
ARTICLE X
ZONE REGULATIONS

SECTION 10.0 C-O - CONSERVATION ZONE:

A. USES PERMITTED:

1. Agricultural uses, but not including the feeding of garbage to animals
2. Public owned and/or operated parks and/or recreation areas, including public swimming pools
3. Recreational uses other than those publicly owned and/or operated such as golf courses, and country clubs including commercial swimming pools

B. ACCESSORY USES:

1. Customary accessory buildings and uses
2. Fences and walls as regulated by Article XI of this ordinance
3. Signs as regulated by Article XIV of this ordinance

C. CONDITIONAL USES: No building or occupancy permit shall be issued for any of the following, nor shall any of the following uses or any customary accessory buildings or uses be permitted until and unless the location of such use shall have been applied for and approved by the Board of Adjustment as set forth in Section 9.14 of this ordinance.

1. Golf driving ranges
2. Riding academies and stables
3. The following uses are permitted in connection with streams, rivers, lakes or other bodies of water, providing that the development of all permitted facilities in or adjacent to navigable waters shall be approved by the Corps of Engineers, Department of Army and such statement of approval or denial shall be submitted to the Board of Adjustment at the time of submittal for a conditional zoning certificate:
 - a. Boat Harbors and Marinas - The following uses shall be permitted as accessory uses in connection with any boat harbor or marina and primarily intended to serve only persons using the boat harbor or marina. Advertising of any included or accessory uses shall be within the building and shall not be visible from outside the building
 - (1) boat fueling, service and repairs
 - (2) sale of boat supplies
 - (3) grocery store

- (4) restaurant
 - (5) club house and lockers
 - b. Public boat landing or launching facilities
 - c. Dockage facilities
 - d. Off-street parking facilities and temporary parking of boat trailers including spaces large enough to accommodate automobiles pulling boat trailers
- D. TEMPORARY USES: No building or occupancy permit shall be issued for any of the following, not shall any of the following uses be permitted until and unless the location of such use and a temporary permit for said location- and use shall have been applied for and approved by the Board of Adjustment and subject to such conditions and/or restriction as may be deemed necessary by the Board to protect the surrounding development and to reasonably insure a reasonable and justifiable operation.
- 1. Extraction of minerals and other similar items
 - 2. Sanitary landfill, provided such does not create a water diversion which would endanger adjacent areas and further provided that such a sanitary landfill would not create any undesirable odors or any unsightly area to adjacent properties and/or buildings and further that such sanitary landfill, according to a registered civil engineer report, would not cause contamination of any water body
- E. AREA AND HEIGHT REGULATIONS: No building shall be erected or structurally altered hereafter except in accordance with the following regulations:
- 1. Minimum Lot Area – Five (5) acres
 - 2. Minimum Lot Width at Building Setback Line – Three Hundred (300) feet
 - 3. Minimum Front Yard Depth – One hundred (100) feet
 - 4. Minimum Side Yard Width on Each Side of Lot – Fifty (50) feet
 - 5. Minimum Rear Yard Depth – Fifty (50) feet
 - 6. Maximum Building Height – Twenty-Five (25) feet
- F. OTHER DEVELOPMENT CONTROLS:
- 1. All "Uses Permitted", "Conditional Uses", and "Temporary Uses", permitted in this zone shall require a certificate of approval from the city engineer, certifying his approval of the type of and manner of construction to be built (insuring that such constructions shall not cause flood hazard, soil erosion, adverse changes in natural drainage courses or unnecessary destruction of natural features), which completed certificate shall be submitted to the appropriate Officer or Board, as required herein, at time of request
 - 2. Dwelling units are not permitted in this zone
 - 3. Off-street parking and loading or unloading shall be provided in accordance with Articles XII and XIII of this ordinance

4. No outdoor storage of any material (useable or waste) shall be permitted in this zone except within enclosed metal containers
5. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way or into any residential zone
6. Where any yard of any use permitted abuts a residential zone, a minimum yard requirement of one hundred (100) feet for each side and/or rear yard which abuts said zone shall be provided, ten (10) feet of which shall be maintained by a screening area as regulated by Section 9.17 of this ordinance
7. No use producing objectionable odors, noise, or dust shall be permitted within five hundred (500) feet from the boundary of any residential zone

SECTION 10.1 R-RE RESIDENTIAL RURAL ESTATE AND AGRICULTURAL ZONE:

- A. **USES PERMITTED:** (Agricultural buildings, uses and accessory uses cannot be regulated by zoning, except for setback requirements. The following regulations therefore, apply only to those non-agricultural buildings, uses and accessory uses, permitted herein – except item 10.1, D. 2, which applies to all uses:
1. Single Family Dwelling (detached)
 2. Sale of products that are raised, produced, and processed on the premises, providing that no roadside stands of any type for the sale or display of agricultural products shall be permitted within fifty (50) feet from any street, road, highway, or right-of-way line
 3. Greenhouses and nurseries, including both wholesale and retail sales of products grown on the premises provided that the storage of manure shall not be permitted nearer the front of a street, road, highway, or right-of-way line than one hundred (100) feet, or not nearer a side lot line than fifty (50) feet
 4. Stables and riding academies, both public and private
- B. **ACCESSORY USES:**
1. Customary accessory buildings and uses
 2. Fences and walls as regulated by Article XI of this ordinance
 3. Some occupations subject to the restrictions and limitations established in Section 9.11 of this ordinance
 4. Signs as regulated by Article XIV of this Ordinance
- C. **CONDITIONAL USES:** No building or occupancy permit shall be issued for any of the following nor shall any of the following uses or any accessory buildings and uses be permitted until and unless the location of said use shall have been applied for and approved of by the Board of Adjustments as set for in Section 9.14.
1. Cemeteries
 2. Churches and other buildings for the purpose of religious worship providing they are located adjacent to an arterial street
 3. Institutions for higher education providing they are located adjacent to an arterial street
 4. Institutions for human medical care – hospitals, clinic sanitariums, convalescent homes, nursing homes, and homes for the aged providing they are located on arterial streets
 5. Nursery schools
 6. Police and fire stations provided they are located adjacent to an arterial street.
 7. Public and parochial schools
 8. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries

