and Broadway. This June, the City accepted a \$3.5 million appropriation for the project outlined in House Bill 1 as approved during the State’s legislative session earlier this year. This summer the project was placed out to bid with bids opened on July 16. One contractor, Jim Smith Contracting, submitted a valid bid. At this time, the City is working with the federal and state funding partners for the bid evaluation process.”

COMMENTS

- Commissioner Smith commented on the new lighting along Walter Jetton Boulevard.

EXECUTIVE SESSION

Commissioner Guess offered motion, seconded by Commissioner Henderson, that the Board of Commissioners go into closed session for discussion of matters pertaining to the following topics:

- Issues which might lead to the appointment, dismissal or disciplining of an employee, as permitted by KRS 61.810(1)(f)
- A specific proposal by a business entity where public discussion of the subject matter would jeopardize the location, retention, expansion or upgrading of a business entity, as permitted by KRS 61.810(1)(g)

Adopted on call of the roll yeas, Commissioners Guess, Henderson, Smith, Wilson and Mayor Bray (5)

RECONVENE IN OPEN SESSION

Commissioner Smith offered motion, seconded by Commissioner Henderson, that the Paducah Board of Commissioners reconvene in open session.

Adopted on call of the roll yeas, Commissioners Guess, Henderson, Smith, Wilson and Mayor Bray (5)

ADJOURN

Commissioner Wilson offered Motion, seconded by Commissioner Smith, that the meeting be adjourned.

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Adopted on call of the roll yeas, Commissioners Guess, Henderson, Smith, Wilson, and Mayor Bray (5).

TIME ADJOURNED: 7:35 p.m.

ADOPTED: August 27, 2024

George Bray, Mayor

ATTEST:

Claudia S. Meeks, Assistant City Clerk

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RECEIVE AND FILE DOCUMENTS:

Minute File:

1. Letter to Oscar Cross Boys & Girls Club – Permanent Utilization of 2956 Park Avenue – Concession Agreement – MO #2933

Contract File:

1. Kentucky Highway Safety Grant - \$41,000 – MO #2845
2. Household Hazardous Waste Management Grant Agreement – MO #2872
3. Contract – 2024 Kentucky 911 Services Board Grant - \$99,653 – MO #2913
4. Contract with Axon Enterprise, Inc. – purchase of Tasers - \$361,612.28 – MO #2930
5. Contract Modification with Axon Enterprise, Inc. – body-worn and in-car camera systems - \$75,154 – MO #2931
6. Employment Agreement – Matthew Wentworth – Paducah Police Officer – MO #2939
7. Contract For Services FY2025 – City of Paducah and GPEDC – MO #2941
8. Contract For Services FY2025 – City of Paducah and Paducah Transit Authority – MO #2942
9. Contract For Services FY2025 – City of Paducah and Barkley Regional Airport Authority – MO #2943
10. Agreement to Purchase Nine (9) Police Pursuit Rated SUV's – Linwood Motors – MO #2946
11. Agreement to Purchase Holiday Decorations from Holiday Outdoor Décor – MO #2948
12. Mellon Foundation Grant in the amount of \$1.34 million – Uppertown Heritage Foundation – MO #2949
13. Contract For Services FY2025 – City of Paducah and Paducah Alliance of Neighbors – No Commission Action – signed by Daron Jordan, City Manager

Financials:

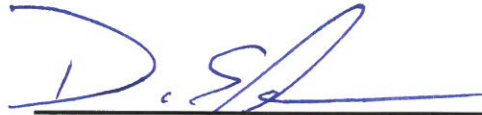
1. Paducah Water Financials ending July 31, 2024

Bids and Proposals File:

1. Purchase of Nine Police Pursuit SUV's
Linwood Motors – MO #2946

CITY OF PADUCAH
August 27, 2024

Upon the recommendation of the City Manager's Office, the Board of Commissioners of the City of Paducah order that the personnel changes on the attached list be approved.



City Manager's Office Signature

8/22/2024

Date

**CITY OF PADUCAH
PERSONNEL ACTIONS
August 27, 2024**

NEW HIRES - PART-TIME (P/T)

<u>PARKS & RECREATION</u>	<u>POSITION</u>	<u>RATE</u>	<u>NCS/CS</u>	<u>FLSA</u>	<u>EFFECTIVE DATE</u>
Herzog, Jeffrey G.	Park Ranger	\$14.00/hr	NCS	Non-Ex	September 2, 2024

PAYROLL ADJUSTMENTS/TRANSFERS/PROMOTIONS/TEMPORARY ASSIGNMENTS (FULL-TIME)

<u>FINANCE</u>	<u>PREVIOUS POSITION AND BASE RATE OF PAY</u>	<u>CURRENT POSITION AND BASE RATE OF PAY</u>	<u>NCS/CS</u>	<u>FLSA</u>	<u>EFFECTIVE DATE</u>
Arellano-Tapia, Anayeli	Revenue Technician \$20.57/hr	Revenue Technician \$20.98/hr	NCS	Non-Ex	August 8, 2024
Queen, Karen N.	Senior Administrative Assistant \$25.50/hr	Senior Administrative Assistant \$26.14/hr	NCS	Non-Ex	July 25, 2024
<u>PARKS & RECREATION</u>					
Kimball, Elizabeth A.	Recreation Specialist \$22.25/hr	Recreation Specialist \$22.81/hr	NCS	Ex	July 11, 2024
Willoughby, John D.	Parks Maintenance Supervisor \$26.56/hr	Parks Maintenance Supervisor \$27.62/hr	NCS	Ex	June 27, 2024
<u>POLICE</u>					
Maguire-Hernandez, Sarai E.	Crime Analyst \$26.29/hr	Crime Analyst \$26.95/hr	NCS	Non-Ex	June 13, 2024
<u>PUBLIC WORKS</u>					
Cheswick, Steven L.	ROW Maintenance Person \$23.62/hr	Street Equipment Operator \$24.24/hr	NCS	Non-Ex	September 5, 2024

PAYROLL ADJUSTMENTS/TRANSFERS/PROMOTIONS/TEMPORARY ASSIGNMENTS (PART-TIME)

<u>PARKS & RECREATION</u>	<u>PREVIOUS POSITION AND BASE RATE OF PAY</u>	<u>CURRENT POSITION AND BASE RATE OF PAY</u>	<u>NCS/CS</u>	<u>FLSA</u>	<u>EFFECTIVE DATE</u>
Atkins, Rebecca S.	Recreation Leader \$12.00/hr	Recreation Leader - Athletics \$12.50/hr	NCS	Non-Ex	September 5, 2024
Smith, Keely N.	Head Pool Attendant \$12.50/hr	Recreation Leader - Athletics \$12.50/hr	NCS	Non-Ex	September 5, 2024
Tyler, Robert L.	Recreation Leader \$12.00/hr	Recreation Leader - Athletics \$12.50/hr	NCS	Non-Ex	September 5, 2024
Tyler, LaQuenta D.	Recreation Leader \$12.00/hr	Recreation Leader - Athletics \$12.50/hr	NCS	Non-Ex	September 5, 2024

TERMINATIONS - PART-TIME (P/T)

<u>PARKS & RECREATION</u>	<u>POSITION</u>	<u>REASON</u>	<u>EFFECTIVE DATE</u>
Herndon, Leah	Recreation Cam Counselor	Seasonal Termination	August 21, 2024
Thomas, Martin L.	Pool Attendant	Seasonal Termination	August 21, 2024
Steele, Mason J.	Pool Attendant	Seasonal Termination	August 21, 2024
Davis, Kimberly	Facility Coordinator	Termination	April 25, 2024

Agenda Action Form

Paducah City Commission

Meeting Date: August 27, 2024

Short Title: Purchase of Solid Waste Dumpsters for FY2024-2025 from Wastequip Utilizing the HGABuy Purchasing Group in a Not-to-Exceed amount of \$150,000.

Category: Municipal Order

Staff Work
By: Latrisha
Pryor
Presentation
By: Chris
Yarber

Background Information: Utilizing the HGACBuy Purchasing Group, vendor number 04 0621-WQ1, Public Works Solid Waste Division is to purchase solid waste dumpsters from Wastequip. Every year, an amount is allocated toward dumpster purchases in the annual commercial refuse replacement budget. Therefore, we are requesting authorization to order the required dumpsters, along with additional replacement parts and lids, during the 2024-2025 Fiscal Year in an amount not to exceed the budgeted amount of \$150,000.

Does this Agenda Action Item align with a Commission Priority? No

If yes, please list the Commission Priority: [Commission Priorities List](#)

Communications Plan:

Funds Available: Account Name: Solid Waste Fund - Equipment Other

Account Number: 50002210 - 542190

Staff Recommendation: To have a Municipal Order authorizing the purchase of solid waste dumpsters for the FY2024-2025 from Wastequip utilizing the HGACBuy Purchasing Group vendor number 04 0621-WQ1 in an amount not to exceed \$150,000.

Attachments:

1. MO - dumpsters 08-2024

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER AUTHORIZING THE PURCHASE OF SOLID WASTE DUMPSTERS, LIDS AND REPLACEMENT PARTS IN AN AMOUNT NOT TO EXCEED \$150,000 FROM WASTEQUIP THROUGH THE HGAC PURCHASING GROUP FOR FY25 FOR UTILIZATION BY COMMERCIAL BUSINESSES WITHIN THE CITY OF PADUCAH AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATED TO SAME

WHEREAS, the City of Paducah approved Municipal Order No. 2499 to authorize an Interlocal Contract for Cooperative Purchasing with the Houston-Galveston Area Council (HGAC); and

WHEREAS, the dumpsters, lids and replacement parts are available from Wastequip utilizing the Houston-Galveston Area Council Purchasing Group and competitive bidding is not required.

NOW THEREFORE, BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. That the City of Paducah hereby authorizes the Finance Director to make payment to Wastequip, for the purchase of various sized dumpsters, lids and replacement parts for fiscal year 2025, in an amount not to exceed the City's budgeted amount of \$150,000. These containers and accessories will be used by commercial businesses within the City limits of Paducah served by the Solid Waste Division of the Public Works Department. This purchase is made in compliance with the Houston-Galveston Area Council Purchasing Group Interlocal Contract for Cooperative Purchasing. Further, the Mayor is hereby authorized to execute all documents related to same.

SECTION 2. This expenditure shall be charged to Solid Waste Fund-Equipment Other, account number 50002210-542190.

SECTION 3. This order shall be in full force and effect from and after the date of its adoption.

GEORGE BRAY, Mayor

ATTEST:

Claudia S. Meeks, Assistant City Clerk

Agenda Action Form

Paducah City Commission

Meeting Date: August 27, 2024

Short Title: Accept Donation of Properties located at 1128 N 13th Street and 1104 Ellis Street

Category: Ordinance

Staff Work
By: Greg
Cherry
Presentation
By: Greg
Cherry

Background Information: The property owners Christopher Helm, Thomas Eric and Elizabeth Helm would like to donate 1128 N 13th Street and 1104 Ellis Street to the City of Paducah. This will benefit the City to receive these properties versus foreclosure expenses. The properties will be turned over to Planning for future re-development.

Does this Agenda Action Item align with a Commission Priority? No

If yes, please list the Commission Priority: [Commission Priorities List](#)

Communications Plan:

Funds Available: Account Name:
Account Number:

Staff Recommendation: Authorize Mayor George Bray to sign 2 deeds transferring 1128 N 13th and 1104 Ellis Street to the City of Paducah.

Attachments:

1. MO J- prop donated –1128 N. 13th Street and 1104 Ellis Street

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER ACCEPTING THE DONATION OF REAL PROPERTY LOCATED AT 1128 NORTH 13TH STREET AND 1104 ELLIS STREET FROM CHRISTOPHER HELM, THOMAS ERIC AND ELIZABETH HELM TO THE CITY OF PADUCAH, AND AUTHORIZING THE MAYOR TO EXECUTE THE DEED CONSIDERATION CERTIFICATE

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. The Board of Commissioners hereby approves and consents to the donation of the property located at 1128 North 13th Street and 1104 Ellis Street from Christopher Helm, Thomas Eric And Elizabeth Helm.

SECTION 2. The Mayor is hereby authorized to execute the Consideration Certificate in the Deed of Conveyance to accept the donation of property as approved in Section 1 above. It is determined that it is necessary and desirable and in the best interest of the City to accept this donation in lieu of foreclosure expenses and to execute the Consideration Certificate contained in said Deed of Conveyance, which Deed of Conveyance and Consideration Certificate are hereby authorized and approved. Said property will be turned over to the Planning Department for future redevelopment.

SECTION 3. This Order shall be in full force and effect from and after the date of its adoption.

George Bray, Mayor

ATTEST:

Claudia S. Meeks, Assistant City Clerk

Adopted by the Board of Commissioners, August 27, 2024
Recorded by Lindsay Parish, City Clerk, August 27, 2024
\mo\prop donated –1128 N. 13th Street and 1104 Ellis Street

Agenda Action Form

Paducah City Commission

Meeting Date: August 27, 2024

Short Title: Declaration and Sale of Surplus Property 1314 Oscar Cross Ave

Category: Municipal Order

Staff Work
By: Nancy
Upchurch
Presentation
By: Carol Gault

Background Information: The City of Paducah acquired this property in January 2020. The structure on the lot was demolished about 1980. The intended use for the property was to market to a developer that would construct a home on the lot.

This property has been advertised several times, the last time being in May, 2022. There has never been a bid submitted on this property. KRS 82.083(5) states “If a city receives no bids for the real or personal property, either at public or electronic auction or by sealed bid the property may be disposed of, consistent with the public interest, in any manner deemed appropriate by the City. In those instances, a written description of the property, the method of disposal, and the amount of compensation, if any, shall be made.”

Sharon Poat of Paducah Alliance of neighbors requests the donation of the property to construct a 2-bedroom, 2-bath single-family home. The proposed investment is \$193,950. Upon completion the home will be sold to Jarrad Hamlin, a pre-approved buyer.

Does this Agenda Action Item align with a Commission Priority? Yes

If yes, please list the Commission Priority: [Commission Priorities List](#)

HOUSING

Continued investment in the improvement in our housing stock to hel grow our community

SOUTHSIDE ENHANCEMENTS

Targeted empowerment, engagement, and beautification of Southside Neighborhoods and the business community.

Communications Plan:

Funds Available: Account Name:
Account Number:

Staff Recommendation: It is recommended that the Commission determine that the property is surplus and accept the request of the Sharon Poat, Paducah Alliance of Neighbors and donate the vacant lot, subject to teethe inclusion of a clause stating that the property would revert to the City if the owner fails to comply with the submitted proposal to substantially complete the project within one year.

Attachments:

1. MO - prop sale– 1314 Oscar Cross Avenue
2. SOA2024-0009 Staff Report 1314 Oscar Cross

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER DECLARING THE REAL PROPERTY LOCATED AT 1314 OSCAR CROSS AVENUE, PADUCAH, KENTUCKY TO BE SURPLUS PROPERTY, TRANSFERRING THE PROPERTY WITHOUT COMPENSATION TO PADUCAH ALLIANCE OF NEIGHBORS FOR ECONOMIC DEVELOPMENT PURPOSES, AND AUTHORIZING THE MAYOR TO EXECUTE THE DEED AND ALL DOCUMENTS RELATED TO SAME

WHEREAS, pursuant to Section 2-668 of the Code of Ordinances of the City of Paducah, Kentucky, a written determination has been made that the City does not have any use at this time or in the future for property located at 1314 Oscar Cross Avenue, Paducah, KY, which constitutes surplus real estate; and

WHEREAS, it is recommended that the City of Paducah accept the request of the Paducah Alliance of Neighbors to transfer the property in accordance with KRS 82.083(5), and subject to the standard clause stating that the property would revert back to the City if the owner fails to comply with the submitted proposal and fails to substantially complete the project within one year; and

WHEREAS, the City desires to accept the proposal of Paducah Alliance of Neighbors, to make improvements to the property and build a two-bedroom, two-bath single-family home, with a proposed investment in the amount of \$193,950.

NOW THEREFORE, BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. The Board of Commissioners hereby declares the property located at 1314 Oscar Cross Avenue, Paducah, Kentucky, to be surplus property as it relates to the operations of the City, and authorizes the transfer of the property to Paducah Alliance of Neighbors in accordance with the proposal of Paducah Alliance of Neighbors. Further, it is determined that it is necessary and desirable and in the best interest of the City to execute the consideration certificate contained in said deed of conveyance.

SECTION 2. The Mayor is hereby authorized to execute the deed of conveyance and any necessary documents to complete the transfer of the real property approved in Section 1 above.

SECTION 3. This Order shall be in full force and effect from and after the date of its adoption.

George Bray, Mayor

ATTEST:

Claudia S. Meeks, Assistant City Clerk

Adopted by the Board of Commissioners, August 27, 2024
Recorded by Claudia S. Meeks, Assistant City Clerk, August 27, 2024

\mo\prop sale- 1314 Oscar Cross Avenue, Paducah, KY



STAFF REPORT PADUCAH CITY COMMISSION

APPLICATION INFORMATION

ADDRESS	1314 Oscar Cross Avenue
CASE NO.	SOA2024-0009
OWNER	City of Paducah
APPLICANT	Paducah Alliance of Neighbors for Jerrad Hamlin
AGENT	---
REQUEST	Sale of Asset
HEARING DATE	Aug. 27, 2024

GENERAL SITE INFORMATION

CURRENT ZONING	R-3
CURRENT LAND USE	Vacant
COMPREHENSIVE PLAN	Neighborhood Conservation
CURRENT IMPROVEMENTS	None
FLOODPLAIN	No
PUBLIC UTILITIES	Power, gas, water
PUBLIC SERVICES	Paducah Fire, Paducah Police

SURROUNDING AREA INFORMATION

	SURROUNDING ZONING	SURROUNDING LAND USE
NORTH	R-4	Vacant Lot
SOUTH	R-4	Vacant Lot
EAST	R-4	
WEST	R-r	Vacant Lot

GENERAL INFORMATION

The disposition of surplus or excess property is governed by City Code Section 2-668; which references KRS 82.083.

ACQUISITION OF THE PROPERTY

The City of Paducah acquired this property in January 2020. The structure on the lot was demolished about 1980. The intended use for the property was to market to a developer that would construct a home on the lot.

This property has been advertised several times, the last time being in May, 2022. There has never been a bid submitted on this property. KRS 82.083(5) states "If a city receives no bids for the real or personal property, either at public or electronic auction or by sealed bid the property may be disposed of, consistent with the public interest, in any manner deemed appropriate by the City. In those instances, a written description of the property, the method of disposal, and the amount of compensation, if any, shall be made."

DESCRIPTION OF THE PROPERTY: 1314 Oscar Cross



STAFF REPORT

DISPOSITION OF THE PROPERTY

Typically, it is in the best interest of the City to transfer ownership of underutilized parcels to a responsible citizen, thereby placing the property back on the tax rolls and eliminating the maintenance and liability costs. Property disposal method: Accept the sole offer and transfer as recommended by Planning Staff.

BID INFORMATION

BID # 1	Paducah Alliance of Neighbors	Bid Amount: Donation
	Sharon Poat of Paducah Alliance of neighbors requests the donation of the property to construct a 2-bedroom, 2-bath single-family home. The proposed investment is \$193,950. Upon completion the home will be sold to Jarrad Hamlin, a pre-approved buyer.	

STAFF RECOMMENDATION

It is recommended that the Commission determine that the property is surplus and accept the request of the Sharon Poat, Paducah Alliance of Neighbors and donate the vacant lot, subject to the inclusion of a clause stating that the property would revert to the City if the owner fails to comply with the submitted proposal to substantially complete the project within one year.

Agenda Action Form

Paducah City Commission

Meeting Date: August 27, 2024

Short Title: Approve Contract Modification #2 to Professional Services Contract with HDR, Inc. for the Paducah Riverfront Infrastructure Improvement Project (BUILD Grant) for \$30,000.00

Category: Municipal Order

Staff Work By: Melanie Townsend, Greg Guebert

Presentation By:

Background Information: Summary: Expansion of project scope to include construction contract negotiations with Jim Smith Contracting, Inc. to identify cost-saving measures.

Background: On March 22, 2022, Ordinance 2022-03-8725 was approved by the Paducah Board of Commissioners, authorizing a \$2,039,500.00 professional services contract with HDR, Inc.

On June 25, 2024, Municipal Order No. 2911 approved Contract Modification No. 1 for \$40,000.00 for a Supplemental Archeology survey and other out-of-scope work required by MARAD.

On Tuesday, July 16, 2024, the City of Paducah Engineering Department opened sealed bids for the construction portion of the Paducah Riverfront Infrastructure Improvement Project. Jim Smith Contracting, Inc. (JSC) submitted the only bid, which was more than the funding available for the project.

MARAD has approved non-competitive negotiations with JSC to identify cost-saving measures to enable the City to proceed with the project within the BUILD grant requirements.

HDR, Inc. has submitted a Not To Exceed fee proposal of \$30,000.00 for additional scope to provide additional professional services during negotiations with JSC.

Does this Agenda Action Item align with a Commission Priority? No

If yes, please list the Commission Priority: [Commission Priorities List](#)

Communications Plan:

Funds Available: Account Name: BUILD grant

Account Number: DT0050

Staff Recommendation: Authorize and direct the Mayor to accept and execute Contract Modification #2 and any associated documents. This authorization increases HDR's contract by \$30,000.00. The approval of the contract amendment will increase the total contract amount from \$2,079,500.00 to a Not To Exceed fee of \$2,109,500.00.

Attachments:

1. MO - contract modification 2 BUILD Grant – HDR, Inc.
2. HDR_BUILD_CM 2

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER ADOPTING CONTRACT MODIFICATION NO. 2 TO THE CONTRACT WITH HDR, INC., FOR PROFESSIONAL ENGINEERING DESIGN AND CONSTRUCTION ADMINISTRATION, IN AN AMOUNT OF \$30,000 AND AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT MODIFICATION AND ALL OTHER DOCUMENTS RELATED TO SAME

WHEREAS, by Ordinance Number 2022-03-8725, the City of Paducah authorized an Agreement with HDR, INC. and subcontractor BFW to provide professional engineering design and construction administration services, for an original contract price of \$2,039,500; and

WHEREAS, by Municipal Order No. 2911 The City of Paducah Board of Commissioners approved Contract Modification No. 1 for \$40,000 for a Supplemental Archeology survey and other out-of-scope work required by MARAD, which brought the total contract price to \$2,079,500; and

WHEREAS, on Tuesday, July 16, 2024, the City of Paducah Engineering Department opened sealed bids for the construction portion of the Paducah Riverfront Infrastructure Improvement Project. Jim Smith Contracting, Inc. (JSC), submitted the only bid, which was more than the funding available for the project; and

WHEREAS, MARAD has approved non-competitive negotiations with JSC to identify cost-saving measures to enable the City to proceed with the project within the BUILD grant requirements; and

WHEREAS, HDR, Inc., has submitted a Not To Exceed fee proposal of \$30,000 for additional scope to provide additional professional services during negotiations with JSC, which will bring the new total contract price to \$2,109,500.

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. The City Commission hereby approves Contract Modification No. 2 to the Agreement with HDR, Inc., in the amount of \$30,000. This expenditure shall be charged to Project Account No. DT0050.

SECTION 2. This Order shall be in full force and effect from and after the date of its adoption.

George Bray, Mayor

ATTEST:

Claudia S. Meeks, Assistant City Clerk

Adopted by the Board of Commissioners, August 27, 2024
Recorded by Lindsay Parish, City Clerk, August 27, 2024
mo\contract modification 2 BUILD Grant – HDR, Inc.

AMENDMENT #2 TO AGREEMENT FOR ENGINEERING SERVICES
RIVERFRONT INFRASTRUCTURE IMPROVEMENTS-10341124

WHEREAS:

HDR ENGINEERING, INC. ("HDR") entered into an Agreement on March 23, 2022 to perform engineering services for the CITY OF PADUCAH, PADUCAH, KY ("OWNER");

CITY OF PADUCAH, PADUCAH, KY desires to amend this Agreement in order for HDR to perform services beyond those previously contemplated;

HDR is willing to amend the agreement and perform the additional engineering services.

NOW, THEREFORE, HDR and the CITY OF PADUCAH, PADUCAH, KY do hereby agree:

The Agreement and the terms and conditions therein shall remain unchanged other than those sections and exhibits listed below;

Add attached to Section 1 and Exhibit A;

Replace Section IV with the following:

Compensation for ENGINEER'S services under this Agreement shall be on a Lump Sum basis to be invoiced based on percentage completion for the following tasks:

Task 1 – Project Management and Controls (Original \$117,700 + Amendment #1 \$32,000)	\$149,700
Task 2 – Basis of Design	\$88,000
Task 3 – 30% Design Development	\$246,000
Task 4 – 60% Design Development	\$218,000
Task 5 – 90% Design Development	\$206,000
Task 6 – 100% Design Development	\$38,000
Task 7 – Regulatory and Permitting	\$192,500
Task 8 – Excursion Landing Plaza	\$67,200
Task 9 – Transportation Improvements	\$49,000
Task 10 – Landslide Improvements near Transient Boat Dock	\$166,000
Task 11 – Utilities	\$22,000
Task 12 – Modern Technology (Original \$32,000 - Amendment #1 \$32,000)	\$0
Task 13 – Grant Compliance	\$37,500
Task 14 – Bid Phase	\$49,600
Task 15 – Construction Administration/Observation	\$510,000
Task 16 – Shovel Testing Plan (Amendment #1)	\$40,000
Total Lump Sum	\$2,079,500

Compensation for ENGINEER'S services under this Agreement shall be on a Time and Materials basis, invoiced at actual hourly rates x 3.2 multiplier for overhead and profit, plus expenses invoiced at cost:

Task 17 – Construction Cost-saving Alternatives (**Amendment #2**) Not-to-exceed \$30,000

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the day and year written below:

HDR ENGINEERING, INC. ("HDR")

CITY OF PADUCAH, PADUCAH, KY ("OWNER")

By:  _____

By: _____

Name: Kyle R. Guthrie

Name: George P. Bray

Its: Vice President/Area Manager

Its: Mayor

Date: 8.22.24

Date: _____



August 21, 2024

EXHIBIT A

City of Paducah
Attn: Melanie Townsend, Project Manager
300 South 5th Street
Paducah KY 42002

RE: Paducah Riverfront Infrastructure Improvement Project (10341124)
Fee Proposal for Contract Modification #2 for engineering and related services

Dear Melanie,

The HDR team continues to push toward constructing the Paducah Riverfront project. To that end, we have developed a cost estimate and contract modification to assist the City of Paducah in construction contract negotiations with Jim Smith Contracting, Inc. to identify cost-saving measures. This submittal includes our understanding of the city's request for additional services, the proposed scope of services, deliverables, and our estimated fee.

The following is a summary of the services to be performed by HDR and their sub-consultant, BFW, under this contract modification:

- Provide technical expertise during negotiations to ensure that all engineering and construction requirements are accurately represented and understood.
- Clarify technical terms, specifications, and project expectations for both the client and contractor.
- Assist in negotiating allowances and contingencies related to engineering aspects of the project.
- Analyze cost proposals from contractors to ensure they are consistent with the project budget and scope.
- Provide value engineering suggestions to optimize costs without compromising quality or functionality.
- Review and negotiate unit prices, labor rates, and material costs to ensure fair and competitive pricing.
- Document all negotiated agreements and ensure they are included in the final contract.

Deliverable:

- Summary report of negotiations and final agreements.

Fee

The original contract is for a lump sum fee; however, given the fluid scope outlined above, the work completed under the contract modification will be on a Time and Materials basis, invoiced at actual hourly rates x 3.2 multiplier for overhead and profit, plus expenses invoiced at cost, not-to-exceed **Thirty Thousand Dollars (\$30,000)**. Upon acceptance of this contract modification fee proposal, an amendment will be sent for your approval and signature.



The HDR team sincerely appreciates the opportunity to continue with this flagship project for the City of Paducah. Should you have any questions or require additional information, please contact Sheryl Chino at 270-538-1506.

Respectfully,
HDR Engineering, Inc.

A handwritten signature in blue ink, appearing to read 'KJ' with a long horizontal flourish extending to the right.

Kyle Guthrie, PE
Vice President/Area Manager
Kyle.guthrie@hdrinc.com

A handwritten signature in blue ink, reading 'Sheryl Chino' in a cursive script.

Sheryl Chino, AICP, PMP
Paducah Office Principal
Sheryl.chino@hdrinc.com

Agenda Action Form

Paducah City Commission

Meeting Date: August 27, 2024

Short Title: Medical Cannabis Zoning Text Amendment - **J. SOMMER**

Category: Ordinance

Staff Work By: Josh Sommer

Presentation By: Josh Sommer

Background Information: This text amendment is to integrate the five types of medical cannabis land uses into Paducah's Zoning Code.

Does this Agenda Action Item align with a Commission Priority? Yes

If yes, please list the Commission Priority: [Commission Priorities List](#) Quality of Life

Communications Plan:

Funds Available: Account Name:
Account Number:

Staff Recommendation: Approval

Attachments:

1. ORD - 126 - Medical Cannabis Land Use
2. Signed Resolution
3. Medicinal Cannabis Presentation
4. TXT2024-0003 Medical Cannabis (BOC)

ORDINANCE NO. 2024-_____

AN ORDINANCE OF THE CITY OF PADUCAH, KENTUCKY AMENDING SECTION 126 OF THE PLANNING AND/OR ZONING ORDINANCE RELATING TO MEDICAL CANNABIS.

WHEREAS, the 2023 Kentucky General Assembly passed Senate Bill 47 (2023 Ky. Acts Ch. 146) legalizing the use of medical cannabis and establishing a framework for state licensure of cannabis businesses such as dispensaries, cultivators, processors, producers and safety compliance facilities in the Commonwealth effective Jan. 1, 2025.; and

WHEREAS, on the final day of the 2024 session, the legislature passed House Bill 829 amending the medical cannabis law to expedite the process of licensing cannabis businesses. This change allows the Cabinet for Health and Family Services (Cabinet) Medical Cannabis Program to begin issuing licenses to those businesses July 1, 2024 rather than waiting until January so that operations and products can be developed. Cannabis dispensaries will still not be allowed to open to the public or dispense cannabis until Jan. 1, 2025; and

WHEREAS, the City of Paducah desires to allow the operation of medical cannabis businesses within its limits; and

WHEREAS, the City believes it is necessary to place reasonable limitations on geographic locations and advertisements of cannabis businesses to protect children; and

WHEREAS, it is necessary to establish general provisions and determine zoning requirements of cannabis businesses by June 30, 2024, prior to the Cabinet issuing any cannabis business license; and

WHEREAS, the Paducah Planning Commission held a public hearing on Monday, August 5, 2024, pursuant to KRS 100.211(2) and forwarded a favorable recommendation to the Board of Commissioners recommending amending Section 126 of the Paducah Code of Ordinances.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF PADUCAH AS FOLLOWS:

SECTION A. Section 126 of the Code of Ordinances shall be amended as follows:

Sec. 126-3. Definitions.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Accessory building means a subordinate building located on the same lot as a principal building, or a subordinate use of land, either of which is customarily incidental to the principal building or to the principal use of the land. Where part of the wall of an accessory building is a part of the wall of the principal building in a substantial manner as by a roof, such accessory building shall be considered as part of the principal building. Local public utility, communication, electric distribution, secondary power lines, gas lines, water lines, sewer lines, guy-wires, small transformers, wires, cables and incidental equipment are considered accessory buildings or structures.

Alley means a permanent public service way providing a secondary means of access to abutting lands.

Arterial highway strip commercial means commercial uses which front on the designated U.S. highways in either the B-1 or the HBZ classifications.

Automobile service station means an establishment with the primary business function of the retail sale of gasoline for passenger vehicle use and the minor service and repair work incidental to the operation of passenger automobiles.

Bed and breakfast means an owner-managed and owner-occupied residential structure used as a lodging establishment where a room or rooms are rented on a nightly basis and in which only breakfast is included as part of the basic compensation.

Berth means the off-street area required for the receipt of, or distribution by vehicles of, material or merchandise with a fourteen (14) foot height clearance, paved with a suitable dust preventative or hard surface.

Block frontage means all the property fronting on one (1) side of a street between intersecting streets, or between a street and the terminus of a dead-end street or the City boundary, measured along the street line.

Board means the City of Paducah Board of Adjustment.

Building means any structure having enclosed space and a roof for the housing or enclosure of persons, animals or chattels.

Building area means the maximum horizontal projected area of a principal or accessory building, excluding open steps, terraces, unenclosed porches not exceeding one (1) story in height or architectural appurtenances projecting not more than two (2) feet.

Building, detached, means a building having no party wall in common or structural connection with another building.

Building, front line of, means the line of the face of the building nearest the front lot line.

Building, height of, means the vertical distance from the average contact ground level at the front wall of a building to the highest point of the coping of a flat roof, to the deck line of a mansard roof or to the mean height level between eaves and ridges for gable & hip or gambrel roofs.

Building line means the line nearest the front and across a lot establishing the minimum open space to be provided between the front line of a building or structure and the front lot line.

Building, nonconforming, means a legally existing building which fails to comply with the regulations set forth in this chapter applicable to the zone in which the building is located.

Building, principal, means a building in which is conducted the main or principal use of the lot on which said building is situated.

Building, semidetached, means a building having one (1) party wall in common with an adjacent building.

Business means the engaging in the purchase, sale, barter or exchange of goods, wares, merchandise or service; the maintenance or operation of offices, or recreational and amusement enterprises.

Carport means a structure consisting of a roof and either walls or columns for the purpose of housing automotive vehicles and other chattels. Said structure shall be considered a building.

Cemetery means land used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums and mortuaries when operated in conjunction with and within the boundary of such cemetery.

City means the City of Paducah, Kentucky.

Clinic or medical center means an establishment where patients are admitted for special study and treatment by two (2) or more licensed physicians and/or dentists and their professional associates, as distinguished from a professional office for general consultation purposes.

Commission means the City of Paducah Planning Commission.

Conditional use means a use which would not impair the public health, safety or welfare in one (1) or more zones, but which would impair the integrity and character of the zone in which it is located or in adjoining zones unless restrictions on location, size, extent and character of performance are imposed in addition to those imposed in the zoning regulations.

Conditional use permit means legal authorization to undertake a conditional use issued by the administrative official pursuant to authorization by the Board of Adjustment consisting of two (2) parts:

A statement of the factual determination by the Board of Adjustment which justifies the issuance of the permit.

A statement of the specific conditions which must be met in order for the use to be permitted.

Cottage home means a structure of not less than one hundred forty (140) square feet nor more than four hundred (400) square feet intended for use as a permanent, single-family residence. A manufactured home, mobile home, camper or recreational vehicle shall not be considered a cottage home. A single cottage home may only be placed on lots smaller than eight thousand (8,000) square feet.

County means McCracken County, Kentucky.

Courtyard means an open unoccupied space on the same lot with a building or group of buildings and bounded on three (3) or more sides by such buildings.

Development plan means written and graphic material for the provision of a development plan, including any or all of the following: location and bulk of buildings and other structures, intensity of use, density of development, streets, ways, parking facilities, signs, drainage of surface water, access points, a plan for screening or buffering, utilities, existing manmade and natural conditions, and all other conditions agreed to by the applicant.

Dwelling means a building, or portion thereof, used primarily for residential occupancy, including single-family, two-family and multi-family occupancy, but not including hotels, motels, short-term rentals (includes special event short-term rentals) or bed and breakfasts.

Dwelling, assisted care, means a building, or portion thereof, consisting of five (5) or more bedrooms, used for residential occupancy by a group. The dwelling is characterized by renters with separate bedrooms for sleeping and shared common areas for reception, recreation, living, cooking, laundry and the like. The dwelling is further signified by the presence of an employee(s) that provides various services such as housekeeping, maintenance, cooking, security, personal care and transportation. This definition is distinguished from, and is intended not to conflict with, KRS 100.982 and 100.984.

Dwelling, multi-family, means a building, or portion thereof, used for occupancy by three (3) or more families living independently of each other.

Dwelling, single-family, means a building used for residential occupancy by one (1) family. A single-family dwelling shall be stick-built, a modular home, a qualified manufactured home or a mobile home located within a mobile home park. Structures or vehicles such as, but not limited to; storage buildings, campers, recreational vehicles, garages, barns and shipping containers shall not be utilized as a single-family dwelling.

Dwelling, two-family, means a building, or portion thereof, used for occupancy by two (2) families living independently of each other. A two-family dwelling shall be stick-built, manufactured or modular. Structures or vehicles such as, but not limited to; storage buildings, campers, recreational vehicles, garages, barns and shipping containers shall not be utilized as a two-family dwelling.

Dwelling unit means a dwelling, or portion of a dwelling, used by one (1) family for cooking, living and sleeping purposes.

Educational institution means a public, parochial or private preprimary, primary, or grammar school; a high school, preparatory school or academy, that is public or founded, owned or conducted by or under the sponsorship of a religious or charitable organization; a private preparatory school or academy furnishing courses of instruction substantially equivalent to the courses offered by public high schools for preparation of admission to colleges or universities which award BA or BS degrees; a junior college or university, that is public or founded or conducted by or under the sponsorship of a religious or charitable organization or a private school when not conducted as a commercial enterprise for the profit of

individual owners or stockholders. This definition shall not be deemed to include trade or business schools as defined in this section.

Effective date hereof means October 26, 1976.

Enforcement officer means the Chief Building Official of the City or designee.