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9. Recreational uses, other than those publicly owned and/or operated as follows:
- a. golf courses
 - b. country clubs
 - c. semi-public swimming pools
- D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES: No building shall be erected or structurally altered hereafter except in accordance with the following regulations:
1. Minimum Lot Area – Three (3) acres
 2. Minimum Lot Width at Building Setback Line – Three hundred (300) feet
 3. Minimum Front Yard Depth – Seventy-five (75) feet
 4. Minimum Side Yard Width on Each Side of Lot – Seventy-five (75) feet
 5. Minimum Rear Yard Depth – Twenty-five (25) feet
 6. Maximum Building Height – Thirty-five (35) feet or two and one-half (2 1/2) stories
- E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES: No conditional building and/or use shall be erected or structurally altered hereafter except in accordance with the regulations in Section 10.1, D.
- F. OTHER DEVELOPMENT CONTROLS:
1. Off-street parking and loading or unloading shall be provided in accordance with Articles XII and XII of this ordinance
 2. With the exception of Subsection D of this Section of the Ordinance no outdoor storage of any materials (usable or waste) shall be permitted in this zone except within enclosed containers
 3. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way or into any residential zone
 4. Where land in this zone is abutting a residential zone, a minimum yard requirement of one hundred (100) feet for each side and/or rear yard which abuts said zone shall be provided, ten (10) feet of which shall be maintained by a screening area as regulated by Section 9.17 of this Ordinance

SECTION 10.2 R-1B RESIDENTIAL ONE – B ZONE:**A. PERMITTED USES:**

1. Single family dwelling (detached)

B. ACCESSORY USES:

1. Customary accessory buildings and uses
2. Fences and walls as regulated by Article XI of this ordinance
3. Home occupations subject to the restrictions and limitations in Section 9.11 of this ordinance
4. Signs as regulated by Article XIV of this ordinance

C. CONDITIONAL USES: No building or occupancy permit shall be issued for any of the following, nor shall any of the following uses or customary accessory buildings and uses be permitted until and unless the location of said use shall have been applied for and approved of by the Board of Adjustment as set forth in Section 9.14.

1. Cemeteries
2. Churches and other buildings for the purpose of religious worship, provided they are located adjacent to an arterial street
3. Funeral homes, providing they are located adjacent to an arterial street
4. Institutions for higher education, provided they are located adjacent to an arterial street
5. Institutions for human medical care – hospitals, clinic, sanitariums, convalescent homes, nursing homes, homes for the aged and philanthropic institutions providing they are located adjacent to an arterial street
6. Nursery school
7. Police and fire stations and city buildings provided they are located adjacent to an arterial street
8. Public and parochial schools
9. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries
10. Recreational uses, other than those publicly owned and/or operated as follows:
 - a. golf courses
 - b. country clubs
 - c. semi-public swimming pools

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES: No building shall be erected or structurally altered hereafter except in accordance with the following regulations:

1. Minimum Lot Area – One-half (1/2) acre

2. Minimum Lot Width at Building Setback Line – One hundred (100) feet
3. Minimum Front Yard Depth – Forty (40) feet
4. Minimum Side Yard With on Each side of the Lot – Fifteen (15) feet
5. Minimum Rear Yard Depth – Twenty-five (25) feet
6. Maximum Building Height – Thirty-five (35) feet or two and a half (2-1/2) stories

E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES:
No conditional building and/or use shall be erected or structurally altered hereafter except in accordance with the following regulations:

1. Minimum Lot Area – Twenty-two thousand five hundred (22,500) square feet
2. Minimum Lot Width at Building Setback Line – One hundred fifty (150) feet
3. Minimum Front, Side (on each side of lot) and Rear Yards - Fifty (50) feet
4. Maximum Building Height – Thirty-five (35) feet or two and one-half (2-1/2) stories

F. OTHER DEVELOPMENT CONTROLS:

1. Off-street parking and loading or unloading shall be provided in accordance with Articles XII and XII of this ordinance
2. No outdoor storage of any material (usable or waste) shall be permitted in this zone except within enclosed containers
3. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way or into any adjacent property
4. Where any yard of any conditionally use permitted in this zone abuts property in a single family zone, a ten (10) foot wide screening area as regulated by Section 9.17 of this ordinance shall be provided

SECTION 10.3 R-1C RESIDENTIAL ONE – C ZONE:**A. USES PERMITTED:**

1. Single family dwelling (detached)

B. ACCESSORY USES:

1. Customary accessory buildings and uses
2. Fences and walls as regulated by Article XI of this ordinance
3. Home occupations subject to the restrictions and limitations established in Section 9.11 of this ordinance
4. Signs as regulated by section XIV of this ordinance

C. CONDITIONAL USES: No building or occupancy permit shall be issued for any of the following, nor shall any of the following uses or any customary accessory buildings and uses be permitted until and unless the location of said use shall have been applied for and approved of by the Board of Adjustment as set forth in Section 9.14.

1. Cemeteries
2. Churches and other buildings for the purpose of religious worship providing they are located adjacent to an arterial street
3. Funeral homes, providing they are located adjacent to an arterial street
4. Institutions for higher education providing they are located adjacent to an arterial street
5. Institutions for human medical care – hospitals, clinic sanitariums, convalescent homes, nursing homes, homes for the aged and philanthropic institutions providing they are located adjacent to an arterial street
6. Nursery school
7. Police and fire stations and city buildings provided they are located adjacent to an arterial street
8. Public and parochial schools
9. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries
10. Recreational uses other than those publicly owned and/or operated as follows:
 - a. golf courses
 - b. country clubs
 - c. semi-public swimming pools

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES:

1. Minimum Lot Area – Twelve thousand five hundred (12,500) square feet
2. Minimum Lot Width at Building Setback Line – Eighty (80) feet
3. Minimum Front Yard Depth – Thirty-five (35) feet

4. Minimum Side Yard Width on Each Side of Lot – Twelve feet (12)
5. Minimum Rear Yard Depth – Twenty-five (25) feet
6. Maximum Building Height – Thirty-five (35) feet or two and one-half (2 1/2) stories

E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES:
No conditional building and/or use shall be erected or structurally altered hereafter except in accordance with the following regulations:

1. Minimum Lot Area – Twenty-two thousand five hundred (22,500) square feet
2. Minimum Lot Width at Building Setback Line – One hundred fifty (150) feet
3. Minimum Front, Side (on each side of lot) and Rear Yards – Fifty (50) feet
4. Maximum Building Height – Thirty-five (35) feet or two and one-half (2-1/2) stories

F. OTHER DEVELOPMENT CONTROLS:

1. Off-street parking and loading or unloading shall be provided in accordance with Articles XII and XIII of this ordinance
2. No outdoor storage of any material (usable or waste) shall be permitted in this zone except within enclosed containers
3. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way or into any residential zone
4. Where any yard of any conditional use permitted in this zone abuts property in a single family zone, a ten (10) foot wide screening area as regulated by Section 9.17 of this ordinance shall be required

SECTION 10.4 R-1D RESIDENTIAL ONE – D ZONE:**A. USES PERMITTED:**

1. Single family dwelling, detached

B. ACCESSORY USES:

1. Customary accessory buildings and uses
2. Fences and walls as regulated by Article XI of this ordinance
3. Signs as regulated by section XIV of this ordinance
4. Home occupations subject to the restrictions and limitations established in Section 9.11 of this ordinance

C. CONDITIONAL USES: No building or occupancy permit shall be issued for any of the following, nor shall any of the following uses or any customary accessory buildings and uses be permitted until and unless the location of said use shall have been applied for and approved of by the Board of Adjustment as set forth in Section 9.14 of this ordinance.

1. Cemeteries
2. Churches and other buildings for the purpose of religious worship providing they are located adjacent to an arterial street
3. Funeral homes, providing they are located adjacent to an arterial street
4. Fire and police stations and city buildings providing they are located adjacent to an arterial street
5. Institutions for higher education providing they are located adjacent to an arterial street
6. Institutions for human medical care – hospitals, clinic sanitariums, convalescent homes, nursing homes, and homes for the aged providing they are located adjacent to an arterial street
7. Nursery school
8. Public and parochial schools
9. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries
10. Recreational uses other than those publicly owned and/or operated as follows:
 - a. golf courses
 - b. country clubs
 - c. semi-public swimming pools

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES: No buildings shall be erected or structurally altered hereafter except in accordance with the following regulations:

1. Minimum Lot Area – Nine thousand (9,000) square feet

2. Minimum Lot Width at Building Setback Line – Seventy (70) feet
3. Minimum Front Yard Depth – Thirty (30) feet
4. Minimum Side Yard Width on Each Side of Lot – Ten (10)
5. Minimum Rear Yard Depth – Twenty-five (25) feet
6. Maximum Building Height – Thirty-five (35) feet or two and one-half (2 1/2) stories

E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES:
No conditional building and/or use shall be erected or structurally altered hereafter except in accordance with the following regulations:

1. Minimum Lot Area – Twenty-two thousand five hundred (22,500) square feet
2. Minimum Lot Width at Building Setback Line – One hundred fifty (150) feet
3. Minimum Front, Side (on each side of lot) and Rear Yards – Fifty (50) feet
4. Maximum Building Height – Thirty-five (35) feet or two and one-half (2-1/2) stories

F. OTHER DEVELOPMENT CONTROLS:

1. Off-street parking and loading or unloading shall be provided in accordance with Articles XII and XIII of this ordinance
2. No outdoor storage of any material (usable or waste) shall be permitted in this zone except within enclosed containers
3. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way or into any residential zone
4. Where any yard of any conditional use permitted in this zone abuts property in a single family zone, a ten (10) foot wide screening area as regulated by Section 9.17 of this ordinance shall be required

SECTION 10.5 R-1E RESIDENTIAL ONE-E ZONE:

A. USES PERMITTED:

1. Single family dwellings, detached

B. ACCESSORY USES:

1. Customary accessory buildings and uses
2. Fences and walls as regulated by Article XI of this ordinance
3. Signs as regulated by Article XIV of this ordinance
4. Home occupations subject to the restrictions and limitations established in Section 9.11 of this ordinance

C. CONDITIONAL USES: No building or occupancy permit shall be issued for any of the following, nor shall any of the following uses or any customary accessory buildings or uses be permitted until and unless the location of said uses shall have been applied for and approved of by Board of Adjustment as set forth in Section 9.14 of this ordinance.

1. Cemeteries
2. Churches and other buildings for the purpose of religious worship providing they are located adjacent to an arterial street
3. Fire and police stations and city buildings providing they are located adjacent to an arterial street
4. Funeral homes providing that they are located on the corner lot of the intersection of an arterial street and another public street
5. Institutions for higher education providing they are located adjacent to an arterial street
6. Institutions for human medical care – hospitals, clinic sanitariums, convalescent homes, nursing homes, and homes for the aged providing they are located adjacent to an arterial street
7. Nursery schools
8. Public and parochial schools
9. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries
10. Recreational uses other than those publicly owned and/or operated as follows:
 - a. golf courses
 - b. country clubs
 - c. semi-public swimming pools

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES: No buildings shall be erected or structurally altered hereafter except in accordance with the following regulations:

1. Minimum Lot Area – Seven thousand five hundred (7,500) square feet
2. Minimum Lot Width at Building Setback Line – Sixty (60) feet
3. Minimum Front Yard Depth – Thirty (30) feet
4. Minimum Side Yard Width on each Side of Lot – Eight (8) feet
5. Minimum Rear Yard Depth – Twenty-five (25) feet
6. Maximum Building Height – Thirty-five (35) feet or two and one-half (2-1/2) stories