Family means one (1) or more persons living as a single housekeeping unit, as distinguished from a group occupying a hotel, club, fraternity or sorority house. A family shall be deemed to include servants.

Fence means a structure consisting of wood, metal, wire, mesh, masonry or other manufactured material.

Floor area ratio (FAR) means the floor area of the building divided by the area of the lot.

Garage, private, means a detached accessory building or portion of a principal building, used for the storage of self-propelled vehicles, in which the capacity does not exceed three (3) vehicles per family housed in the building to which such garage is accessory and not more than one-third (1/3) of the total number of vehicles stored in such garage shall be commercial vehicles. Storage space for not more than three (3) vehicles may be utilized for vehicles of other than occupants of the building to which such garage is accessory.

Garage, public, means any building, except those defined as a private garage, used for the storage or care of motor vehicles, or where such vehicles are equipped for operation, repaired or kept for remuneration, hire or sale.

Ground floor area means the square foot area of a building within its largest outside dimensions computed on a horizontal plane at the ground floor level, exclusive of open porches, breezeways, terraces, garages, exterior stairways and secondary stairways.

Ground level means for buildings having walls adjoining only one (1) street, the elevation at the front lot line at the center of the wall adjoining the street; for buildings having walls adjoining more than one street, the average elevation of the front lot line at the center of all walls adjoining the streets; for buildings having no wall adjoining the street, the average level of the ground adjacent to the exterior walls of the building. Any wall approximately parallel to and not more than five (5) feet from a street is to be considered as adjoining the street.

Heliport means a facility for helicopters to take off and land.

Home occupation means any use conducted entirely within a residential dwelling and carried on solely by the occupants thereof, which use is clearly incidental and secondary to the use of the dwelling purposes and does not change the character thereof, and in connection with which there is no display, no stock in trade or outside storage of equipment nor commodity sold upon the premises and not more than two (2) persons are to engage in such occupation. In no event shall a barbershop, beauty shop, tearoom, bed and breakfast or animal hospital be construed to be a home occupation.

Hospital means a sanitarium, preventorium or clinic, provided such institution is operated by, or treatment given under, the direct supervision of a physician licensed to practice by the State of Kentucky.

Hotel or motel means a building, or portion thereof, or group of buildings in which lodging is provided and offered to the public for compensation and which is open to transient guests, in contradistinction to a lodging house.

Industrial, heavy, means those industries whose processing of products result in the emission of any atmospheric pollutant, light flashes, glare, odor, noise or vibration which may be heard and/or felt off the premises, and those industries which constitute a fire or explosion hazard.

Industry, light, means those industries whose processing of products results in none of the conditions described for heavy industry.

Ingress/ egress easement means an open, unoccupied, officially designated space other than a street or alley, permanently reserved for use as a means of access to abutting property.

Junkyard means any place at which personal property is, or may be salvaged, for reuse, resale, reduction or similar disposition and is owned, possessed, collected, accumulated, dismantled or sorted, including, but not limited to; use of salvaged base metal or metals, their compounds or combinations; or used or salvaged rope, bags, paper, rags, glass, rubber, lumber, millwork, brick and similar property which are used, owned or possessed for the purpose of wrecking or salvaging parts therefrom.

Kennel means any lot or premises on which dogs or small animals are kept for commercial or sale purposes. A non-commercial kennel at, in or adjoining a private residence where hunting or other dogs are kept for the hobby of the householder (i.e., hunting, tracking or exhibiting) or for guarding or protecting the householder's property is permitted in residential zones, provided that such dogs or small animals do not constitute a nuisance to the neighborhood.

Lodging house means a building with more than two (2) but not more than five (5) guest rooms where lodging with or without meals is provided for compensation for a period of time not to exceed six (6) months for each guest.

Lot means a piece, parcel, plot, tract or area of land occupied or capable of being occupied by one (1) principal building and the accessory buildings or uses customarily incidental to it, and including the open spaces required under this chapter, and having its principal frontage on a street or ingress/egress easement.

Lot, corner, means a lot at a junction of, and fronting on, two (2) or more intersecting streets.

Lot coverage means the percentage of the lot area covered by the building area.

Lot, interior, means a lot other than a corner or through lot.

Lot line, front, means, in the case of an interior lot; a line separating the lot from the street or ingress/ egress easement and, in the case of a corner lot; the line designated by deed, plat or subdivision requirements.

Lot line, rear, means a lot line which is opposite and most distant from the front lot line and, in the case of an irregular or triangular shaped lot; a line ten (10) feet in length within the lot, parallel to and at the maximum distance from the front lot line.

Lot line, side, means any lot boundary line not a front lot line or a rear lot line.

Lot, through, means a lot having frontage on two (2) parallel or approximately parallel streets.

Lot width means the dimension of a lot at the building setback line.

Manufactured home means a single-family dwelling unit constructed in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended, and manufactured after June 15, 1976, which is designed to be transported across streets and highways to a point of use, and is equipped with the necessary service connections, and includes the plumbing, heating, air conditioning and electrical systems contained therein, and made so as to be readily movable as a unit.

Medical cannabis cultivator. An entity licensed by the Commonwealth of Kentucky to plant, grow, cultivate, raise, harvest, trim, store, test, package, label, transfer, transport or sell medical cannabis seed, seedlings, medical plant, medical cannabis or medical cannabis product to other licensed cannabis business in the state.

Medical cannabis dispensary. An entity licensed by the Commonwealth of Kentucky to perform retail sales of medical cannabis to registered qualified patients or visiting qualified patients. All medical cannabis dispensaries must meet all of the following conditions:

- a. Shall not be located within one thousand (1,000) feet of existing elementary schools, secondary schools or daycares;
- b. Shall not be located within one (1) mile of another medical cannabis dispensary as measured from the nearest property line;
- c. Shall not be located next to any residential structure or mixed-use structure with a residential component;
- d. Exterior signage may only, at most, include text that is the licensee's (1) business or trade name; (2) location & contact information and (3) business type. Exterior signage cannot include a licensee's logo, symbol, branded colors or any images, including; but not limited to, depicting cannabis/cannabis products or the imagery or action of smoking/vaping. Exterior signs also cannot include mottos, selling messages or any other non-essential text. Exterior signs must be on the same parcel as the store and may be freestanding or wall signs. Exterior signage cannot be larger than necessary to reasonably display the information to individuals within or near the licensed premises and cannot be illuminated by neon lights.

Medical cannabis processor. An entity licensed by the State of Kentucky to process and/or package raw medical cannabis plant material or plants into approved forms of medical cannabis under Kentucky Revised Statutes and regulations.

Medical cannabis producer. An entity licensed by the State of Kentucky which operates as both a cannabis cultivator and processor.

Medical cannabis safety compliance facility. An entity licensed by the State of Kentucky in which testing for cannabinoid content, pesticides, mold, contamination, vitamin E acetate and other prohibited additives is conducted.

Mobile home means any vehicle, including the equipment sold as a part of a vehicle, which is so constructed as to permit its being used as a conveyance upon public streets or highways by either self-propelled or non-self-propelled means, which is designed, constructed or reconstructed, or added to by means of an enclosed addition or room, in such a manner as will permit the occupancy thereof as a dwelling or sleeping place for one (1) or more persons, which is both used and occupied as a dwelling or sleeping place, having no foundation other than wheels, jacks, skirting or other temporary supports.

Mobile home park means an area of land upon which two (2) or more mobile homes are harbored for the purpose of being occupied either free of charge or for revenue purposes and shall include any building, structure, vehicle or enclosure used or intended for use as a part of the equipment of such mobile home park.

Nursing home means an establishment which provides full-time convalescent or chronic care, or both, for four (4) or more individuals who are not related by blood or marriage to the operator and who, by reason of chronic illness or infirmity, are unable to care for themselves. Neither care for the acutely ill nor surgical or obstetrical services shall be provided in such a home. A hospital or sanatorium shall not be construed to be included in this definition.

Parking area, public, means an open off-street area, designed for use or used for the temporary parking of motor vehicles when available for public use, whether free or for compensation or as an accommodation for clients or customers.

Parking space (off-street) means an off-street space accessible from a street, alley or ingress/egress easement with a minimum width of nine (9) or ten (10) feet, depending on land use. The minimum length of such space shall be contingent upon the degree or angle of the space and the maneuverability area required. As a guide to establishing a minimum length, the Commission shall refer to Illustration No. 1 in the appendix immediately following this chapter.

Person means and includes a firm, association, organization, partnership, trust, company or corporation as well as an individual.

Personal and convenience services means a business offering services such as barbershops, beauty shops, laundromats, laundry and dry-cleaning pickup and delivery stations (but excluding actual laundry operations) and similar uses.

Planting screen or landscape screen means a completely planted visual barrier composed of evergreen plants and trees arranged to form both a low-level and a high-level screen. The high-level screen shall consist of evergreen trees or shrubs planted with specimens having an initial height above ground when planted of not less than five (5) feet and planted at intervals of not more than eight (8) feet on-center. The low-level screen shall consist of

evergreen shrubs having an initial height above ground when planted of not less than two (2) feet and spaced at intervals of not more than four (4) feet on-center. The low-level screen shall be planted in alternating rows to produce a more effective barrier.

Professional office means offices of members of recognized professions such as physicians, surgeons, lawyers, engineers, dentists and architects.

Retaining wall means a physical barrier necessary to prevent the erosion and/or deterioration of an established elevation.

Short-term rental means a dwelling or room that is rented, leased or assigned for a tenancy for less than thirty (30) consecutive days in duration and where no meals are served or provided by the host to any guest. A short-term rental may be owner occupied or non-owner occupied.

Short-term rental, special event, means a dwelling or room that is rented, leased or assigned for a tenancy for less than seven (7) days a year and where no meals are served or provided by the host to any guest. A special event short-term rental may be owner occupied or non-owner occupied. There shall be a maximum of two (2) permits issued a year.

Sight triangle means a triangular space at the street corner of a corner lot, free from any kind of obstruction to vision between the heights of two and one-half (2 ½) and twelve (12) feet above established grade, determined by a diagonal line connecting two (2) points measured fifteen (15) feet equidistant from the street right-of-way corner along each property line.

Street means a right-of-way, other than an alley or ingress/ egress easement, dedicated or otherwise legally established for public use, usually affording the principal means of access to abutting property.

Structural alteration means any change in the supporting members of a building, such as bearing walls, partitions, columns, beams or girders; or any substantial change in the exterior walls or the roof.

Structure means anything constructed or made, the use of which requires permanent location in or on the ground or attachment to something having a permanent location in or on the ground including, buildings and signs.

Towing or wrecker service means a person engaged in the business, or offering the services of, a vehicle towing or wrecker service, whereby motor vehicles are towed or otherwise removed from the place where they are parked or disabled by use of a truck, automobile or other vehicle so adapted to that purpose, or in the business of storing operable or disabled motor vehicles.

Trade or business school means a secretarial school or college; or business school or college, that is not public and not owned or conducted by or under the sponsorship of a religious or charitable organization; or a school conducted as a commercial enterprise for teaching instrumental music, dancing, barbering or hairdressing, or for teaching industrial skills in which machinery is employed as a means of instruction. This definition shall not be deemed to include an educational institution as defined in this section.

Use means the employment or occupation of a building, structure or land for a person's service, benefit or enjoyment.

Use, nonconforming, means an existing use of land or building which was legal prior to the effective date hereof, but which fails to comply with the requirements set forth in this chapter applicable to the zone in which such use is located.

Use, open, means the use of a lot without a building or including a building incidental to the open use with a ground floor area equal to five (5) percent or less of the area of the lot.

Variance, dimensional, means departure from the terms of the zoning regulations pertaining to height or width of structures and size of yard and open spaces where such departure will not be contrary to the public interest, and where, owing to conditions peculiar to the property because of its size, shape or topography, and not as a result of the action of the applicant, the literal enforcement of the zoning regulations would result in unnecessary and undue hardship.

Yard means a space on the same lot with a principal building that is open and unoccupied other than by steps, walks, terraces, driveways, lampposts and similar appurtenances, and unobstructed by structures, except as otherwise provided in this chapter.

Yard, front, means a yard extending across the full width of the lot, between two (2) side lot lines, the depth of which is the least distance between the street right-of-way and the building line.

Yard, rear, means a yard extending across the full width of the lot between the two (2) side lot lines and between the rear line and a line parallel to, and coexisting with, the rear of the principal building.

Yard, side, means a yard bounded by the rear yard, the front yard, the side lot line and the principal building.

Zoning map means the official zoning map of the City.

Sec. 126-109. General Business Zone, B-3.

The purpose of this zone is to provide an area for high intensity commercial activity of a wholesale nature and to ensure easy highway access for such uses.

(1) *Principal permitted uses.*

- a. Any use permitted in the B-2 Zone;
- b. Wholesale establishments;
- c. Automotive equipment sales and repair;
- d. Laundry and dry-cleaning establishments;
- e. Seasonal fireworks tents;
- f. Medical cannabis dispensaries;
- g. Light industrial operations (as approved by the Planning Commission according to degree of objectionable smoke, noise, odor, glare, vibration and heavy freight traffic generation).

(2) *Minimum yard requirements.* None.

- (3) *Minimum area requirements.* None.
- (4) *Maximum building height.* None.

Sec. 126-110. Light Industrial Zone, M-1.

The following provisions shall apply in the M-1 Zone unless otherwise provided herein:

- (1) *Principal permitted uses.*
 - a. Any use permitted in the B-3 Zone;
 - b. Any industrial, manufacturing, fabrication or processing use which does not emit objectionable noise, smoke, odor or dust beyond the confines of its property;
 - c. Warehouses and storage buildings;
 - d. Public and commercial sewage disposal plant;
 - e. Towing or wrecker service;
 - f. Medical cannabis cultivators, processors, producers and safety compliance facilities;
 - g. Any other use which, in the Commission's opinion, would be compatible in the B-3 Zone.
- (2) *Conditionally permitted uses.*
 - a. Any other industrial use determined to be of the same general character as the above permitted uses.
 - b. Animal hospital or kennel, located not closer than three hundred (300) feet to [~~an R-Zone~~] a residential zone.
 - c. Heliport.
- (3) *Minimum yard requirements.*
 - a. Permitted uses having a total [~~plan floor area of ten~~] floor plan of ten thousand (10,000) square feet or less:
 - 1. Front yard: Twenty-five (25) feet, except for highway strip uses for which a fifty (50) foot front yard is required.
 - 2. Side yard: Ten (10) feet.
 - 3. Rear yard: None, except where abutted by a residential zone, in which case a rear yard of twenty-five (25) feet applies.
 - 4. No storage of materials or equipment shall be allowed in the minimum front yard.
 - b. Permitted uses with a total [~~plan floor area~~] floor plan of more than ten thousand (10,000) square feet:
 - 1. Front yard: Fifty (50) feet.
 - 2. Side yard: Twenty-five (25) feet.
 - 3. Rear yard: None, except where abutted by a residential zone, in which case a rear yard of twenty-five (25) feet applies.
- (4) *Minimum area requirements.*
 - a. Permitted uses having a total [~~plan floor area~~] floor plan of four thousand (4,000) square feet or less:
 - 1. Minimum lot area: Seven thousand[~~5~~] five hundred (7,500) square feet.
 - 2. Minimum lot width: Sixty (60) feet.
 - b. Permitted uses with a total [~~plan floor area~~] floor plan of more than four thousand (4,000) square feet:
 - 1. Minimum lot area: Fifteen thousand (15,000) square feet.

2. Minimum lot width: Seventy-five (75) feet.
- (5) *Maximum building height.* None.
- (6) *Maximum lot coverage.*
 - a. Principal structures: Fifty (50) percent of gross lot area.
 - b. Total coverage by principal structures, accessory structures and outside storage: Seventy (70) percent of gross lot area.

Sec. 126-117. Planned Office Park, POP.

The purpose of this zone is to provide adequate space for permitted uses in a park setting, designed to attract tenants who may require access to high-capacity information sharing appurtenances, transmitting and receiving facilities and sufficient utilities. Furthermore, the zone is intended~~[; and To]~~ to provide sufficient space in appropriate locations for attractive, landscaped offices~~[; and To]~~ and to ensure compatibility of uses and operations within the Planned Office Park Zone.

1. Principal permitted uses.

- a. Offices for business, professional, governmental, political and charitable organizations.
- b. ~~[Banks, credit agencies, security and commodity brokers, credit institutions, savings and loan companies, and holding and investment companies.]~~ Financial institutions including holding and investment companies.
- c. Computer and data processing centers.
- ~~d. Telephone exchanges.]~~
- ~~d. [e.]~~ Radio and television studios.
- ~~e. [f.]~~ Cable television signal distribution centers and studios.
- ~~f. [g.]~~ ~~[Ticket and travel]~~ Travel agencies.
- ~~g. [h.]~~ ~~[Kindergarten, nurseries and daycare facilities]~~ Daycare.
- ~~h. [i.]~~ ~~[Business colleges, technical and trade schools, educational institutions.]~~ High schools, colleges, universities, technical schools and trade schools.
- ~~i. [j.]~~ Hospitals.
- ~~j. [k.]~~ Parks ~~[(public and private)]~~.
- ~~k. [l.]~~ Research, testing and development laboratories or centers.
- ~~l. [m.]~~ ~~[Production facilities (high degree of scientific input, tech-)]~~ Technological or scientific production facilities.
- ~~m. [n.]~~ Educational, scientific and research organizations.
- ~~n. [o.]~~ Library.
- ~~o. [p.]~~ Nursing or assisted living homes.
- ~~p. [q.]~~ ~~[Special event short-term rentals.]~~ Short-term rentals (includes special event short-term rentals).

- q.~~[r-]~~ Medical cannabis safety compliance facilities.
- r.~~[s-]~~ Any other similar use which, in the Planning Commission's opinion, would not impair the character of the POP Zone.
2. *Accessory uses.* Accessory uses ~~[are those permitted uses]~~ that are clearly incidental and subordinate to the permitted use.
- Spaces for the limited display of merchandise.
 - Personal service centers, including food service, only for employees, residents~~[;]~~ or visitors to any permitted use. These centers shall have ~~[and having]~~ no direct access to the exterior of the building and shall not have ~~[having no]~~ display space, drive-through areas~~[;]~~ or ~~[any]~~ signs visible from ~~[the]~~ outside the building.
 - Residential dwellings.
3. *Conditionally permitted uses.* ~~[As determined by the Board of Adjustment, these uses cannot emit onto adjacent properties an objectionable amount of hazardous and/or obnoxious emissions. These may be, but not be limited to; smoke, odor, noise, glare, vibrations, etc.]~~ Any of the following uses which do not emit objectionable noise, smoke, odor or dust beyond the confines of its property.
- ~~[Facilities]~~ Technological or scientific facilities in connection with bona fide agricultural operations.
 - Clubs ~~[(public and private)]~~.
 - Satellite dish antennas.
 - Airports and heliports.
 - Hotels~~[;]~~, motels or lodges with facilities specifically intended to serve the needs of the park tenants.
 - ~~Drive-through facilities for the sale of goods or services otherwise permitted.~~
 - ~~[g-]~~ Light manufacturing and assembly operations.
 - ~~[i-]~~ Warehousing operation utilized in conjunction with a permitted use.
 - ~~[j-]~~ Sit-down restaurants (drive through not permitted).
 - ~~[k-]~~ ~~[Short-term rentals.]~~
4. *Minimum yard requirements.*
- Front yard: Fifty (50) feet.
 - Side yard: Thirty (30) feet.
 - Street side yard: Fifty (50) feet.
 - Rear yard: Fifty (50) feet
 - Maximum coverage: Fifty (50) percent (building only, surface parking excluded).