E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES:
No conditional building and/or use shall be erected or structurally altered hereafter except in accordance with the following regulations:

1. Minimum Lot Area – Twenty-two thousand five hundred (22,500) square feet
2. Minimum Lot Width at Building Setback Line – One hundred fifty (150) feet
3. Minimum Front, Side (on each side of lot), and Rear Yards – Fifty (50) feet
4. Maximum Building Height – Thirty-five (35) feet or two and one-half (2-1/2) stories

F. OTHER DEVELOPMENT CONTROLS:

1. Off-Street parking and loading or unloading shall be provided in accordance with Articles XII and XIII of this ordinance
2. No outdoor storage of any material (useable or waste) shall be permitted in this zone except within enclosed containers
3. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way or into any adjacent property
4. Where any yard of any conditional use permitted in this zone abuts property in a single family zone, a ten (10) foot wide screening area as regulated by Section 9.17 of this ordinance shall be required

SECTION 10.6 R-1EF RESIDENTIAL ONE - EF ZONE:**A. USES PERMITTED:**

1. Single family dwellings, detached

B. ACCESSORY USES:

1. Customary accessory buildings and uses
2. Fences and walls as regulated by Article XI of this ordinance
3. Signs as regulated by Article XIV of this ordinance
4. Home occupations subject to the restrictions and limitations established in Section 9.11 of this ordinance

C. CONDITIONAL USES: No building or occupancy permit shall be issued for any of the following, nor shall any of the following uses or customary accessory buildings or uses be permitted until and unless the location of said uses shall have been applied for and approved by the Board of Adjustment as set forth in Section 9.14 of this ordinance.

1. Cemeteries
2. Churches and other buildings for the purpose of religious worship providing they are located adjacent to an arterial street
3. Fire and police stations and city buildings providing they are located adjacent to an arterial street
4. Funeral homes, providing they are located adjacent to an arterial street
5. Institutions for higher education providing they are located adjacent to an arterial street
6. Institutions for human medical care – hospitals, clinic sanitariums, convalescent homes, nursing homes, and homes for the aged providing they are located adjacent to an arterial street
7. Nursery schools
8. Public and parochial schools
9. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries
10. Recreational uses other than those publicly owned and/or operated as follows:
 - a. golf courses
 - b. country clubs
 - c. semi-public swimming pools

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES: No buildings shall be erected or structurally altered hereafter except in accordance with the following regulations:

1. Minimum Lot Area – Seven thousand five hundred (7,500) square feet

2. Minimum Lot Width at Building Setback Line – Fifty (50) feet
3. Minimum Front Yard Depth – Twenty (20) feet
4. Minimum Side Yard With on each Side Lot – Eight (8) feet
5. Minimum Rear Yard Depth – Twenty-five (25) feet
6. Maximum Building Height – Thirty-five (35) feet or two and one-half (2-1/2) stories

E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES:
No conditional building and/or use shall be erected or structurally altered hereafter except in accordance with the following regulations:

1. Minimum Lot Area – Twenty-two thousand five hundred (22,500) square feet
2. Minimum Lot Width at Building Setback Line – One hundred fifty (150) feet
3. Minimum Front, Side (on each side of lot) and Rear Yards – Fifty (50) feet
4. Maximum Building Height – Thirty-five (35) feet or two and one-half (2-1/2) stories

F. OTHER DEVELOPMENT CONTROLS:

1. Off-street parking and loading or unloading shall be provided in accordance with Articles XII and XIII of this ordinance
2. No outdoor storage of any material (useable or waste) shall be permitted in this zone except within enclosed containers
3. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way or into any adjacent property
4. Where any yard of any conditional use permitted in this zone abuts property in a single family zone, a ten (10) foot wide screening area as regulated by Section 9.17 of this ordinance shall be required

SECTION 10.7 R-1F RESIDENTIAL ONE - F ZONE:**A. USES PERMITTED:**

1. Single family dwellings, detached

B. ACCESSORY USES:

1. Customary accessory buildings and uses
2. Fences and walls as regulated by Article XI of this ordinance
3. Signs as regulated by Article XIV of this ordinance
4. Home occupations subject to the restrictions and limitations established in Section 9.14 of this ordinance

C. CONDITIONAL USES: No building or occupancy permit shall be issued for any of the following, nor shall any of the following uses or any customary accessory buildings or uses be permitted until and unless the location of said uses shall have been applied and approved by the Board of Adjustment as set forth in Section 9.14 of this ordinance.

1. Cemeteries
2. Churches and other buildings for the purpose of religious worship providing they are located adjacent to an arterial street
3. Fire and police stations and city buildings providing they are located adjacent to an arterial street
4. Funeral homes, providing they are located adjacent to an arterial street
5. Institutions for higher education providing they are located adjacent to an arterial street
6. Institutions for human medical care – hospitals, clinic sanitariums, convalescent homes, nursing homes, and homes for the aged providing they are located adjacent to an arterial street
7. Nursery school
8. Public and parochial schools
9. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries
10. Recreational - uses other than those publicly owned and/or operated as follows:
 - a. golf courses
 - b. country clubs
 - c. semi-public swimming pools

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES: No buildings shall be erected or structurally altered hereafter except in accordance with the following regulations:

1. Minimum Lot Area – Six thousand (6,000) square feet

2. Minimum Lot Width at Building Setback Line – Fifty (50) feet
3. Minimum Front Yard Depth – Twenty-five (25) feet
4. Minimum Side Yard With on each Side Lot – Five (5) feet
5. Minimum Rear Yard Depth – Twenty-five (25) feet
6. Maximum Building Height – Thirty-five (35) feet or two and one-half (2-1/2) stories

E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES:
No conditional building and/or use shall be erected or structurally altered hereafter except in accordance with the following regulations:

1. Minimum Lot Area – Twenty-two thousand five hundred (22,500) square feet
2. Minimum Lot Width at Building Setback Line – One hundred fifty (150) feet
3. Minimum Front, Side (on each side of lot) and Rear Yards – Fifty (50) feet
4. Maximum Building Height – Thirty-five (35) feet or two and one-half (2-1/2) stories

F. OTHER DEVELOPMENT CONTROLS:

1. Off-street parking and loading or unloading shall be provided in accordance with Articles XII and XIII of this ordinance
2. No outdoor storage of any material (useable or waste) shall be permitted in this zone except within enclosed containers
3. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way or into any adjacent property
4. Where any yard of any conditional use permitted in this zone abuts property in a single family zone, a ten (10) foot wide screening area as regulated by Section 9.17 of this ordinance shall be required

SECTION 10.8 R-1G RESIDENTIAL ONE-G ZONE:**A. USES PERMITTED:**

1. Single family dwellings, detached

B. ACCESSORY USES:

1. Customary accessory buildings and uses
2. Fences and walls as regulated by Article XI of this ordinance
3. Signs as regulated by Article XIV of this ordinance
4. Home occupations subject to the restrictions and limitations established in Section 9.14 of this ordinance

C. CONDITIONAL USES: No building or occupancy permit shall be issued for any of the following, nor shall any of the following uses or any customary accessory buildings or uses be permitted until and unless the location of said uses shall have been applied and approved by the Board of Adjustment as set forth in Section 9.14 of this ordinance.

1. Cemeteries
2. Churches and other buildings for the purpose of religious worship providing they are located adjacent to an arterial street
3. Fire and police stations and city buildings providing they are located adjacent to an arterial street
4. Funeral homes, providing they are located adjacent to an arterial street
5. Institutions for higher education providing they are located adjacent to an arterial street
6. Institutions for human medical care – hospitals, clinic sanitariums, convalescent homes, nursing homes, and homes for the aged providing they are located adjacent to an arterial street
7. Nursery school
8. Public and parochial schools
9. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries
10. Recreational - uses other than those publicly owned and/or operated as follows:
 - a. golf courses
 - b. country clubs
 - c. semi-public swimming pools

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES: No buildings shall be erected or structurally altered hereafter except in accordance with the following regulations:

1. Minimum Lot Area – Five thousand (5,000) square feet

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2. Minimum Lot Width at Building Setback Line – Forty (40) feet
 3. Minimum Front Yard Depth – Twenty (20) feet
 4. Minimum Side Yard With on each Side Lot – Five (5) feet
 5. Minimum Rear Yard Depth – Twenty-five (25) feet
 6. Maximum Building Height – Thirty-five (35) feet or two and one-half (2-1/2) stories
- E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES:
No conditional building and/or use shall be erected or structurally altered hereafter except in accordance with the following regulations:
1. Minimum Lot Area – Twenty-two thousand five hundred (22,500) square feet
 2. Minimum Lot Width at Building Setback Line – One hundred fifty (150) feet
 3. Minimum Front, Side (on each side of lot) and Rear Yards – Fifty (50) feet
 4. Maximum Building Height – Thirty-five (35) feet or two and one-half (2-1/2) stories
- F. OTHER DEVELOPMENT CONTROLS:
1. Off-street parking and loading or unloading shall be provided in accordance with Articles XII and XIII of this ordinance
 2. No outdoor storage of any material (useable or waste) shall be permitted in this zone except within enclosed containers
 3. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way or into any adjacent property
 4. Where any yard of any conditional use permitted in this zone abuts property in a single family zone, a ten (10) foot wide screening area as regulated by Section 9.17 of this ordinance shall be required

SECTION 10.9 R-1H RESIDENTIAL ONE-H ZONE:**A. USES PERMITTED:**

1. Single family dwellings, detached

B. ACCESSORY USES:

1. Customary accessory buildings and uses
2. Fences and walls as regulated by Article XI of this ordinance
3. Signs as regulated by Article XIV of this ordinance
4. Home occupations subject to the restrictions and limitations established in Section 9.14 of this ordinance

C. CONDITIONAL USES: No building or occupancy permit shall be issued for any of the following, nor shall any of the following uses or any customary accessory buildings or uses be permitted until and unless the location of said uses shall have been applied and approved by the Board of Adjustment as set forth in Section 9.14 of this ordinance.

1. Cemeteries
2. Churches and other buildings for the purpose of religious worship providing they are located adjacent to an arterial street
3. Fire and police stations and city buildings providing they are located adjacent to an arterial street
4. Funeral homes, providing they are located adjacent to an arterial street
5. Institutions for higher education providing they are located adjacent to an arterial street
6. Institutions for human medical care – hospitals, clinic sanitariums, convalescent homes, nursing homes, and homes for the aged providing they are located adjacent to an arterial street
7. Nursery school
8. Public and parochial schools
9. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries
10. Recreational - uses other than those publicly owned and/or operated as follows:
 - a. golf courses
 - b. country clubs
 - c. semi-public swimming pools

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES: No buildings shall be erected or structurally altered hereafter except in accordance with the following regulations:

1. Minimum Lot Area – Four thousand (4,000) square feet

2. Minimum Lot Width at Building Setback Line – Forty (40) feet
3. Minimum Front Yard Depth – Twenty (20) feet
4. Minimum Side Yard With on each Side Lot – Five (5) feet
5. Minimum Rear Yard Depth – Twenty-five (25) feet
6. Maximum Building Height – Thirty-five (35) feet or two and one-half (2-1/2) stories

E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES:
No conditional building and/or use shall be erected or structurally altered hereafter except in accordance with the following regulations:

1. Minimum Lot Area – Twenty-two thousand five hundred (22,500) square feet
2. Minimum Lot Width at Building Setback Line – One hundred fifty (150) feet
3. Minimum Front, Side (on each side of lot) and Rear Yards – Fifty (50) feet
4. Maximum Building Height – Thirty-five (35) feet or two and one-half (2-1/2) stories