- f. Minimum yard standards are increased by five (5) feet for each story over five (5) stories.

5. *Minimum area requirements.*

- a. Minimum lot area: One (1) acre.
- b. Minimum lot width: One hundred (100) feet.

~~[6. *Maximum building height.* Five (5) stories, except that minimum yard standards are increased by five (5) feet for each story over three (3) stories or thirty-five (35).]~~

~~6.[7.] *Open space.* At least twenty-five (25) percent of contiguous Planned Office Park zoned areas must be allotted to open space.~~

~~7.[8.] *Landscaping.*~~

- a. Generally. A minimum of ten (10) percent of the entire lot shall be devoted to landscaping. Up to fifty (50) percent of this requirement may be credited toward preservation of substantial naturally occurring trees, shrubbery, wildflowers, water courses and rock formations. Areas of preservation should be inventoried and indicated on site plans.
- b. Parking lot landscaping requirements. For each ~~[one hundred]~~ one hundred (100) square feet, or fraction thereof, of vehicular use area, a minimum of five (5) square feet of landscaped area shall be provided.~~[; this]~~ This may ~~[be included inside of]~~ include islands, peninsulas and other geometric devices used to encourage vehicle circulation.
- c. Screening. Screening per section 126-83 shall be provided in the rear ~~[yards]~~ yard of those lots which abut ~~[adjacent]~~ properties outside the POP Zone.

~~8.[9.] *Amendments.* Amendments to the zone map for POP Zones shall be:~~

- a. Freestanding zones: Forty (40) acres.
- b. Expansion of existing: No minimum.

Sec. 126-119. Hospital Medical Zone, HM.

The purpose of this zone is to provide a more flexible and customized approach for the development, parking and circulation needs of medical centers and complexes. Uses not specifically allowed by this section are expressly excluded~~[, except as provided herein].~~

1. *Principal permitted uses.* All uses are to be conducted wholly within a building ~~[except for off-street loading/unloading and surface parking].~~

- a. General medical hospitals with in-patient and out-patient services.
- b. Offices and clinics of health care practitioners including physicians, surgeons, osteopaths, psychologists, psychiatrists, chiropractors, nurses, rehabilitation therapists ~~[(physical, occupational, respiratory & recreational)]~~, medical and psychiatric social workers, dentists, nutritionists, dietitians, opticians, optometrists~~[,]~~ and other similar medical uses licensed and certified by the State of Kentucky as health care specialists or practitioners.
- c. Medical technology and testing laboratories.

- d. Medical and dental related health care educational facilities and schools.
 - e. Medical cannabis dispensaries and safety compliance facilities.
 - f. Other closely related uses, as approved by the Planning Commission following a public hearing. [~~Inclusion of such uses may be included in an approved development plan.~~]
2. *Accessory uses.* Accessory uses [~~are those permitted uses that~~] are allowed only when they are clearly incidental, subordinate and in the presence of [~~the~~] permitted uses in the HM Zone. They may be included in the principal building, an accessory building or on a separate lot. All uses are to be conducted wholly within a building [~~except for off street loading/unloading and surface parking~~].
- a. Administrative offices (hospital/medical).
 - b. Ambulance service.
 - c. Chapels.
 - d. Daycare [~~(nursery, child, pre school, and adult)~~].
 - e. Food service.
 - f. Gift and flower shops.
 - g. Heliports.
 - h. Hospice.
 - i. Linen/laundry service.
 - j. Lodging, visitor.
 - k. Medical insurance service.
 - l. Medical, dental and other health care professional organization offices.
 - m. Mobile diagnostic and treatment trailers.
 - n. Nursing, transitional care and assisted care homes.
 - o. Parking garages.
 - p. Pharmacies with retail sales of general merchandise.
 - q. Retail sales of medical and dental supplies and services including prosthetics, optical, and other similar medical and/or dental goods and services.
 - r. Temporary buildings.
 - s. Uniform shops.
 - t. Short-term rentals (includes special event short-term rentals).
3. *Minimum yard requirements.*
- a. Front yard: Fifty (50) feet, seventy-five (75) feet on arterials.
 - b. Side yard: Twenty-five (25) feet.
 - c. Rear yard: Twenty-five (25) feet.
4. *Minimum area requirements.*
- a. Minimum lot area: Five thousand (5,000) square feet.
 - b. Minimum lot width: Fifty (50) feet.
5. *Landscape requirements.* Ten (10) percent of the entire site shall be landscaped. [~~Detailed landscape plans shall be submitted with a development plan.~~]
6. *Density.* The floor area ratio (FAR) shall not exceed two (2) to one (1).

SECTION B. Compliance with Open Meetings Laws. The City Commission hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of this City Commission, and that all deliberations of this City Commission

and its committees, if any, which resulted in formal action, were in meetings open to the public, in full compliance with applicable legal requirements.

SECTION C. Conflicts. All ordinances, resolutions, orders or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed and the provisions of this Ordinance shall prevail and be given effect.

SECTION D. Effective Date. This Ordinance shall be read on two separate days and will become effective upon summary publication pursuant to KRS Chapter 424.

George Bray, Mayor

ATTEST:

Claudia S. Meeks, Assistant City Clerk

Introduced to the Board of Commissioners, _____

Adopted by the Board of Commissioners, _____

Recorded by Claudia S. Meeks, Assistant City Clerk, _____

Published by The Paducah Sun, _____

Ord/Planning/126 - Medical Cannabis Land Use

A RESOLUTION CONSTITUTING THE FINAL REPORT OF THE PADUCAH PLANNING COMMISSION ON THE PROPOSED ZONING TEXT AMENDMENT REVISING SECTION 126-3 DEFINITIONS; 126-109 GENERAL BUSINESS ZONE, B-3; 126-110 LIGHT INDUSTRIAL ZONE, M-1; 126-117 PLANNED OFFICE PARK, POP AND 126-119 HOSPITAL MEDICAL ZONE, HM OF THE PADUCAH ZONING ORDINANCE.

WHEREAS, any change to the text of the zoning code must be referred to the Paducah Planning Commission before adoption and considered in accordance with KRS100.211, and

WHEREAS, a public hearing was held on August 5, 2024 by the Planning Commission after advertisement pursuant to law, and

WHEREAS, this Commission has duly considered said proposal and has heard and considered the objections and suggestions of all interested parties who appeared at said hearing, and

WHEREAS, this Commission adopted a proposal to revise Section 126-3 Definitions; 126-109 General Business Zone, B-3; 126-110 Light Industrial Zone, M-1; 126-117 Planned Office Park, POP and 126-119 Hospital Medical Zone, HM of the City of Paducah Zoning Ordinance.

NOW THEREFORE, BE IT RESOLVED BY THE PADUCAH PLANNING COMMISSION:

SECTION 1. That this Commission recommend to the Mayor and the Board of Commissioners of the City of Paducah to revise the Paducah Zoning Ordinance as follows:

Sec. 126-3. Definitions.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Accessory building means a subordinate building located on the same lot as a principal building, or a subordinate use of land, either of which is customarily incidental to the principal building or to the principal use of the land. Where part of the wall of an accessory building is a part of the wall of the principal building in a substantial manner as by a roof, such accessory building shall be considered as part of the principal building. Local public utility, communication, electric distribution, secondary power lines, gas lines, water lines, sewer lines, guy-wires, small transformers, wires, cables and incidental equipment are considered accessory buildings or structures.

Alley means a permanent public service way providing a secondary means of access to abutting lands.

Arterial highway strip commercial means commercial uses which front on the designated U.S. highways in either the B-1 or the H&BZ classifications.

Automobile service station means an establishment with the primary business function of the retail sale of gasoline for passenger vehicle use and the minor service and repair work incidental to the operation of passenger automobiles.

Bed and breakfast means an owner-managed and owner-occupied residential structure used as a lodging establishment where a room or rooms are rented on a nightly basis and in which only breakfast is included as part of the basic compensation.

Berth means the off-street area required for the receipt of, or distribution by vehicles of, material or merchandise with a fourteen (14) foot height clearance, paved with a suitable dust preventative or hard surface.

Block frontage means all the property fronting on one (1) side of a street between intersecting streets, or between a street and the terminus of a dead-end street or the City boundary, measured along the street line.

Board means the City of Paducah Board of Adjustment.

Building means any structure having enclosed space and a roof for the housing or enclosure of persons, animals or chattels.

Building area means the maximum horizontal projected area of a principal or accessory building, excluding open steps, terraces, unenclosed porches not exceeding one (1) story in height or architectural appurtenances projecting not more than two (2) feet.

Building, detached, means a building having no party wall in common or structural connection with another building.

Building, front line of, means the line of the face of the building nearest the front lot line.

Building, height of, means the vertical distance from the average contact ground level at the front wall of a building to the highest point of the coping of a flat roof, to the deck line of a mansard roof or to the mean height level between eaves and ridges for gable & hip or gambrel roofs.

Building line means the line nearest the front and across a lot establishing the minimum open space to be provided between the front line of a building or structure and the front lot line.

Building, nonconforming, means a legally existing building which fails to comply with the regulations set forth in this chapter applicable to the zone in which the building is located.

Building, principal, means a building in which is conducted the main or principal use of the lot on which said building is situated.

Building, semidetached, means a building having one (1) party wall in common with an adjacent building.

Business means the engaging in the purchase, sale, barter or exchange of goods, wares, merchandise or service; the maintenance or operation of offices, or recreational and amusement enterprises.

Carport means a structure consisting of a roof and either walls or columns for the purpose of housing automotive vehicles and other chattels. Said structure shall be considered a building.

Cemetery means land used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums and mortuaries when operated in conjunction with and within the boundary of such cemetery.

City means the City of Paducah, Kentucky.

Clinic or medical center means an establishment where patients are admitted for special study and treatment by two (2) or more licensed physicians and/or dentists and their professional associates, as distinguished from a professional office for general consultation purposes.

Commission means the City of Paducah Planning Commission.

Conditional use means a use which would not impair the public health, safety or welfare in one (1) or more zones, but which would impair the integrity and character of the zone in which it is located or in adjoining zones unless restrictions on location, size, extent and character of performance are imposed in addition to those imposed in the zoning regulations.

Conditional use permit means legal authorization to undertake a conditional use issued by the administrative official pursuant to authorization by the Board of Adjustment consisting of two (2) parts:

A statement of the factual determination by the Board of Adjustment which justifies the issuance of the permit.

A statement of the specific conditions which must be met in order for the use to be permitted.

Cottage home means a structure of not less than one hundred forty (140) square feet nor more than four hundred (400) square feet intended for use as a permanent, single-family residence. A manufactured home, mobile home, camper or recreational vehicle shall not be considered a cottage home. A single cottage home may only be placed on lots smaller than eight thousand (8,000) square feet.

County means McCracken County, Kentucky.

Courtyard means an open unoccupied space on the same lot with a building or group of buildings and bounded on three (3) or more sides by such buildings.

Development plan means written and graphic material for the provision of a development plan, including any or all of the following: location and bulk of buildings and other structures, intensity of use, density of development, streets, ways, parking facilities, signs, drainage of surface water, access

points, a plan for screening or buffering, utilities, existing manmade and natural conditions, and all other conditions agreed to by the applicant.

Dwelling means a building, or portion thereof, used primarily for residential occupancy, including single-family, two-family and multi-family occupancy, but not including hotels, motels, short-term rentals (includes special event short-term rentals) or bed and breakfasts.

Dwelling, assisted care, means a building, or portion thereof, consisting of five (5) or more bedrooms, used for residential occupancy by a group. The dwelling is characterized by renters with separate bedrooms for sleeping and shared common areas for reception, recreation, living, cooking, laundry and the like. The dwelling is further signified by the presence of an employee(s) that provides various services such as housekeeping, maintenance, cooking, security, personal care and transportation. This definition is distinguished from, and is intended not to conflict with, KRS 100.982 and 100.984.

Dwelling, multi-family, means a building, or portion thereof, used for occupancy by three (3) or more families living independently of each other.

Dwelling, single-family, means a building used for residential occupancy by one (1) family. A single-family dwelling shall be stick-built, a modular home, a qualified manufactured home or a mobile home located within a mobile home park. Structures or vehicles such as, but not limited to; storage buildings, campers, recreational vehicles, garages, barns and shipping containers shall not be utilized as a single-family dwelling.

Dwelling, two-family, means a building, or portion thereof, used for occupancy by two (2) families living independently of each other. A two-family dwelling shall be stick-built, manufactured or modular. Structures or vehicles such as, but not limited to; storage buildings, campers, recreational vehicles, garages, barns and shipping containers shall not be utilized as a two-family dwelling.

Dwelling unit means a dwelling, or portion of a dwelling, used by one (1) family for cooking, living and sleeping purposes.

Educational institution means a public, parochial or private preprimary, primary, or grammar school; a high school, preparatory school or academy, that is public or founded, owned or conducted by or under the sponsorship of a religious or charitable organization; a private preparatory school or academy furnishing courses of instruction substantially equivalent to the courses offered by public high schools for preparation of admission to colleges or universities which award BA or BS degrees; a junior college or university, that is public or founded or conducted by or under the sponsorship of a religious or charitable organization or a private school when not conducted as a commercial enterprise for the profit of individual owners or stockholders. This definition shall not be deemed to include trade or business schools as defined in this section.

Effective date hereof means October 26, 1976.

Enforcement officer means the Chief Building Official of the City or designee.

Family means one (1) or more persons living as a single housekeeping unit, as distinguished from a group occupying a hotel, club, fraternity or sorority house. A family shall be deemed to include servants.

Fence means a structure consisting of wood, metal, wire, mesh, masonry or other manufactured material.

Floor area ratio (FAR) means the floor area of the building divided by the area of the lot.

Garage, private, means a detached accessory building or portion of a principal building, used for the storage of self-propelled vehicles, in which the capacity does not exceed three (3) vehicles per family housed in the building to which such garage is accessory and not more than one-third (1/3) of the total number of vehicles stored in such garage shall be commercial vehicles. Storage space for not more than three (3) vehicles may be utilized for vehicles of other than occupants of the building to which such garage is accessory.

Garage, public, means any building, except those defined as a private garage, used for the storage or care of motor vehicles, or where such vehicles are equipped for operation, repaired or kept for remuneration, hire or sale.

Ground floor area means the square foot area of a building within its largest outside dimensions computed on a horizontal plane at the ground floor level, exclusive of open porches, breezeways, terraces, garages, exterior stairways and secondary stairways.

Ground level means for buildings having walls adjoining only one (1) street, the elevation at the front lot line at the center of the wall adjoining the street; for buildings having walls adjoining more than one street, the average elevation of the front lot line at the center of all walls adjoining the streets; for buildings having no wall adjoining the street, the average level of the ground adjacent to the exterior walls of the building. Any wall approximately parallel to and not more than five (5) feet from a street is to be considered as adjoining the street.

Heliport means a facility for helicopters to take off and land.

Home occupation means any use conducted entirely within a residential dwelling and carried on solely by the occupants thereof, which use is clearly incidental and secondary to the use of the dwelling purposes and does not change the character thereof, and in connection with which there is no display, no stock in trade or outside storage of equipment nor commodity sold upon the premises and not more than two (2) persons are to engage in such occupation. In no event shall a barbershop, beauty shop, tearoom, bed and breakfast or animal hospital be construed to be a home occupation.

Hospital means a sanitarium, preventorium or clinic, provided such institution is operated by, or treatment given under, the direct supervision of a physician licensed to practice by the State of Kentucky.

Hotel or motel means a building, or portion thereof, or group of buildings in which lodging is provided and offered to the public for compensation and which is open to transient guests, in contradistinction to a lodging house.

Industrial, heavy, means those industries whose processing of products result in the emission of any atmospheric pollutant, light flashes, glare, odor, noise or vibration which may be heard and/or felt off the premises, and those industries which constitute a fire or explosion hazard.

Industry, light, means those industries whose processing of products results in none of the conditions described for heavy industry.

Ingress/ egress easement means an open, unoccupied, officially designated space other than a street or alley, permanently reserved for use as a means of access to abutting property.

Junkyard means any place at which personal property is, or may be salvaged, for reuse, resale, reduction or similar disposition and is owned, possessed, collected, accumulated, dismantled or sorted, including, but not limited to; use of salvaged base metal or metals, their compounds or combinations; or used or salvaged rope, bags, paper, rags, glass, rubber, lumber, millwork, brick and similar property which are used, owned or possessed for the purpose of wrecking or salvaging parts therefrom.

Kennel means any lot or premises on which dogs or small animals are kept for commercial or sale purposes. A non-commercial kennel at, in or adjoining a private residence where hunting or other dogs are kept for the hobby of the householder (i.e., hunting, tracking or exhibiting) or for guarding or protecting the householder's property is permitted in residential zones, provided that such dogs or small animals do not constitute a nuisance to the neighborhood.

Lodging house means a building with more than two (2) but not more than five (5) guest rooms where lodging with or without meals is provided for compensation for a period of time not to exceed six (6) months for each guest.

Lot means a piece, parcel, plot, tract or area of land occupied or capable of being occupied by one (1) principal building and the accessory buildings or uses customarily incidental to it, and including the open spaces required under this chapter, and having its principal frontage on a street or ingress/egress easement.

Lot, corner, means a lot at a junction of, and fronting on, two (2) or more intersecting streets.

Lot coverage means the percentage of the lot area covered by the building area.

Lot, interior, means a lot other than a corner or through lot.

Lot line, front, means, in the case of an interior lot; a line separating the lot from the street or ingress/egress easement and, in the case of a corner lot; the line designated by deed, plat or subdivision requirements.

Lot line, rear, means a lot line which is opposite and most distant from the front lot line and, in the case of an irregular or triangular shaped lot; a line ten (10) feet in length within the lot, parallel to and at the maximum distance from the front lot line.

Lot line, side, means any lot boundary line not a front lot line or a rear lot line.

Lot, through, means a lot having frontage on two (2) parallel or approximately parallel streets.

Lot width means the dimension of a lot at the building setback line.