F. OTHER DEVELOPMENT CONTROLS:

1. Off-street parking and loading or unloading shall be provided in accordance with Articles XII and XIII of this ordinance
2. No outdoor storage of any material (useable or waste) shall be permitted in this zone except within enclosed containers
3. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way or into any adjacent property
4. Where any yard of any conditional use permitted in this zone abuts property in a single family zone, a ten (10) foot wide screening area as regulated by Section 9.17 of this ordinance shall be required

SECTION 10.10 R-2 RESIDENTIAL TWO ZONE:**A. USES PERMITTED:**

1. Multi-family dwellings

B. ACCESSORY USES

1. Customary accessory buildings and uses
2. Fences and walls as regulated by Article XI of this ordinance
3. Signs as regulated by Article XIV of this ordinance

C. CONDITIONAL USES: No building or occupancy permit shall be issued for any of the following, nor shall any of the following uses or any customary accessory buildings or uses be permitted until and unless the location of said use shall have been applied for and approved by the Board of Adjustment as set forth in Section 9.14 of this ordinance.

1. Cemeteries
2. Churches and other buildings for the purpose of religious worship, provided they are located adjacent to an arterial street
3. Fire and police stations, provided they are located adjacent to an arterial street
4. Institutions for higher education, provided they are located adjacent to an arterial street
5. Institutions for human medical care – hospitals, clinic sanitariums, convalescent homes, nursing homes, and homes for the aged providing they are located adjacent to an arterial street
6. Nursery school
7. Public and parochial schools
8. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries
9. Recreational uses other than those owned and/or operated as follows:
 - a. golf courses
 - b. country clubs
 - c. semi-public swimming pools

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES:

1. Minimum Lot Area – Twenty thousand (20,000) square feet for the first four (4) dwelling units or less in one building; four thousand (4,000) square feet shall be provided for every dwelling unit thereafter in the building. In the case of this zone more than one principal building as defined herein may be permitted on one lot
2. Minimum Lot Width at Building Setback Line – One hundred (100) feet
3. Minimum Front Yard Depth – Forty (40) feet
4. Minimum Side Yard Width on Each Side of Lot – Fifteen (15) feet

5. Minimum Rear Yard Depth – Thirty (30) feet
 6. Maximum Building Height – Three (3) stories or forty (40) feet
- E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES:
No conditional building and/or use shall be erected or structurally altered hereafter except in accordance with the following regulations:
1. Minimum Lot Area – Twenty-two thousand five hundred (22,500) square feet
 2. Minimum Lot Width at Building Setback Line – One hundred fifty (150) feet
 3. Minimum Front, Side (on each side of lot) and Rear Yards – Fifty (50) feet
 4. Maximum Building Height – Forty (40) feet or three (3) stories
- F. OTHER DEVELOPMENT CONTROLS:
1. Off-street parking and loading or unloading shall be provided in accordance with Articles XII and XIII of this ordinance
 2. No outdoor storage of any material (usable or waste) shall be permitted in this zone except within enclosed containers
 3. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of way or into and adjacent property
 4. Where any yard of any use permitted in this zone abuts property in a single family zone, a ten (10) foot wide screening area as regulated by Section 9.17 of this ordinance shall be required
 5. A development plan, as regulated by Section 9.19 of this ordinance, shall be required for any use permitted in this zone
 6. Any portion of the land to be developed having slopes greater than 25% may not be included in the determination of the total number of dwelling units to be permitted on the site. In order to help control the erosion, minimize unstable hillside conditions and minimize increase in storm water runoff, existing vegetation shall be left undisturbed wherever possible. This development/density control shall not be construed to include the slopes for constructed improvements or grade changes within the development

SECTION 10.11 R-3 RESIDENTIAL THREE ZONE:**A. USES PERMITTED:**

1. Multi-family dwellings

B. ACCESSORY USES:

1. Customary accessory buildings and uses
2. Fences and walls as regulated by Article XI of this ordinance
3. Signs as regulated by Article XIV of this ordinance

C. CONDITIONAL USES: No building or occupancy permit shall be issued for any of the following, nor shall any of the following uses or any customary accessory buildings of uses be permitted until and unless the location of said use shall have been applied for and approved of by the Board of Adjustment as set forth in Section 9.14 of this ordinance.

1. Cemeteries
2. Churches and other buildings for the purpose of religious worship, provided they are located adjacent to an arterial street
3. Fire and police stations, provided they are located adjacent to an arterial street
4. Institutions for higher education, provided they are located adjacent to an arterial street
5. Institutions for human medical care – hospitals, clinic sanitariums, convalescent homes, nursing homes, and homes for the aged providing they are located adjacent to an arterial street
6. Nursery school
7. Public and parochial schools
8. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries
9. Recreational uses other than those owned and/or operated as follows:
 - a. golf courses
 - b. country clubs
 - c. semi-public swimming pools

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES:

1. Minimum Lot Area – Twelve thousand five hundred (12,500) square feet for the first four (4) dwelling units or less in one building; two thousand (2,000) square feet shall be provided for every dwelling unit thereafter in the building. In the case of this zone more than one principal building as defined herein may be permitted on one lot
2. Minimum Lot Width at Building Setback Line – One hundred (100) feet
3. Minimum Front Yard Depth – Forty (40) feet

4. Minimum Side Yard Width on Each Side of Lot – Fifteen (15) feet
5. Minimum Rear Yard Depth – Thirty (30) feet
6. Maximum Building Height – Three (3) stories or forty (40) feet

E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES:
No conditional building and/or use shall be erected or structurally altered hereafter except in accordance with the following regulations:

1. Minimum Lot Area – Twenty-two thousand five hundred (22,500) square feet
2. Minimum Lot Width at Building Setback Line – One hundred fifty (150) feet
3. Minimum Front, Side (on each side of lot) and Rear Yards – Fifty (50) feet
4. Maximum Building Height – No building shall exceed forty (40) feet or three (3) stories in height unless such building is set back from the street right-of-way line a distance of not less than one-half (1/2) its height and is set back from all other property lines a distance of fifteen (15) feet from side yard and twenty-five (25) feet from rear yard, plus two (2) feet on each side and rear yards for each foot of height in excess of forty (40) feet. In addition to the above requirements any such building shall provide a pad to support a fire truck within (20) feet of said building

F. OTHER DEVELOPMENT CONTROLS:

1. Off-street parking and loading or unloading shall be provided in accordance with Articles XII and XIII of this ordinance
2. No outdoor storage of any material (usable or waste) shall be permitted in this zone except within enclosed containers
3. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of way or into and adjacent property
4. Where any yard of any use permitted in this zone abuts property in a single family zone, a ten (10) foot wide screening area as regulated by Section 9.17 of this ordinance shall be required
5. A development plan, as regulated by Section 9.19 of this Ordinance, shall be required for any use permitted in this zone, except when development is proposed under the Planned Unit Development regulations as regulated by Section 10.12 of this Ordinance
6. Any portion of the land to be developed having slopes greater than 25% may not be included in the determination of the total number of dwelling units to be permitted on the site. In order to help control the erosion, minimize unstable hillside conditions and minimize increases in storm water runoff, existing vegetation shall be left undisturbed whenever possible. This development/density control shall not be construed to include the slopes for constructed improvements or grade changes within the development

SECTION 10.12 PUD PLANNED UNIT DEVELOPMENT OVERLAY ZONE:

- A. **PURPOSE:** The purpose of the Planned Unit Development (PUD) Overlay Zone are to: promote flexibility in design and permit planned diversification in the relationships between location of and types of uses and structures; promote the advantages of modern large scale site planning for community development through the efficient use of land, facilitating a more economic arrangement or buildings, circulation systems, land uses, and utilities; preserve, to the greatest extent possible, the existing landscape features and amenities, and to utilize such features in a harmonious fashion; provide for more useable and suitably located recreation facilities, other public and common facilities than would otherwise be provided under conventional land development procedures, but always with the intention of furthering the public health, safety, and general welfare.
- B. **GENERAL:** A Planned Unit Development Overlay Zone may be permitted only to be superimposed over any of the Residential (R) Zones, provided that all conditions or provisions of this section of the ordinance, the applicable requirements of the subdivision regulations, and any additional requirements as may be determined necessary to provide for the most efficient layout of the PUD and its proper integration with the surrounding development are met; and a public hearing is held on the PUD application.
- C. **APPLICATION AND PROCESSING:** Applications for the Planned Unit Development Overlay Zone shall be processed as follows in two stages.
1. Stage I Development Plan and Zoning Map Amendment – Application for amendment to PUD Overlay Zone shall include a development plan in accordance with the requirements of Subsection D.
 - a. The Planning Commission shall hold a public hearing on the proposed application, in accordance with the requirements of KRS Chapter 424, and review said application with regard to its compliance with the stated purposes of the PUD Overlay Zone, the required elements of the Stage I Development Plan and other applicable requirements of this section. Upon holding such hearing, the Planning Commission shall submit along with their recommendations a copy of the Stage I Development Plan and the bases for their recommendations.
 - b. The legislative body shall, within forty-five (45) days after receiving the recommendations of the Planning Commission, review said recommendations and take action to approve, or disapprove said PUD application. Such action may incorporate any conditions imposed by the legislative body. However, should the legislative body take action to impose different conditions than were reviewed and considered by the Planning Commission, then said conditions shall be resubmitted to the Planning Commission for further review and recommendation in accordance with Section 10.13, C, 1, a. Approval of the PUD Overlay Zone shall require that development be in conformance with the Stage I

approved Development Plan. The legislative body shall forward a copy of the approved Development Plan, to the Planning Commission for further processing in accordance with the requirement for Stage II Development Plan and Record Plat.

Zoning Map Amendment – Upon Arrival of the PUD Overlay Zone, the official zoning map shall be amended by adding the prefix “PUD” to the existing residential (R) zone (e.g., PUD-R-1B, PUD-R-1C, etc.) for the area as shown on the Stage I approved Development Plan.

2. Stage II Development Plan and Record Plat – A Stage II development plan, and record plat shall be developed in conformity with the Stage I approved development plan and in accordance with the requirements of Subsection E, and submitted to the Planning Commission for its review and approval. Except for the manner of submission and processing, the subdivision regulations may be waived, where applicable, and the requirements of Subsection E shall be submitted therefore. Those requirements not specifically waived by the Planning Commission shall conform with the Subdivision Regulations.

- a. The Planning Commission shall review the submitted Stage II development plan with regard to its compliance with the required elements of Subsection E, 1, for a development plan, other applicable elements of this ordinance and other applicable regulations, and its conformity with the Stage I approved development plan. The Planning Commission, in approving the Stage II Development Plan, provided that the adjustments do not: affect the special relationship of structures, change land uses, increase overall density, alter circulation patterns (vehicular and pedestrian) or decrease the amount and/or usability of open space or recreation areas, or affect other applicable requirements of this ordinance.

Upon Planning Commission approval of the Stage II Development Plan, a copy of said plan, shall be forwarded to the zoning administrator who shall grant permits only in accordance with the Stage II approved Development Plan and other regulations as may be required by this ordinance.

- b. Upon approval of the Stage II Development Plan, the Planning Commission shall review the submitted record plat with regard to its compliance with the required elements of Subsection E, 2, for record plats, the applicable requirements of the Subdivision Regulations, and its conformity with the Stage II approved Development Plan.

Upon Planning Commission approval of the record plat, copies of said plat, certified by the Planning Commission, and suitable for recording, shall be forwarded by the Planning Commission to the office of the County Clerk to be recorded.