Manufactured home means a single-family dwelling unit constructed in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended, and manufactured after June 15, 1976, which is designed to be transported across streets and highways to a point of use, and is equipped with the necessary service connections, and includes the plumbing, heating, air conditioning and electrical systems contained therein, and made so as to be readily movable as a unit.

Medical cannabis cultivator. An entity licensed by the State of Kentucky to plant, grow, cultivate, raise, harvest, trim, store, test, package, label, transfer, transport or sell medicinal cannabis seed, seedlings, medicinal plant, medicinal cannabis or medicinal cannabis product to other licensed cannabis business in the state.

Medical cannabis dispensary. An entity licensed by the State of Kentucky to perform retail sales of medicinal cannabis to registered qualified patients or visiting qualified patients. All medical cannabis dispensaries must meet all of the following conditions:

- a. Shall not be located within one thousand (1,000) feet of existing elementary schools, secondary schools or daycares;
- b. Shall not be located within one (1) mile of another medical cannabis dispensary as measured from the nearest property line;
- c. Shall not be located next to any residential structure or mixed-use structure with a residential component;
- d. Exterior signage may only, at most, include text that is the licensee's (1) business or trade name; (2) location & contact information and (3) business type. Exterior signage cannot include a licensee's logo, symbol, branded colors or any images, including; but not limited to, depicting cannabis/cannabis products or the imagery or action of smoking/vaping. Exterior signs also cannot include motifs, selling messages or any other non-essential text. Exterior signs must be on the same parcel as the store and may be freestanding or wall signs. Exterior signage cannot be larger than necessary to reasonably display the information to individuals within or near the licensed premises and cannot be illuminated by neon lights.

Medical cannabis processor. An entity licensed by the State of Kentucky to process and/or package raw medicinal cannabis plant material or plants into approved forms of medical cannabis under Kentucky Revised Statutes and regulations.

Medical cannabis producer. An entity licensed by the State of Kentucky which operates as both a cannabis cultivator and processor.

Medical cannabis safety compliance facility. An entity licensed by the State of Kentucky in which testing for cannabinoid content, pesticides, mold, contamination, vitamin E acetate and other prohibited additives is conducted.

Mobile home means any vehicle, including the equipment sold as a part of a vehicle, which is so constructed as to permit its being used as a conveyance upon public streets or highways by either self-propelled or non-self-propelled means, which is designed, constructed or reconstructed, or added to by means of an enclosed addition or room, in such a manner as will permit the occupancy thereof as a dwelling or sleeping place for one (1) or more persons, which is both used and occupied as a dwelling or sleeping place, having no foundation other than wheels, jacks, skirting or other temporary supports.

Mobile home park means an area of land upon which two (2) or more mobile homes are harbored for the purpose of being occupied either free of charge or for revenue purposes and shall include any building, structure, vehicle or enclosure used or intended for use as a part of the equipment of such mobile home park.

Nursing home means an establishment which provides full-time convalescent or chronic care, or both, for four (4) or more individuals who are not related by blood or marriage to the operator and who, by reason of chronic illness or infirmity, are unable to care for themselves. Neither care for the acutely ill nor surgical or obstetrical services shall be provided in such a home. A hospital or sanatorium shall not be construed to be included in this definition.

Parking area, public, means an open off-street area, designed for use or used for the temporary parking of motor vehicles when available for public use, whether free or for compensation or as an accommodation for clients or customers.

Parling space (off-street) means an off-street space accessible from a street, alley or ingress/ egress easement with a minimum width of nine (9) or ten (10) feet, depending on land use. The minimum length of such space shall be contingent upon the degree or angle of the space and the maneuverability area required. As a guide to establishing a minimum length, the Commission shall refer to Illustration No. 1 in the appendix immediately following this chapter.

Person means and includes a firm, association, organization, partnership, trust, company or corporation as well as an individual.

Personal and convenience services means a business offering services such as barbershops, beauty shops, laundromats, laundry and dry-cleaning pickup and delivery stations (but excluding actual laundry operations) and similar uses.

Planting screen or landscape screen means a completely planted visual barrier composed of evergreen plants and trees arranged to form both a low-level and a high-level screen. The high-level screen shall consist of evergreen trees or shrubs planted with specimens having an initial height above ground when planted of not less than five (5) feet and planted at intervals of not more than eight (8) feet on-center. The low-level screen shall consist of evergreen shrubs having an initial height above ground when planted of not less than two (2) feet and spaced at intervals of not more than four (4) feet on-center. The low-level screen shall be planted in alternating rows to produce a more effective barrier.

Professional office means offices of members of recognized professions such as physicians, surgeons, lawyers, engineers, dentists and architects.

Retaining wall means a physical barrier necessary to prevent the erosion and/or deterioration of an established elevation.

Short-term rental means a dwelling or room that is rented, leased or assigned for a tenancy for less than thirty (30) consecutive days in duration and where no meals are served or provided by the host to any guest. A short-term rental may be owner occupied or non-owner occupied.

Short-term rental, special event, means a dwelling or room that is rented, leased or assigned for a tenancy for less than seven (7) days a year and where no meals are served or provided by the host to any guest. A special event short-term rental may be owner occupied or non-owner occupied. There shall be a maximum of two (2) permits issued a year.

Sight triangle means a triangular space at the street corner of a corner lot, free from any kind of obstruction to vision between the heights of two and one-half (2 ½) and twelve (12) feet above established grade, determined by a diagonal line connecting two (2) points measured fifteen (15) feet equidistant from the street right-of-way corner along each property line.

Street means a right-of-way, other than an alley or ingress/ egress easement, dedicated or otherwise legally established for public use, usually affording the principal means of access to abutting property.

Structural alteration means any change in the supporting members of a building, such as bearing walls, partitions, columns, beams or girders; or any substantial change in the exterior walls or the roof.

Structure means anything constructed or made, the use of which requires permanent location in or on the ground or attachment to something having a permanent location in or on the ground including, buildings and signs.

Towing or wrecker service means a person engaged in the business, or offering the services of, a vehicle towing or wrecker service, whereby motor vehicles are towed or otherwise removed from the place where they are parked or disabled by use of a truck, automobile or other vehicle so adapted to that purpose, or in the business of storing operable or disabled motor vehicles.

Trade or business school means a secretarial school or college; or business school or college, that is not public and not owned or conducted by or under the sponsorship of a religious or charitable organization; or a school conducted as a commercial enterprise for teaching instrumental music, dancing, barbering or hairdressing, or for teaching industrial skills in which machinery is employed as a means of instruction. This definition shall not be deemed to include an educational institution as defined in this section.

Use means the employment or occupation of a building, structure or land for a person's service, benefit or enjoyment.

Use, nonconforming, means an existing use of land or building which was legal prior to the effective date hereof, but which fails to comply with the requirements set forth in this chapter applicable to the zone in which such use is located.

Use, open, means the use of a lot without a building or including a building incidental to the open use with a ground floor area equal to five (5) percent or less of the area of the lot.

Variance, dimensional, means departure from the terms of the zoning regulations pertaining to height or width of structures and size of yard and open spaces where such departure will not be contrary to the public interest, and where, owing to conditions peculiar to the property because of its size, shape or topography, and not as a result of the action of the applicant, the literal enforcement of the zoning regulations would result in unnecessary and undue hardship.

Yard means a space on the same lot with a principal building that is open and unoccupied other than by steps, walks, terraces, driveways, lampposts and similar appurtenances, and unobstructed by structures, except as otherwise provided in this chapter.

Yard, front, means a yard extending across the full width of the lot, between two (2) side lot lines, the depth of which is the least distance between the street right-of-way and the building line.

Yard, rear, means a yard extending across the full width of the lot between the two (2) side lot lines and between the rear line and a line parallel to, and coexisting with, the rear of the principal building.

Yard, side, means a yard bounded by the rear yard, the front yard, the side lot line and the principal building.

Zoning map means the official zoning map of the City.

Sec. 126-109. General Business Zone, B-3.

The purpose of this zone is to provide an area for high intensity commercial activity of a wholesale nature and to ensure easy highway access for such uses.

(1) *Principal permitted uses.*

- a. Any use permitted in the B-2 Zone;
- b. Wholesale establishments;
- c. Automotive equipment sales and repair;
- d. Laundry and dry-cleaning establishments;
- e. Seasonal fireworks tents;

f. Medical cannabis dispensaries:

- g. Light industrial operations (as approved by the Planning Commission according to degree of objectionable smoke, noise, odor, glare, vibration and heavy freight traffic generation).

(2) *Minimum yard requirements.* None.

(3) *Minimum area requirements.* None.

(4) Maximum building height. None.

Sec. 126-110. Light Industrial Zone, M-1.

The following provisions shall apply in the M-1 Zone unless otherwise provided herein:

(1) *Principal permitted uses.*

- a. Any use permitted in the B-3 Zone;

- b. Any industrial, manufacturing, fabrication or processing use which does not emit objectionable noise, smoke, odor or dust beyond the confines of its property;
- c. Warehouses and storage buildings;
- d. Public and commercial sewage disposal plant;
- e. Towing or wrecker service;
- f. Medical cannabis cultivators, processors, producers and safety compliance facilities;
- g. Any other use which, in the Commission's opinion, would be compatible in the B-3 Zone.

(2) *Conditionally permitted uses.*

- a. Any other industrial use determined to be of the same general character as the above permitted uses.
- b. Animal hospital or kennel, located not closer than three hundred (300) feet to ~~an R-Zone~~ a residential zone.
- c. Heliport.

(3) *Minimum yard requirements.*

- a. Permitted uses having a total ~~plan-floor-area-of-ten~~ floor plan of ten thousand (10,000) square feet or less:
 - 1. Front yard: Twenty-five (25) feet, except for highway strip uses for which a fifty (50) foot front yard is required.
 - 2. Side yard: Ten (10) feet.
 - 3. Rear yard: None, except where abutted by a residential zone, in which case a rear yard of twenty-five (25) feet applies.
 - 4. No storage of materials or equipment shall be allowed in the minimum front yard.
- b. Permitted uses with a total ~~plan-floor-area~~ floor plan of more than ten thousand (10,000) square feet:

- 1. Front yard: Fifty (50) feet.
- 2. Side yard: Twenty-five (25) feet.
- 3. Rear yard: None, except where abutted by a residential zone, in which case a rear yard of twenty-five (25) feet applies.

(4) *Minimum area requirements.*

- a. Permitted uses having a total ~~plan-floor-area~~ floor plan of four thousand (4,000) square feet or less:
 - 1. Minimum lot area: Seven thousand, five hundred (7,500) square feet.
 - 2. Minimum lot width: Sixty (60) feet.
- b. Permitted uses with a total ~~plan-floor-area~~ floor plan of more than four thousand (4,000) square feet:
 - 1. Minimum lot area: Fifteen thousand (15,000) square feet.
 - 2. Minimum lot width: Seventy-five (75) feet.

(5) *Maximum building height.* None.

(6) *Maximum lot coverage.*

- a. Principal structures: Fifty (50) percent of gross lot area.
- b. Total coverage by principal structures, accessory structures and outside storage: Seventy (70) percent of gross lot area.

Sec. 126-117. Planned Office Park, POP.

The purpose of this zone is to provide adequate space for permitted uses in a park setting, designed to attract tenants who may require access to high-capacity information sharing appurtenances, transmitting ~~and~~ & receiving facilities and sufficient utilities. Furthermore, the zone is intended:

~~To~~ to provide sufficient space in appropriate locations for attractive, landscaped offices; ~~and~~

~~To~~ and to ensure compatibility of uses ~~and~~ & operations within the Planned Office Park Zone.

1. *Principal permitted uses.*

- a. Offices for business, professional, governmental, political and charitable organizations.
- b. ~~Banks, credit agencies, security and commodity brokers, credit institutions, savings and loan companies, and holding and investment companies. Financial institutions including holding and investment companies.~~
- c. Computer and data processing centers.
- ~~d. Telephone exchanges.~~
- e. Radio and television studios.
- f. Cable television signal distribution centers and studios.
- g. ~~Ticket and travel~~ Travel agencies.
- h. ~~Kindergarten, nurseries and daycare facilities~~ Daycare.
- i. ~~Business colleges, technical and trade schools, educational institutions. High schools, colleges, universities, technical schools and trade schools.~~
- j. Hospitals.
- k. ~~Parks (public and private).~~
- l. Research, testing and development laboratories or centers.
- m. ~~Production facilities (high degree of scientific input, tech). Technological or scientific production facilities.~~
- n. Educational, scientific and research organizations.
- o. Library.
- p. Nursing or assisted living homes.
- q. ~~Special event short-term rentals. Short-term rentals (includes special event short-term rentals).~~
- r. Medical cannabis safety compliance facilities.
- s. Any other similar use which, in the Planning Commission's opinion, would not impair the character of the POP Zone.

2. *Accessory uses.* Accessory uses ~~are these permitted~~ uses that are clearly incidental and subordinate to the permitted use.

- a. Spaces for the limited display of merchandise.
- b. Personal service centers, including food service, only for employees, residents, or visitors to any permitted use. These centers shall have and having no direct access to the exterior of the building and shall not have having no display space, drive-through areas, or any signs visible from the outside the building.
- c. Residential dwellings.

3. *Conditionally permitted uses.* ~~As determined by the Board of Adjustment, these uses cannot emit onto adjacent properties an objectionable amount of hazardous and/or obnoxious emissions. These may be, but not be limited to; smoke, odor, noise, glare, vibrations, etc. Any of the following uses which do not emit objectionable noise, smoke, odor or dust beyond the confines of its property.~~

- a. ~~Facilities~~ Technological or scientific facilities in connection with bona fide agricultural operations.
- b. Clubs ~~(public and private).~~
- c. Satellite dish antennas.
- d. Airports and heliports.
- e. Hotels, motels or lodges with facilities specifically intended to serve the needs of the park tenants.
- f. ~~Drive-through facilities for the sale of goods or services otherwise permitted.~~

- g. Light manufacturing and assembly operations.
- h. Warehousing operation utilized in conjunction with a permitted use.
- i. Sit-down restaurants (drive through not permitted).
- ~~j. Short-term rentals.~~
- 4. *Minimum yard requirements.*
 - a. Front yard: Fifty (50) feet.
 - b. Side yard: Thirty (30) feet.
 - c. Street side yard: Fifty (50) feet.
 - d. Rear yard: Fifty (50) feet
 - e. Maximum coverage: Fifty (50) percent (building only, surface parking excluded).
- 5. *Minimum area requirements.*
 - a. Minimum lot area: One (1) acre.
 - b. Minimum lot width: One hundred (100) feet.
- 6. *Maximum building height.* ~~Five (5) stories; None,~~ except that minimum yard standards are increased by five (5) feet for each story over ~~three (3) stories or thirty-five (35) feet~~ five (5) stories.
- 7. *Open space.* At least twenty-five (25) percent of contiguous Planned Office Park zoned areas must be allotted to open space.
- 8. *Landscaping.*
 - a. Generally. A minimum of ten (10) percent of the entire lot shall be devoted to landscaping. Up to fifty (50) percent of this requirement may be credited toward preservation of substantial naturally occurring trees, shrubbery, wildflowers, water courses and rock formations. Areas of preservation should be inventoried and indicated on site plans.
 - b. Parking lot landscaping requirements. For each ~~one hundred~~ one hundred (100) square feet, or fraction thereof, of vehicular use area, a minimum of five (5) square feet of landscaped area shall be provided; ~~this~~ This may ~~be included inside of~~ include islands, peninsulas and other geometric devices used to encourage vehicle circulation.
 - c. Screening. Screening per section 126-83 shall be provided in the rear ~~yards~~ yard of those lots which about ~~adjacent~~ properties outside the POP Zone.
- 9. *Amendments.* Amendments to the zone map for POP Zones shall be:
 - a. Freestanding zones: Forty (40) acres.
 - b. Expansion of existing: No minimum.

Sec. 126-119. Hospital Medical Zone, HM.

The purpose of this zone is to provide a more flexible and customized approach for the development, parking and circulation needs of medical centers and complexes. Uses not specifically allowed by this section are expressly excluded, except as provided herein.

- 1. *Principal permitted uses.* All uses are to be conducted wholly within a building ~~except for off-street loading/unloading and surface parking.~~
 - a. General medical hospitals with in-patient and out-patient services.
 - b. Offices and clinics of health care practitioners including physicians, surgeons, osteopaths, psychologists, psychiatrists, chiropractors, nurses, rehabilitation therapists (~~physical, occupational, respiratory & recreational~~), medical and psychiatric social workers, dentists, nutritionists, dietitians, opticians, optometrists, and other similar medical uses licensed and certified by the State of Kentucky as health care specialists or practitioners.
 - c. Medical technology and testing laboratories.
 - d. Medical and dental related health care educational facilities and schools.
 - e. Medical cannabis dispensaries and safety compliance facilities.
 - f. Other closely related uses, as approved by the Planning Commission following a public hearing. ~~Inclusion of such uses may be included in an approved development plan.~~

2. *Accessory uses.* Accessory uses ~~are those permitted uses that~~ are allowed only when they are clearly incidental, subordinate and in the presence of ~~the~~ permitted uses in the HM Zone. They may be included in the principal building, an accessory building or on a separate lot. All uses are to be conducted wholly within a building ~~except for off-street loading/unloading and surface parking.~~

- a. Administrative offices (hospital/medical).
- b. Ambulance service.
- c. Chapels.
- d. Daycare (~~nursery, child, pre-school, and adult~~).
- e. Food service.
- f. Gift and flower shops.
- g. Heliports.
- h. Hospice.
- i. Linen/laundry service.
- j. Lodging, visitor.
- k. Medical insurance service.
- l. Medical, dental and other health care professional organization offices.
- m. Mobile diagnostic and treatment trailers.
- n. Nursing, transitional care and assisted care homes.
- o. Parking garages.
- p. Pharmacies with retail sales of general merchandise.
- q. Retail sales of medical and dental supplies and services including prosthetics, optical, and other similar medical and/or dental goods and services.
- r. Temporary buildings.
- s. Uniform shops.
- t. Short-term rentals (includes special event short-term rentals).

3. *Minimum yard requirements.*

- a. Front yard: Fifty (50) feet, seventy-five (75) feet on arterials.
- b. Side yard: Twenty-five (25) feet.
- c. Rear yard: Twenty-five (25) feet.

4. *Minimum area requirements.*

- a. Minimum lot area: Five thousand (5,000) square feet.
- b. Minimum lot width: Fifty (50) feet.

~~5.~~ *Landscape requirements.* Ten (10) percent of the entire site shall be landscaped. ~~Detailed landscape plans shall be submitted with a development plan.~~

6. *Density.* The floor area ratio (FAR) shall not exceed two (2) to one (1).


Bob Wade, Chairman

Adopted by the Paducah Planning Commission on August 5, 2024



Medicinal Cannabis Update

May 14, 2024

Overview

- March 31, 2023 – Gov. Beshear signs SB 47 into law.
- As of January 1, 2025, individuals can receive a medical cannabis card from the Cabinet of Health.
- Includes 5 Qualifying Medical Conditions - MS, Cancer, PTSD, Muscle Spasms, and Chronic Nausea
- SB 337 Pending. If passed, would add 14 additional qualifying conditions.
- Kentucky cannot import cannabis from other States. Must grow, produce, test and sell cannabis within Kentucky.

Medical Cannabis Businesses

Cultivator



Responsible for
**planting, raising,
harvesting** and
trimming medical
cannabis

Processor



Responsible for
**processing and
packaging** raw
plant material
into usable
product formats

Producer



Vertically-
integrated license
combining
Cultivator and
Processor
licensees

Safety compliance facility



Responsible for
**contamination
testing** of raw
plant material and
cannabis products

Dispensary



Responsible for
the **sale of
finished products**
to cardholders

Cannabis Business Regulations

- State Law provides extensive regulations for medical cannabis businesses including requirements for:
 - ❧ Security
 - ❧ Recordkeeping
 - ❧ Employee qualification, supervision, training
 - ❧ Quality assurance
 - ❧ Reporting & Recalls
 - ❧ Inventory Management
 - ❧ Cash Management & Anti-Fraud Procedures
 - ❧ Inspections
 - ❧ Background Checks
 - ❧ Facility Requirements

State Licensing Timeline

- On April 18th, the Cabinet for Health and Family Services filed regulation around how a cannabis business may become licensed in Kentucky.
- Regulations took effect immediately.
- Businesses can begin applying as of July 1, 2024.
- Initial application period July 1 – August 31, 2024.

State License Availability

- Following the close of the application period, the following numbers of licenses are available for issuance:
 - ✧ Tier 1 Cultivator – 10
 - ✧ Tier II Cultivator – 4
 - ✧ Tier III Cultivator – 2
 - ✧ Processor – 10
 - ✧ Dispensary – 48
 - ✧ Tier IV Cultivator and Producer categories will not be issued during the initial application period.

State License Availability (Cont.)

- Four (4) Dispensary licenses per region.
- No more than one (1) Dispensary per County.
- If the number of applications exceeds available licenses, Cabinet to conduct lottery to issue licenses.
- Cultivator, Processor, Producers and Safety Compliance Facilities not subject to regional restrictions.
- Beginning January 1, 2025, Quarterly Reviews to determine further licensing.

Local Jurisdiction Options

- Under KRS 218B.130, the city can either:
 - ☞ Pass an ordinance to **regulate** the time, place, and manner of the cannabis business operations, except that local government can't impose undue burden or make operations unreasonable or impractical.
 - ☞ Local Fees & Zoning Considerations
 - ☞ Pass an ordinance to **prohibit** all cannabis business operations in the City.
 - ☞ Enact a resolution directing that the question be **submitted to voters** at the next regular election.

Next Steps

- Direction from the Commission on which option you would like staff to pursue.
- Timeline for Resolution, Zoning Amendment, License Fee Setting.
- Inform those businesses that have already reached out to the City for more information.

QUESTIONS & DISCUSSION

More Information:

<https://kymedcan.ky.gov/FAQs/Pages/General-Questions.aspx>



TEXT AMENDMENT BOARD OF COMMISSIONERS

CASE NO.	TXT2024-0003
TITLES	126-3 Definitions, 126-109 General Business Zone, B-3; 126-110 Light Industrial Zone, M-1; 126-117 Planned Office Park, POP; 126-119 Hospital Medical Zone, HM
DESCRIPTION	Text change to provide for: • Medical cannabis land uses • General house-keeping and updating

PROCEDURAL NOTE

Zoning text amendments are first heard before the Paducah Planning Commission at a public hearing, pursuant to KRS 100.211 (2). Said public hearing took place on August 5, 2024. The Planning Commission has forwarded a favorable recommendation to the Board of Commissioners with all five Planning Commissioners voting “Yea”.

CONSIDERATIONS

A new section of Kentucky Revised Statutes, KRS 218B, takes effect on January 1, 2025. Within these new regulations is the ability for local governments to decide if they would like to opt in to allow different types of medical cannabis land uses to locate within their boundaries. The City of Paducah, based on a Resolution by the Board of Commissioners, has decided to opt into allowing medical cannabis land uses to locate here. Please find the Board of Commissioners Resolution in your packets.

There are five new types of medical cannabis land uses that will be able to go into operation on January 1st. These land uses are cultivators, processors, producers, safety compliance facilities and dispensaries. Each type of land use has been defined in the following section. Staff would like to introduce regulations pertaining to where different land use types of medical cannabis facilities may locate. Staff has gotten feedback and utilized several other Kentucky cities and counties to produce this text amendment, with a heavy draw from both Kenton County and the City of Henderson.

Dispensaries are considered a retail use. However, they have the potential to generate higher rates of traffic. Therefore, staff is proposing they be located in the B-3 General Business Zone, as opposed to the B-1 Convenience & Service Zone and the B-2 Downtown Business Zone. The B-3 Zone is more vehicular-oriented which would help to facilitate the quick turn-around of the nature of the business. By locating in a B-3 Zone, dispensaries thereby promulgate through the Highway Business Zone and all industrial zones. A dispensary would also be an appropriate use in the Hospital Medical Zone.

Safety compliance facilities are akin to laboratories. Therefore, they would be appropriate in industrial zones (beginning in the M-1 Light Industrial Zone), the Planned Office Park and the Hospital Medical Zone. Skilled professionals would be doing the testing on the medical cannabis itself and the products thereof.

The other land uses; cultivators, processors and producers, are all a production, processing or manufacturing type land use. Therefore, these types of land uses would be appropriate in industrial zones, which allows that type of land use as a principally permitted land use. Staff is proposing allowing them

in the M-1 Light Industrial Zone, which would then promulgate through the Heavy Industrial Zone, M-2 and the High-Density Industrial Zone, M-3.

TEXT AMENDMENTS

The proposed amendments are as follows:

Sec. 126-3. Definitions.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Accessory building means a subordinate building located on the same lot as a principal building, or a subordinate use of land, either of which is customarily incidental to the principal building or to the principal use of the land. Where part of the wall of an accessory building is a part of the wall of the principal building in a substantial manner as by a roof, such accessory building shall be considered as part of the principal building. Local public utility, communication, electric distribution, secondary power lines, gas lines, water lines, sewer lines, guy-wires, small transformers, wires, cables and incidental equipment are considered accessory buildings or structures.

Alley means a permanent public service way providing a secondary means of access to abutting lands.

Arterial highway strip commercial means commercial uses which front on the designated U.S. highways in either the B-1 or the HBZ classifications.

Automobile service station means an establishment with the primary business function of the retail sale of gasoline for passenger vehicle use and the minor service and repair work incidental to the operation of passenger automobiles.

Bed and breakfast means an owner-managed and owner-occupied residential structure used as a lodging establishment where a room or rooms are rented on a nightly basis and in which only breakfast is included as part of the basic compensation.

Berth means the off-street area required for the receipt of, or distribution by vehicles of, material or merchandise with a fourteen (14) foot height clearance, paved with a suitable dust preventative or hard surface.

Block frontage means all the property fronting on one (1) side of a street between intersecting streets, or between a street and the terminus of a dead-end street or the City boundary, measured along the street line.

Board means the City of Paducah Board of Adjustment.

Building means any structure having enclosed space and a roof for the housing or enclosure of persons, animals or chattels.

Building area means the maximum horizontal projected area of a principal or accessory building, excluding open steps, terraces, unenclosed porches not exceeding one (1) story in height or architectural appurtenances projecting not more than two (2) feet.

Building, detached, means a building having no party wall in common or structural connection with another building.

Building, front line of, means the line of the face of the building nearest the front lot line.

Building, height of, means the vertical distance from the average contact ground level at the front wall of a building to the highest point of the coping of a flat roof, to the deck line of a mansard roof or to the mean height level between eaves and ridges for gable & hip or gambrel roofs.

Building line means the line nearest the front and across a lot establishing the minimum open space to be provided between the front line of a building or structure and the front lot line.

Building, nonconforming, means a legally existing building which fails to comply with the regulations set forth in this chapter applicable to the zone in which the building is located.

Building, principal, means a building in which is conducted the main or principal use of the lot on which said building is situated.

Building, semidetached, means a building having one (1) party wall in common with an adjacent building.

Business means the engaging in the purchase, sale, barter or exchange of goods, wares, merchandise or service; the maintenance or operation of offices, or recreational and amusement enterprises.

Carport means a structure consisting of a roof and either walls or columns for the purpose of housing automotive vehicles and other chattels. Said structure shall be considered a building.

Cemetery means land used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums and mortuaries when operated in conjunction with and within the boundary of such cemetery.

City means the City of Paducah, Kentucky.

Clinic or medical center means an establishment where patients are admitted for special study and treatment by two (2) or more licensed physicians and/or dentists and their professional associates, as distinguished from a professional office for general consultation purposes.

Commission means the City of Paducah Planning Commission.

Conditional use means a use which would not impair the public health, safety or welfare in one (1) or more zones, but which would impair the integrity and character of the zone in which it is located or in adjoining zones unless restrictions on location, size, extent and character of performance are imposed in addition to those imposed in the zoning regulations.

Conditional use permit means legal authorization to undertake a conditional use issued by the administrative official pursuant to authorization by the Board of Adjustment consisting of two (2) parts:

A statement of the factual determination by the Board of Adjustment which justifies the issuance of the permit.

A statement of the specific conditions which must be met in order for the use to be permitted.

Cottage home means a structure of not less than one hundred forty (140) square feet nor more than four hundred (400) square feet intended for use as a permanent, single-family residence. A manufactured home, mobile home, camper or recreational vehicle shall not be considered a cottage home. A single cottage home may only be placed on lots smaller than eight thousand (8,000) square feet.

County means McCracken County, Kentucky.

Courtyard means an open unoccupied space on the same lot with a building or group of buildings and bounded on three (3) or more sides by such buildings.

Development plan means written and graphic material for the provision of a development plan, including any or all of the following: location and bulk of buildings and other structures, intensity of use, density of development, streets, ways, parking facilities, signs, drainage of surface water, access points, a plan for screening or buffering, utilities, existing manmade and natural conditions, and all other conditions agreed to by the applicant.

Dwelling means a building, or portion thereof, used primarily for residential occupancy, including single-family, two-family and multi-family occupancy, but not including hotels, motels, short-term rentals (includes special event short-term rentals) or bed and breakfasts.

Dwelling, assisted care, means a building, or portion thereof, consisting of five (5) or more bedrooms, used for residential occupancy by a group. The dwelling is characterized by renters with separate bedrooms for sleeping and shared common areas for reception, recreation, living, cooking, laundry and the like. The dwelling is further signified by the presence of an employee(s) that provides various services such as housekeeping, maintenance, cooking, security, personal care and transportation. This definition is distinguished from, and is intended not to conflict with, KRS 100.982 and 100.984.

Dwelling, multi-family, means a building, or portion thereof, used for occupancy by three (3) or more families living independently of each other.

Dwelling, single-family, means a building used for residential occupancy by one (1) family. A single-family dwelling shall be stick-built, a modular home, a qualified manufactured home or a mobile home located within a mobile home park. Structures or vehicles such as, but not limited to; storage buildings, campers, recreational vehicles, garages, barns and shipping containers shall not be utilized as a single-family dwelling.

Dwelling, two-family, means a building, or portion thereof, used for occupancy by two (2) families living independently of each other. A two-family dwelling shall be stick-built, manufactured or modular. Structures or vehicles such as, but not limited to; storage buildings, campers, recreational vehicles, garages, barns and shipping containers shall not be utilized as a two-family dwelling.

Dwelling unit means a dwelling, or portion of a dwelling, used by one (1) family for cooking, living and sleeping purposes.

Educational institution means a public, parochial or private preprimary, primary, or grammar school; a high school, preparatory school or academy, that is public or founded, owned or conducted by or under the sponsorship of a religious or charitable organization; a private preparatory school or academy furnishing courses of instruction substantially equivalent to the courses offered by public high schools for preparation of admission to colleges or universities which award BA or BS degrees; a junior college or university, that is public or founded or conducted by or under the sponsorship of a religious or charitable organization or a private school when not conducted as a commercial enterprise for the profit of individual owners or stockholders. This definition shall not be deemed to include trade or business schools as defined in this section.

Effective date hereof means October 26, 1976.

Enforcement officer means the Chief Building Official of the City or designee.

Family means one (1) or more persons living as a single housekeeping unit, as distinguished from a group occupying a hotel, club, fraternity or sorority house. A family shall be deemed to include servants.

Fence means a structure consisting of wood, metal, wire, mesh, masonry or other manufactured material.

Floor area ratio (FAR) means the floor area of the building divided by the area of the lot.

Garage, private, means a detached accessory building or portion of a principal building, used for the storage of self-propelled vehicles, in which the capacity does not exceed three (3) vehicles per family housed in the building to which such garage is accessory and not more than one-third (1/3) of the total number of vehicles stored in such garage shall be commercial vehicles. Storage space for not more than three (3) vehicles may be utilized for vehicles of other than occupants of the building to which such garage is accessory.

Garage, public, means any building, except those defined as a private garage, used for the storage or care of motor vehicles, or where such vehicles are equipped for operation, repaired or kept for remuneration, hire or sale.

Ground floor area means the square foot area of a building within its largest outside dimensions computed on a horizontal plane at the ground floor level, exclusive of open porches, breezeways, terraces, garages, exterior stairways and secondary stairways.

Ground level means for buildings having walls adjoining only one (1) street, the elevation at the front lot line at the center of the wall adjoining the street; for buildings having walls adjoining more than one street, the average elevation of the front lot line at the center of all walls adjoining the streets; for buildings having no wall adjoining the street, the average level of the ground adjacent to the exterior walls of the building. Any wall approximately parallel to and not more than five (5) feet from a street is to be considered as adjoining the street.

Heliport means a facility for helicopters to take off and land.

Home occupation means any use conducted entirely within a residential dwelling and carried on solely by the occupants thereof, which use is clearly incidental and secondary to the use of the dwelling purposes and does not change the character thereof, and in connection with which there is no display, no stock in trade or outside storage of equipment nor commodity sold upon the premises and not more than two (2) persons are to engage in such occupation. In no event shall a barbershop, beauty shop, tearoom, bed and breakfast or animal hospital be construed to be a home occupation.

Hospital means a sanitarium, preventorium or clinic, provided such institution is operated by, or treatment given under, the direct supervision of a physician licensed to practice by the State of Kentucky.

Hotel or motel means a building, or portion thereof, or group of buildings in which lodging is provided and offered to the public for compensation and which is open to transient guests, in contradistinction to a lodging house.

Industrial, heavy, means those industries whose processing of products result in the emission of any atmospheric pollutant, light flashes, glare, odor, noise or vibration which may be heard and/or felt off the premises, and those industries which constitute a fire or explosion hazard.

Industry, light, means those industries whose processing of products results in none of the conditions described for heavy industry.

Ingress/ egress easement means an open, unoccupied, officially designated space other than a street or alley, permanently reserved for use as a means of access to abutting property.

Junkyard means any place at which personal property is, or may be salvaged, for reuse, resale, reduction or similar disposition and is owned, possessed, collected, accumulated, dismantled or sorted, including, but not limited to; use of salvaged base metal or metals, their compounds or combinations; or used or salvaged rope, bags, paper, rags, glass, rubber, lumber, millwork, brick and similar property which are used, owned or possessed for the purpose of wrecking or salvaging parts therefrom.

Kennel means any lot or premises on which dogs or small animals are kept for commercial or sale purposes. A non-commercial kennel at, in or adjoining a private residence where hunting or other dogs are kept for the hobby of the householder (i.e., hunting, tracking or exhibiting) or for guarding or protecting the householder's property is permitted in residential zones, provided that such dogs or small animals do not constitute a nuisance to the neighborhood.

Lodging house means a building with more than two (2) but not more than five (5) guest rooms where lodging with or without meals is provided for compensation for a period of time not to exceed six (6) months for each guest.

Lot means a piece, parcel, plot, tract or area of land occupied or capable of being occupied by one (1) principal building and the accessory buildings or uses customarily incidental to it, and including the open spaces required under this chapter, and having its principal frontage on a street or ingress/egress easement.

Lot, corner, means a lot at a junction of, and fronting on, two (2) or more intersecting streets.

Lot coverage means the percentage of the lot area covered by the building area.

Lot, interior, means a lot other than a corner or through lot.

Lot line, front, means, in the case of an interior lot; a line separating the lot from the street or ingress/egress easement and, in the case of a corner lot; the line designated by deed, plat or subdivision requirements.

Lot line, rear, means a lot line which is opposite and most distant from the front lot line and, in the case of an irregular or triangular shaped lot; a line ten (10) feet in length within the lot, parallel to and at the maximum distance from the front lot line.

Lot line, side, means any lot boundary line not a front lot line or a rear lot line.

Lot, through, means a lot having frontage on two (2) parallel or approximately parallel streets.

Lot width means the dimension of a lot at the building setback line.

Manufactured home means a single-family dwelling unit constructed in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended, and manufactured after June 15, 1976, which is designed to be transported across streets and highways to a point of use, and is equipped with the necessary service connections, and includes the plumbing, heating, air conditioning and electrical systems contained therein, and made so as to be readily movable as a unit.

Medical cannabis cultivator. An entity licensed by the State of Kentucky to plant, grow, cultivate, raise, harvest, trim, store, test, package, label, transfer, transport or sell medicinal cannabis seed, seedlings, medicinal plant, medicinal cannabis or medicinal cannabis product to other licensed cannabis business in the state.

Medical cannabis dispensary. An entity licensed by the State of Kentucky to perform retail sales of medicinal cannabis to registered qualified patients or visiting qualified patients. All medical cannabis dispensaries must meet all of the following conditions:

- a. Shall not be located within one thousand (1,000) feet of existing elementary schools, secondary schools or daycares;
- b. Shall not be located within one (1) mile of another medical cannabis dispensary as measured from the nearest property line;
- c. Shall not be located next to any residential structure or mixed-use structure with a residential component;
- d. Exterior signage may only, at most, include text that is the licensee's (1) business or trade name; (2) location & contact information and (3) business type. Exterior signage cannot include a licensee's logo, symbol, branded colors or any images, including; but not limited to, depicting cannabis/cannabis products or the imagery or action of smoking/vaping. Exterior signs also cannot include mottos, selling messages or any other non-essential text. Exterior signs must be on the same parcel as the store and may be freestanding or wall signs. Exterior signage cannot be larger than necessary to reasonably display the information to individuals within or near the licensed premises and cannot be illuminated by neon lights.

Medical cannabis processor. An entity licensed by the State of Kentucky to process and/or package raw medicinal cannabis plant material or plants into approved forms of medical cannabis under Kentucky Revised Statutes and regulations.

Medical cannabis producer. An entity licensed by the State of Kentucky which operates as both a cannabis cultivator and processor.

Medical cannabis safety compliance facility. An entity licensed by the State of Kentucky in which testing for cannabinoid content, pesticides, mold, contamination, vitamin E acetate and other prohibited additives is conducted.

Mobile home means any vehicle, including the equipment sold as a part of a vehicle, which is so constructed as to permit its being used as a conveyance upon public streets or highways by either self-propelled or non-self-propelled means, which is designed, constructed or reconstructed, or added to by means of an enclosed addition or room, in such a manner as will permit the occupancy thereof as a dwelling or sleeping place for one (1) or more persons, which is both used and occupied as a dwelling or sleeping place, having no foundation other than wheels, jacks, skirting or other temporary supports.

Mobile home park means an area of land upon which two (2) or more mobile homes are harbored for the purpose of being occupied either free of charge or for revenue purposes and shall include any building, structure, vehicle or enclosure used or intended for use as a part of the equipment of such mobile home park.

Nursing home means an establishment which provides full-time convalescent or chronic care, or both, for four (4) or more individuals who are not related by blood or marriage to the operator and who, by reason of chronic illness or infirmity, are unable to care for themselves. Neither care for the acutely ill nor surgical or obstetrical services shall be provided in such a home. A hospital or sanatorium shall not be construed to be included in this definition.

Parking area, public, means an open off-street area, designed for use or used for the temporary parking of motor vehicles when available for public use, whether free or for compensation or as an accommodation for clients or customers.

Parking space (off-street) means an off-street space accessible from a street, alley or ingress/ egress easement with a minimum width of nine (9) or ten (10) feet, depending on land use. The minimum length of such space shall be contingent upon the degree or angle of the space and the maneuverability area required. As a guide to establishing a minimum length, the Commission shall refer to Illustration No. 1 in the appendix immediately following this chapter.

Person means and includes a firm, association, organization, partnership, trust, company or corporation as well as an individual.

Personal and convenience services means a business offering services such as barbershops, beauty shops, laundromats, laundry and dry-cleaning pickup and delivery stations (but excluding actual laundry operations) and similar uses.

Planting screen or landscape screen means a completely planted visual barrier composed of evergreen plants and trees arranged to form both a low-level and a high-level screen. The high-level screen shall consist of evergreen trees or shrubs planted with specimens having an initial height above ground when planted of not less than five (5) feet and planted at intervals of not more than eight (8) feet on-center. The low-level screen shall consist of evergreen shrubs having an initial height above ground when planted of not less than two (2) feet and spaced at intervals of not more than four (4) feet on-center. The low-level screen shall be planted in alternating rows to produce a more effective barrier.

Professional office means offices of members of recognized professions such as physicians, surgeons, lawyers, engineers, dentists and architects.

Retaining wall means a physical barrier necessary to prevent the erosion and/or deterioration of an established elevation.

Short-term rental means a dwelling or room that is rented, leased or assigned for a tenancy for less than thirty (30) consecutive days in duration and where no meals are served or provided by the host to any guest. A short-term rental may be owner occupied or non-owner occupied.

Short-term rental, special event, means a dwelling or room that is rented, leased or assigned for a tenancy for less than seven (7) days a year and where no meals are served or provided by the host to any guest. A special event short-term rental may be owner occupied or non-owner occupied. There shall be a maximum of two (2) permits issued a year.

Sight triangle means a triangular space at the street corner of a corner lot, free from any kind of obstruction to vision between the heights of two and one-half (2 ½) and twelve (12) feet above established grade,

determined by a diagonal line connecting two (2) points measured fifteen (15) feet equidistant from the street right-of-way corner along each property line.

Street means a right-of-way, other than an alley or ingress/ egress easement, dedicated or otherwise legally established for public use, usually affording the principal means of access to abutting property.

Structural alteration means any change in the supporting members of a building, such as bearing walls, partitions, columns, beams or girders; or any substantial change in the exterior walls or the roof.

Structure means anything constructed or made, the use of which requires permanent location in or on the ground or attachment to something having a permanent location in or on the ground including, buildings and signs.

Towing or wrecker service means a person engaged in the business, or offering the services of, a vehicle towing or wrecker service, whereby motor vehicles are towed or otherwise removed from the place where they are parked or disabled by use of a truck, automobile or other vehicle so adapted to that purpose, or in the business of storing operable or disabled motor vehicles.

Trade or business school means a secretarial school or college; or business school or college, that is not public and not owned or conducted by or under the sponsorship of a religious or charitable organization; or a school conducted as a commercial enterprise for teaching instrumental music, dancing, barbering or hairdressing, or for teaching industrial skills in which machinery is employed as a means of instruction. This definition shall not be deemed to include an educational institution as defined in this section.

Use means the employment or occupation of a building, structure or land for a person's service, benefit or enjoyment.

Use, nonconforming, means an existing use of land or building which was legal prior to the effective date hereof, but which fails to comply with the requirements set forth in this chapter applicable to the zone in which such use is located.

Use, open, means the use of a lot without a building or including a building incidental to the open use with a ground floor area equal to five (5) percent or less of the area of the lot.

Variance, dimensional, means departure from the terms of the zoning regulations pertaining to height or width of structures and size of yard and open spaces where such departure will not be contrary to the public interest, and where, owing to conditions peculiar to the property because of its size, shape or topography, and not as a result of the action of the applicant, the literal enforcement of the zoning regulations would result in unnecessary and undue hardship.

Yard means a space on the same lot with a principal building that is open and unoccupied other than by steps, walks, terraces, driveways, lampposts and similar appurtenances, and unobstructed by structures, except as otherwise provided in this chapter.

Yard, front, means a yard extending across the full width of the lot, between two (2) side lot lines, the depth of which is the least distance between the street right-of-way and the building line.

Yard, rear, means a yard extending across the full width of the lot between the two (2) side lot lines and between the rear line and a line parallel to, and coexisting with, the rear of the principal building.

Yard, side, means a yard bounded by the rear yard, the front yard, the side lot line and the principal building.

Zoning map means the official zoning map of the City.

Sec. 126-109. General Business Zone, B-3.

The purpose of this zone is to provide an area for high intensity commercial activity of a wholesale nature and to ensure easy highway access for such uses.

(1) *Principal permitted uses.*

- a. Any use permitted in the B-2 Zone;
- b. Wholesale establishments;
- c. Automotive equipment sales and repair;
- d. Laundry and dry-cleaning establishments;
- e. Seasonal fireworks tents;
- f. Medical cannabis dispensaries;
- g. Light industrial operations (as approved by the Planning Commission according to degree of objectionable smoke, noise, odor, glare, vibration and heavy freight traffic generation).

(2) *Minimum yard requirements.* None.

(3) *Minimum area requirements.* None.

(4) *Maximum building height.* None.

Sec. 126-110. Light Industrial Zone, M-1.

The following provisions shall apply in the M-1 Zone unless otherwise provided herein:

(1) *Principal permitted uses.*

- a. Any use permitted in the B-3 Zone;
- b. Any industrial, manufacturing, fabrication or processing use which does not emit objectionable noise, smoke, odor or dust beyond the confines of its property;
- c. Warehouses and storage buildings;
- d. Public and commercial sewage disposal plant;
- e. Towing or wrecker service;
- f. Medical cannabis cultivators, processors, producers and safety compliance facilities;
- g. Any other use which, in the Commission's opinion, would be compatible in the B-3 Zone.

(2) *Conditionally permitted uses.*

- a. Any other industrial use determined to be of the same general character as the above permitted uses.

- b. Animal hospital or kennel, located not closer than three hundred (300) feet to ~~an R-Zone~~ a residential zone.
- c. Heliport.

(3) *Minimum yard requirements.*

- a. Permitted uses having a total ~~plan floor area of then~~ floor plan of ten thousand (10,000) square feet or less:
 - 1. Front yard: Twenty-five (25) feet, except for highway strip uses for which a fifty (50) foot front yard is required.
 - 2. Side yard: Ten (10) feet.
 - 3. Rear yard: None, except where abutted by a residential zone, in which case a rear yard of twenty-five (25) feet applies.
 - 4. No storage of materials or equipment shall be allowed in the minimum front yard.
- b. Permitted uses with a total ~~plan floor area~~ floor plan of more than ten thousand (10,000) square feet:
 - 1. Front yard: Fifty (50) feet.
 - 2. Side yard: Twenty-five (25) feet.
 - 3. Rear yard: None, except where abutted by a residential zone, in which case a rear yard of twenty-five (25) feet applies.

(4) *Minimum area requirements.*

- a. Permitted uses having a total ~~plan floor area~~ floor plan of four thousand (4,000) square feet or less:
 - 1. Minimum lot area: Seven thousand, five hundred (7,500) square feet.
 - 2. Minimum lot width: Sixty (60) feet.
- b. Permitted uses with a total ~~plan floor area~~ floor plan of more than four thousand (4,000) square feet:
 - 1. Minimum lot area: Fifteen thousand (15,000) square feet.
 - 2. Minimum lot width: Seventy-five (75) feet.

(5) *Maximum building height.* None.

(6) *Maximum lot coverage.*

- a. Principal structures: Fifty (50) percent of gross lot area.
- b. Total coverage by principal structures, accessory structures and outside storage: Seventy (70) percent of gross lot area.

Sec. 126-117. Planned Office Park, POP.

The purpose of this zone is to provide adequate space for permitted uses in a park setting, designed to attract tenants who may require access to high-capacity information sharing appurtenances, transmitting ~~and~~ & receiving facilities and sufficient utilities. Furthermore, the zone is intended:

~~To~~ to provide sufficient space in appropriate locations for attractive, landscaped offices; ~~and~~
~~To~~ and to ensure compatibility of uses ~~and~~ & operations within the Planned Office Park Zone.

1. *Principal permitted uses.*

- a. Offices for business, professional, governmental, political and charitable organizations.
- b. ~~Banks, credit agencies, security and commodity brokers, credit institutions, savings and loan companies, and holding and investment companies.~~ Financial institutions including holding and investment companies.
- c. Computer and data processing centers.
- d. ~~Telephone exchanges.~~
- e. Radio and television studios.
- f. Cable television signal distribution centers and studios.
- g. ~~Ticket and travel~~ Travel agencies.
- h. ~~Kindergarten, nurseries and daycare facilities~~ Daycare.
- i. ~~Business colleges, technical and trade schools, educational institutions.~~ High schools, colleges, universities, technical schools and trade schools.
- j. Hospitals.
- k. Parks ~~(public and private).~~
- l. Research, testing and development laboratories or centers.
- m. ~~Production facilities (high degree of scientific input, tech).~~ Technological or scientific production facilities.
- n. Educational, scientific and research organizations.
- o. Library.
- p. Nursing or assisted living homes.
- q. ~~Special event short-term rentals.~~ Short-term rentals (includes special event short-term rentals).
- r. Medical cannabis safety compliance facilities.
- s. Any other similar use which, in the Planning Commission's opinion, would not impair the character of the POP Zone.

2. *Accessory uses.* Accessory uses ~~are those permitted uses~~ that are clearly incidental and subordinate to the permitted use.

- a. Spaces for the limited display of merchandise.
- b. Personal service centers, including food service, only for employees, residents, or visitors to any permitted use. These centers shall have and having no direct access to the exterior of the building and shall not have ~~having no~~ display space, drive-through areas, or ~~any~~ signs visible from ~~the~~ outside the building.
- c. Residential dwellings.

3. *Conditionally permitted uses.* ~~As determined by the Board of Adjustment, these uses cannot emit onto adjacent properties an objectionable amount of hazardous and/or obnoxious emissions. These may be, but not be limited to; smoke, odor, noise, glare, vibrations, etc. Any of the following uses which do not emit objectionable noise, smoke, odor or dust beyond the confines of its property.~~

- a. ~~Facilities~~ Technological or scientific facilities in connection with bona fide agricultural operations.
- b. Clubs ~~(public and private)~~.
- c. Satellite dish antennas.
- d. Airports and heliports.
- e. Hotels, motels or lodges with facilities specifically intended to serve the needs of the park tenants.
- ~~f. Drive-through facilities for the sale of goods or services otherwise permitted.~~
- g. Light manufacturing and assembly operations.
- h. Warehousing operation utilized in conjunction with a permitted use.
- i. Sit-down restaurants (drive through not permitted).
- ~~j. Short-term rentals.~~

4. *Minimum yard requirements.*

- a. Front yard: Fifty (50) feet.
- b. Side yard: Thirty (30) feet.
- c. Street side yard: Fifty (50) feet.
- d. Rear yard: Fifty (50) feet
- e. Maximum coverage: Fifty (50) percent (building only, surface parking excluded).

5. *Minimum area requirements.*

- a. Minimum lot area: One (1) acre.
- b. Minimum lot width: One hundred (100) feet.

6. *Maximum building height.* ~~Five (5) stories, None,~~ except that minimum yard standards are increased by five (5) feet for each story over ~~three (3) stories or thirty-five (35) feet~~ five (5) stories.

7. *Open space.* At least twenty-five (25) percent of contiguous Planned Office Park zoned areas must be allotted to open space.

8. *Landscaping.*

- a. Generally. A minimum of ten (10) percent of the entire lot shall be devoted to landscaping. Up to fifty (50) percent of this requirement may be credited toward preservation of substantial naturally occurring trees, shrubbery, wildflowers, water courses and rock formations. Areas of preservation should be inventoried and indicated on site plans.

- b. Parking lot landscaping requirements. For each ~~one-hundred~~ one hundred (100) square feet, or fraction thereof, of vehicular use area, a minimum of five (5) square feet of landscaped area shall be provided; ~~this~~ This may ~~be included inside of~~ include islands, peninsulas and other geometric devices used to encourage vehicle circulation.
 - c. Screening. Screening per section 126-83 shall be provided in the rear ~~yards~~ yard of those lots which abut ~~adjacent~~ properties outside the POP Zone.
9. *Amendments.* Amendments to the zone map for POP Zones shall be:
- a. Freestanding zones: Forty (40) acres.
 - b. Expansion of existing: No minimum.

Sec. 126-119. Hospital Medical Zone, HM.

The purpose of this zone is to provide a more flexible and customized approach for the development, parking and circulation needs of medical centers and complexes. Uses not specifically allowed by this section are expressly excluded, ~~except as provided herein~~.

1. *Principal permitted uses.* All uses are to be conducted wholly within a building ~~except for off-street loading/unloading and surface parking~~.
 - a. General medical hospitals with in-patient and out-patient services.
 - b. Offices and clinics of health care practitioners including physicians, surgeons, osteopaths, psychologists, psychiatrists, chiropractors, nurses, rehabilitation therapists (~~physical, occupational, respiratory & recreational~~), medical and psychiatric social workers, dentists, nutritionists, dietitians, opticians, optometrists, and other similar medical uses licensed and certified by the State of Kentucky as health care specialists or practitioners.
 - c. Medical technology and testing laboratories.
 - d. Medical and dental related health care educational facilities and schools.
 - e. Medical cannabis dispensaries and safety compliance facilities.
 - f. Other closely related uses, as approved by the Planning Commission following a public hearing. ~~Inclusion of such uses may be included in an approved development plan.~~
2. *Accessory uses.* Accessory uses ~~are those permitted uses that~~ are allowed only when they are clearly incidental, subordinate and in the presence of ~~the~~ permitted uses in the HM Zone. They may be included in the principal building, an accessory building or on a separate lot. All uses are to be conducted wholly within a building ~~except for off-street loading/unloading and surface parking~~.
 - a. Administrative offices (hospital/medical).
 - b. Ambulance service.
 - c. Chapels.
 - d. Daycare (~~nursery, child, pre-school, and adult~~).
 - e. Food service.
 - f. Gift and flower shops.
 - g. Heliports.

- h. Hospice.
 - i. Linen/laundry service.
 - j. Lodging, visitor.
 - k. Medical insurance service.
 - l. Medical, dental and other health care professional organization offices.
 - m. Mobile diagnostic and treatment trailers.
 - n. Nursing, transitional care and assisted care homes.
 - o. Parking garages.
 - p. Pharmacies with retail sales of general merchandise.
 - q. Retail sales of medical and dental supplies and services including prosthetics, optical, and other similar medical and/or dental goods and services.
 - r. Temporary buildings.
 - s. Uniform shops.
 - t. Short-term rentals (includes special event short-term rentals).
3. *Minimum yard requirements.*
- a. Front yard: Fifty (50) feet, seventy-five (75) feet on arterials.
 - b. Side yard: Twenty-five (25) feet.
 - c. Rear yard: Twenty-five (25) feet.
4. *Minimum area requirements.*
- a. Minimum lot area: Five thousand (5,000) square feet.
 - b. Minimum lot width: Fifty (50) feet.
5. *Landscape requirements.* Ten (10) percent of the entire site shall be landscaped. ~~Detailed landscape plans shall be submitted with a development plan.~~
6. *Density.* The floor area ratio (FAR) shall not exceed two (2) to one (1).

STAFF RECOMMENDATION

Based on the above and further based on the Planning Commission's positive recommendation, staff recommends approval of the text amendment.

Agenda Action Form

Paducah City Commission

Meeting Date: August 27, 2024

Short Title: City of Paducah Proposed Tax Rates - FY2025 - **J. PERKINS**

Category: Ordinance

Staff Work By: Jonathan Perkins,
Stephanie Millay
Presentation By: Jonathan Perkins,
Stephanie Millay

Background Information: Real estate and personal property tax levies for the City's General Fund and Paducah Junior College (PJC) are proposed to be set as per the attached ordinance.

The City's General Fund real estate tax levy is proposed to be **\$.264** per \$100 assessed value (AV). The proposed FY2025 rate is 60% of what the rate was in FY1995, when the City started a conscious effort to lower real estate tax rates. The proposed FY2025 rate is less than the rate in place in January of 2021 of \$.267 per \$100 AV.

The City's General Fund personal tax levy is proposed to be **\$.356** per \$100 AV. The proposed FY2025 rate is nearly 30% less than the FY1995 rate. The proposed FY2025 rate is less than the rate in place in January of 2021 or \$.39 per \$100 AV.

The City of Paducah eliminated inventory taxes many years ago in order to encourage inventory-rich business growth in Paducah. The City's inventory rate was phased out over a four-year period, 1998 through 2002, and fully eliminated in FY2003. The inventory tax would have netted revenue nearly \$977,000 in FY2025, if it were in place today.

Staff proposes the City's tax levy be set at 26.4 cents per \$100 AV. The FY2025 compensating rate is 25.4 cents per \$100 AV and Kentucky Revised Statutes (KRS) permits a city to adjust the compensating rate upward by not more than 4%, in this case to 26.4 cents.

From FY2001 to FY2025, the City of Paducah has *lowered* its real estate tax levy by 3.6 cents, while others increased their tax levy during the same time period.

The property tax levy ordinance will be introduced on August 27, 2024 with the second and final reading on September 17, 2024. Since the City's proposed tax levy is more than the 'compensating rate' of 25.4 cents per \$100 AV, a public hearing is required; a public hearing is scheduled for August 27, 2024.

Does this Agenda Action Item align with a Commission Priority? No

If yes, please list the Commission Priority: [Commission Priorities List](#)

Communications Plan:

Funds Available: Account Name:
Account Number:

Staff Recommendation: Recommend that the Mayor and Commission adopt the proposed 2024-2025 (FY2025) real estate and personal ad valorem tax levies as proposed.

Attachments:

1. ORD - Tax Rate FY2025. without School tax
2. How to Figure Your Tax Bill Graphic
3. Real Estate Tax Levy - history from 1995 PIO website version
4. Personal Tax Levy - history from 1995, PIO website version
5. Inventory Tax Levy - history from 1995, PIO website version

ORDINANCE NO. 2024-09-_____

AN ORDINANCE FIXING THE LEVIES AND RATES OF TAXATION ON ALL PROPERTY IN THE CITY OF PADUCAH, KENTUCKY, SUBJECT TO TAXATION FOR MUNICIPAL PURPOSES AND FOR SCHOOL PURPOSES FOR THE PERIOD FROM JULY 1, 2024 THROUGH JUNE 30, 2025, WITH THE PURPOSES OF SAID TAXES HEREUNDER DEFINED.

BE IT ORDAINED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. There is hereby levied for the period from July 1, 2024, through June 30, 2025, upon all taxable real property within the City of Paducah, Kentucky, subject to taxation for municipal purposes, an ad valorem tax of twenty six and 4/10 cents (\$.264) upon each one hundred dollars (\$100.00) assessed valuation of said property, pursuant to Section 157 of the State Constitution, to defray the cost of maintaining and administering the government of the City of Paducah, Kentucky, for said period, exclusive of the levies hereinafter mentioned and defined, and the proceeds of said tax levy shall be paid into the General Fund of the City.

SECTION 2. There is hereby levied for the period from July 1, 2024, through June 30, 2025, upon all taxable personal property, except for inventory, within the City of Paducah, Kentucky, subject to taxation for municipal purposes, an ad valorem tax of thirty-five and 6/10 cents (\$0.356) upon each one hundred dollars (\$100.00) assessed valuation of said property, pursuant to Section 157 of the State Constitution, to defray the cost of maintaining and administering the government of the City of Paducah, Kentucky, for said period, exclusive of levies hereinafter mentioned and defined, and the proceeds of said tax levy shall be paid into the General Fund of the City.

SECTION 3. There is hereby further levied an ad valorem tax of thirty nine and 0/10 cents (\$0.390) on each one hundred dollars (\$100.00) of assessed valuation of all motor vehicles and watercraft property subject to taxation for municipal purposes in said City for the period from July 1, 2024, through June 30, 2025, pursuant to Section 157 of the State Constitution, to defray the cost of maintaining and administering the government of the City of Paducah, Kentucky, for said period, exclusive of the levies hereinafter mentioned and defined, and the proceeds of said tax levy shall be paid into the General Fund of the City.

SECTION 4. All taxes levied by Sections 1, 2 and 3 of this ordinance are necessary and required in order to provide revenue to meet the requirements of the budget ordinance adopted by the Board of Commissioners, and the proceeds of such tax levies and all other revenue of the City not specifically allocated to other purposes shall be deposited into the General Fund of the City to be expended as provided in the budget ordinance for the period from July 1, 2024, through June 30, 2025.

SECTION 5. There is hereby further levied an ad valorem tax of one and 4/10 cents (\$0.014) on each one hundred dollars (\$100.00) of assessed valuation of all real property subject to taxation for municipal purposes in said City for the period from July 1, 2024, through June 30, 2025, for the purpose of aiding, assisting and maintaining Paducah Junior College, which tax shall be and the same is hereby declared to be a tax for municipal purposes.

SECTION 6. There is hereby further levied an ad valorem tax of one and 3/10 cents (\$0.013) on each one hundred dollars (\$100.00) of assessed valuation of all personal property subject to taxation, except for inventory, for municipal purposes in said City for the period from July 1, 2024, through June 30, 2025, for the purpose of aiding, assisting and maintaining Paducah Junior College, which tax shall be and the same is hereby declared to be a tax for municipal purposes.

SECTION 7. There is hereby further levied an ad valorem tax of three and 1/10 cents (\$0.031) on each one hundred dollars (\$100.00) of assessed valuation of all motor vehicles and watercraft property subject to taxation for municipal purposes in said City for the period from July 1, 2024, through June 30, 2025, for the purpose of aiding, assisting and maintaining Paducah Junior College, which tax shall be and the same is hereby declared to be a tax for municipal purposes.

SECTION 8. The taxes levied under this ordinance are summarized as follows:

<u>PURPOSE</u>	<u>RATE PER \$100</u>
GENERAL FUND OF THE CITY	
Real Property	\$0.264
Personal Property (except inventory)	\$0.356
Motor Vehicles and watercraft	\$0.390

PADUCAH JUNIOR COLLEGE

Real Estate	\$0.014
Personal Property (except inventory)	\$0.013
Motor Vehicles and watercraft	\$0.031

SECTION 9. Property taxes levied herein shall be due and payable in the following manner:

- (1) In the case of tax bills which reflect an amount due of less than Two Thousand Dollars (\$2,000.00), the payment shall be due on November 1, 2024, and shall be payable without penalty and interest until November 30, 2024.
- (2) In the case of all other tax bills, payment shall be in accordance with the following provisions:
 - (a) The first half payment shall be due on November 1, 2024, and shall be payable without penalty and interest until November 30, 2024.
 - (b) The second half payment shall be due on February 1, 2025, and shall be payable without penalty and interest until February 28, 2025.

SECTION 10. The provisions of this ordinance are severable. If any provision, section, paragraph, sentence or part thereof shall be held unconstitutional or invalid, such decision shall not affect or impair the remainder of this ordinance, it being the legislative intent to ordain and enact each provision, section, paragraph, sentence and part thereof separately and independent of each other.

SECTION 11. This ordinance shall be read on two separate days and will become effective upon summary publication pursuant to KRS Chapter 424.

George Bray, Mayor

ATTEST:

Claudia S. Meeks, Assistant City Clerk

Introduced by the Board of Commissioners August 27, 2024

Adopted by the Board of Commissioners September 17, 2024

Recorded by Claudia S. Meeks, Assistant City Clerk, September 17, 2024

Published by The Paducah Sun, September __, 2024

How To Figure Your Tax Bill

Net Assessed Value

\$ 100,000

Divide by

\$ 100

Result

1000

Times Rate *

\$ 0.874

Tax

\$ 874.00

* - Example shown is the 2024/2025 Paducah Independent School District Rate.

City of Paducah, KY
Real Estate Property Tax - Levy History from 1995

<u>FISCAL</u> <u>YEAR</u>	<u>GENERAL</u> <u>FUND (1)</u>	<u>AEPF</u> <u>PENSION</u> <u>TRUST (2)</u>	<u>CITY</u> <u>TOTAL</u>	<u>PADUCAH</u> <u>JUNIOR</u> <u>COLLEGE (3)</u>	<u>PADUCAH</u> <u>PUBLIC</u> <u>LIBRARY (3)</u>	<u>PADUCAH</u> <u>IND</u> <u>SCHOOLS (3)</u>	<u>GRAND</u> <u>TOTALS</u>
1995	0.438	0.013	0.451	0.032	0.046	0.562	1.091
1996	0.436	0.013	0.449	0.032	0.045	0.600	1.126
1997	0.327		0.327	0.032	0.043	0.594	0.996
1998	0.327		0.327	0.032	0.043	0.585	0.987
1999	0.318		0.318	0.030	0.041	0.598	0.987
2000	0.300		0.300	0.029	0.040	0.590	0.959
2001	0.300		0.300	0.022		0.597	0.919
2002	0.300		0.300	0.022		0.600	0.922
2003	0.300		0.300	0.022		0.598	0.920
2004	0.300		0.300	0.021		0.617	0.938
2005	0.300		0.300	0.021		0.618	0.939
2006	0.300		0.300	0.020		0.631	0.951
2007	0.275		0.275	0.019		0.628	0.922
2008	0.250		0.250	0.018		0.672	0.940
2009	0.250		0.250	0.018		0.672	0.940
2010	0.250		0.250	0.018		0.678	0.946
2011	0.250		0.250	0.018		0.711	0.979
2012	0.250		0.250	0.018		0.747	1.015
2013	0.250		0.250	0.017		0.747	1.014
2014	0.255		0.255	0.017		0.767	1.039
2015	0.255		0.255	0.017		0.771	1.043
2016	0.255		0.255	0.017		0.800	1.072
2017	0.255		0.255	0.017		0.799	1.071
2018	0.255		0.255	0.016		0.797	1.068
2019	0.261		0.261	0.016		0.840	1.117
2020	0.267		0.267	0.016		0.864	1.147
2021	0.267		0.267	0.016		0.864	1.147
2022	0.271		0.271	0.016		0.864	1.151
2023	0.265		0.265	0.015		0.846	1.126
2024	0.256		0.256	0.014		0.846	1.116
2025	0.264		0.264	0.014		0.874	1.152

NOTES:

- (1) General Fund Operation of the City.
- (2) Appointive Employee Pension Fund (AEPF); discontinued in FY1997.
- (3) Non-City tax levies.

City of Paducah, KY
Personal Property Tax - Levy History From FY1995 *

<u>FISCAL</u> <u>YEAR</u>	<u>GENERAL</u> <u>FUND (1)</u>	<u>AEPF</u> <u>PENSION</u> <u>TRUST (2)</u>	<u>CITY</u> <u>TOTAL</u>	<u>PADUCAH</u> <u>JUNIOR</u> <u>COLLEGE (3)</u>	<u>PADUCAH</u> <u>PUBLIC</u> <u>LIBRARY (3)</u>	<u>PADUCAH</u> <u>IND</u> <u>SCHOOLS (3)</u>	<u>GRAND</u> <u>TOTALS</u>
1995	0.490	0.015	0.505	0.034	0.050	0.595	1.184
1996	0.390		0.390	0.034	0.050	0.600	1.074
1997	0.390		0.390	0.034	0.050	0.604	1.078
1998	0.390		0.390	0.034	0.050	0.607	1.081
1999	0.390		0.390	0.034	0.050	0.598	1.072
2000	0.390		0.390	0.034	0.050	0.590	1.064
2001	0.390		0.390	0.022		0.597	1.009
2002	0.390		0.390	0.022		0.603	1.015
2003	0.390		0.390	0.022		0.605	1.017
2004	0.390		0.390	0.021		0.617	1.028
2005	0.390		0.390	0.021		0.619	1.030
2006	0.390		0.390	0.020		0.631	1.041
2007	0.390		0.390	0.019		0.635	1.044
2008	0.390		0.390	0.018		0.695	1.103
2009	0.390		0.390	0.018		0.678	1.086
2010	0.390		0.390	0.018		0.678	1.086
2011	0.390		0.390	0.018		0.711	1.119
2012	0.390		0.390	0.018		0.747	1.155
2013	0.390		0.390	0.017		0.747	1.154
2014	0.390		0.390	0.017		0.767	1.174
2015	0.390		0.390	0.017		0.771	1.178
2016	0.390		0.390	0.017		0.800	1.207
2017	0.390		0.390	0.017		0.799	1.206
2018	0.390		0.390	0.016		0.797	1.203
2019	0.390		0.390	0.016		0.840	1.246
2020	0.390		0.390	0.016		0.864	1.270
2021	0.390		0.390	0.016		0.864	1.270
2022	0.390		0.390	0.016		0.864	1.270
2023	0.390		0.390	0.015		0.864	1.269
2024	0.373		0.373	0.014		0.864	1.251
2025	0.356		0.356	0.013		0.874	1.243

NOTES:

- (1) General Fund Operation of the City.
- (2) Appointive Employee Pension Fund (AEPF); discontinued levy in FY1996.
- (3) Non-City tax levies, Library became a County Library in FY2001.
- * - Primarily includes furniture, fixtures and equipment as reported by the PVA.

City of Paducah, KY
Inventory Property Tax - Levy History From FY1995 *

<u>FISCAL</u> <u>YEAR</u>	<u>GENERAL</u> <u>FUND (1)</u>	<u>AEPF</u> <u>PENSION</u> <u>TRUST (2)</u>	<u>CITY</u> <u>TOTAL</u>	<u>PADUCAH</u> <u>JUNIOR</u> <u>COLLEGE (3)</u>	<u>PADUCAH</u> <u>PUBLIC</u> <u>LIBRARY (3)</u>	<u>PADUCAH</u> <u>IND</u> <u>SCHOOLS (3)</u>	<u>GRAND</u> <u>TOTALS</u>
1995	0.490	0.015	0.505	0.034	0.050	0.595	1.184
1996	0.390		0.390	0.034	0.050	0.600	1.074
1997	0.390		0.390	0.034	0.050	0.604	1.078
1998	0.390		0.390	0.034	0.050	0.607	1.081
1999	0.280		0.280	0.024	0.050	0.598	0.952
2000	0.210		0.210	0.018	0.050	0.590	0.868
2001	0.140		0.140	0.012		0.597	0.749
2002	0.070		0.070	0.006		0.603	0.679
2003						0.605	0.605
2004						0.617	0.617
2005						0.619	0.619
2006						0.631	0.631
2007						0.635	0.635
2008						0.695	0.695
2009						0.678	0.678
2010						0.678	0.678
2011						0.711	0.711
2012						0.747	0.747
2013						0.747	0.747
2014						0.767	0.767
2015						0.771	0.771
2016						0.800	0.800
2017						0.799	0.799
2018						0.797	0.797
2019						0.840	0.840
2020						0.864	0.864
2021						0.864	0.864
2022						0.864	0.864
2023						0.864	0.864
2024						0.864	0.864
2025						0.874	0.874

NOTES:

- 1) General Fund Operation of the City; discontinued levy in FY2003.
- 2) Appointive Employee Pension Fund (AEPF); discontinued levy in FY1996.
- 3) Non-City tax levies, Library became a County Library in FY2001.

* Includes inventory, mfg. goods, and finished & in transit goods, as reported by the PVA. Inventory tax levy separated out in FY1999.

Agenda Action Form

Paducah City Commission

Meeting Date: August 27, 2024

Short Title: Paducah Independent School District Tax Rates to be collected by City of Paducah - **J. PERKINS**

Category: Ordinance

Staff Work By: Jonathan Perkins,
Stephanie Millay
Presentation By: Jonathan Perkins,
Stephanie Millay

Background Information: For many years, the City of Paducah Kentucky has collected real estate and personal property taxes for the Paducah Independent School District. KRS 160.460 authorizes designated cities, like Paducah, to collect taxes assessed by independent school districts. Pursuant to this authority, the Board of Commissioners has traditionally annually authorized the Director of Finance to collect taxes assessed by the Paducah Independent School District.

The Paducah Independent School District Board of Education has indicated in the Paducah Sun newspaper public notice that they propose a real estate tax levy to be **\$.874** per \$100 assessed value (AV) for Fiscal Year 2025 (2024-2025).

The Paducah Independent School District Board of Education has indicated in the Paducah Sun newspaper public notice that they propose a personal tax levy to be **\$.874** per \$100 AV for Fiscal Year 2025 (2024-2025).

The property tax collection ordinance will be introduced on August 27, 2024 with the second and final reading on September 17, 2024.

Does this Agenda Action Item align with a Commission Priority? No

If yes, please list the Commission Priority: [Commission Priorities List](#)

Communications Plan:

Funds Available: Account Name:
Account Number:

Staff Recommendation: Staff recommends that the Mayor and Commission adopt the proposed 2024-2025 (FY2025) collection of Paducah Independent School District real estate and personal ad valorem tax levies as proposed.

Attachments:

1. ORD - Authorization of COLLECTION of AD VALOREM TAXES for BOE FY2025

ORDINANCE NO. 2024-09 - _____

AN ORDINANCE AUTHORIZING THE CITY OF PADUCAH TO COLLECT TAXES FOR THE PADUCAH INDEPENDENT SCHOOL DISTRICT FOR THE PERIOD FROM JULY 1, 2024 THROUGH JUNE 30, 2025.

BE IT ORDAINED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. KRS 160.460 authorizes designated cities, such as the City of Paducah, to collect taxes assessed by independent school districts. Pursuant to this authority, the Board of Commissioners hereby authorizes the Director of Finance to collect taxes assessed by the Paducah Independent School District.

SECTION 2. The Board of Education of the City of Paducah, Kentucky, pursuant to the authority vested in it under its charter and under the laws of the Commonwealth of Kentucky has adopted a resolution and budget levying an ad valorem tax on all real property in said City subject to taxation for school purposes. Pursuant to said resolution, the Board of Education budgets and levies the following taxes for the period of July 1, 2024 through June 30, 2025, an ad valorem tax of eighty-seven and 4/10 cents (\$0.874) on each one hundred dollars (\$100.00) assessed valuation of all real property subject to taxation for school purposes in the City of Paducah, Kentucky, for the support and maintenance of the public schools of said City shall be collected by the City for the Board of Education.

SECTION 3. The Board of Education of the City of Paducah, Kentucky, pursuant to the authority vested in it under its charter and under the laws of the Commonwealth of Kentucky has adopted a resolution and budget levying an ad valorem tax on all personal property in said City subject to taxation for school purposes. Pursuant to said resolution, the Board of Education budgets and levies the following taxes for the period of July 1, 2024 through June 30, 2025, an ad valorem tax of eighty-seven and 4/10 cents (\$0.874) on each one hundred dollars (\$100.00) assessed valuation of all personal property subject to taxation for school purposes in the City of Paducah, Kentucky, for the support and maintenance of the public schools of said City shall be collected by the City for the Board of Education.

SECTION 4. The City of Paducah shall collect the following taxes for the Board of Education:

PADUCAH INDEPENDENT SCHOOL DISTRICT

Real Estate \$0.874

Personal Property (including inventory) \$0.874

SECTION 5. Taxes authorized to be collected herein shall be due and payable as set forth in Ordinance No. 2024-09- .

SECTION 6. The provisions of this ordinance are severable. If any provision, section, paragraph, sentence or part thereof shall be held unconstitutional or invalid, such decision shall not affect or impair the remainder of this ordinance, it being the legislative intent to ordain and enact each provision, section, paragraph, sentence and part thereof separately and independent of each other.

SECTION 7. This ordinance shall be read on two separate days and will become effective upon summary publication pursuant to KRS Chapter 424.

George Bray, Mayor

ATTEST:

Claudia S. Meeks, Assistant City Clerk

Introduced by the Board of Commissioners August 27, 2024
Adopted by the Board of Commissioners September 17, 2024
Recorded by Claudia S. Meeks, Assistant City Clerk, September 17, 2024
Published by The Paducah Sun, September __, 2024