D. STAGE I DEVELOPMENT PLAN REQUIREMENTS: The Stage I development shall identify and provide the following information:

1. Plan(s) of the subject property drawn to a scale not smaller than one (1) inch equals one hundred (100) feet showing:
 - a. The total area in the project
 - b. The present zoning of the subject property and all adjacent properties
 - c. All public and private rights-of-way and easement lines located on or adjacent to the subject property which are proposed to be continued, created, enlarged, relocated, or abandoned
 - d. Existing and proposed topography shown by contour with intervals not to exceed five (5) feet
 - e. All existing and proposed housing units on the subject property:
 - (1) Detached housing – location, arrangement and number of all lots, including a typical section(s) identifying approximate lot sizes and dimensions, and setbacks and height of buildings
 - (2) Attached housing – location, height, and arrangement of buildings, number of units within each building and all lot lines with approximate dimensions where applicable
 - f. Location, arrangement, height and identification of all existing and proposed nonresidential buildings and uses on the subject property
 - g. The amount of area proposed for common open space, including the location and arrangement of recreational facilities, identification of unique natural features to be retained and a statement indicating the means of maintaining all common areas
 - h. Location of proposed pedestrian walkways, identifying type of surfacing and approximate grades
 - i. Location of proposed streets identifying approximate dimensions of pavement and right-of-way widths, type of surfacing and approximate grades
 - j. Location of off-street parking, loading and/or unloading and driveway areas, identifying the number of off-street parking spaces to be provided, type of surfacing and approximate dimensions
 - k. Location of all existing and proposed water, sanitary, sewer and storm drainage lines, indicating approximate pipe sizes and grades. Indication should also be given regarding the provision of electric and telephone service
 - l. Certification from appropriate water and sewer agencies that services will be available. Landscaping features including identification of planting areas and the location, type, and approximate height of fences and walls

- m. Location of signs, indicating their orientation and approximate size and height
- n. Identification of the soil types and geologic formations on the subject property, indicating anticipated problems and proposed methods of handling said problems
- o. A schedule of development, including the staging and phasing of:
 - (1) Residential areas, in order of priority, by type of dwelling unit
 - (2) Streets, utilities, and other public facility improvements, in order of priority
 - (3) Dedication of land to public use or set aside for common ownership
 - (4) Nonresidential buildings and uses, in order of priority

The information required in items a through p, may be combined in any suitable and convenient manner so long as the data required is clearly indicated. A separate plan or drawing for each element is not necessary, but may be provided at the option of the applicant.

E. STAGE II DEVELOPMENT PLAN AND RECORD PLAT REQUIREMENTS: The Stage II development plan and record plat shall conform to the following requirements:

- 1. Stage II Development Plan: The applicant shall submit a Stage II development plan, in conformance with the Stage I approved development plan, at a scale not smaller than one (1) inch equals one hundred (100) feet, that identifies and provides the following information:
 - a. The existing proposed finished topography of the subject property shown by contours with intervals not to exceed five (5) feet. Where conditions exist that may require more detailed information on the proposed topography, contours with intervals of less than five (5) feet may be required by the Planning Commission
 - b. All housing units on the subject property:
 - (1) Detached housing – location, arrangement and number of lots, including exact lot dimensions and setbacks, and maximum height of buildings
 - (2) Attached housing – location, height, and arrangement of all buildings indicating the number of units in each building, and where applicable, location and arrangement of all lots with exact lot dimensions
 - c. Location, height, arrangement and identification of all nonresidential buildings and uses on subject property and, where applicable, location and arrangement of all lots with exact lot dimensions

- d. All common open space area, including accurate lot dimensions and the location and arrangement of all recreational facilities
- e. Landscaping features, including identification of planting areas and the location, type and height of walls and fences
- f. Location of signs indicating their orientation and size and height
- g. All utility lines and easements:
 - (1) Water distribution systems including line sizes, width of easements, type of pipe, location of hydrants and valves, and other appurtenances
 - (2) Sanitary sewer system, including pipe sizes, width of easements, gradients, type of pipes, invert elevations, location and type of manholes, the location, type, size of all lift or pumping stations, capacity, and process of any necessary treatment facilities, and other appurtenances
 - (3) Storm sewer and natural drainage system, including pipe and culvert sizes, gradients, location of open drainage courses, width of easements, location and size of inlets and catch basins, and data indicating the quantity of storm water entering the subject property naturally from areas outside the property, the quantity of flow at each pickup point (inlet) the quantity of storm water generated by development of the subject area, and the quantity of storm water to be discharged at various points to areas outside the subject property
 - (4) Other utilities (e.g., electric, telephone, etc.) including the type of service and the width of easements
- h. Location of all off-street parking, loading and/or unloading, and driveway areas, including typical cross sections, the type of surfacing, dimensions, and the number and arrangement of off-street parking, and loading and/or unloading spaces
- i. Circulation system:
 - (1) Pedestrian walkways, including alignment, grades, type of surfacing and width
 - (2) Streets, including alignment, grades, type of surfacing, width of pavement and right-of-way, geometric details, and typical cross sections
- j. Provisions for control of erosion, hillside slippage and sedimentation, indicating the temporary and permanent control practices and measures which will be implemented during all phases of clearing, grading, and construction

- k. The schedule of development staging and phasing in accordance with the requirement in Subsection D, 3, and as approved in Stage I approved Development Plan

The information required by Section E, items a through k, may be combined in any suitable and convenient manner so long as the data required is clearly indicated.

2. Record Plat: The applicant shall submit a record plat, in conformance with the Stage II approved Development Plan, at a scale not smaller than one (1) inch equals fifty (50) feet. If the record plat is submitted in sections, an index shall be developed showing the entire PUD. The particular number of sections, and the relationship of each adjoining section shall be clearly shown by a small key map on each section submitted. The record plat shall conform to the applicable requirements of the Subdivision Regulations, unless specifically waived by the Planning Commission, and in addition thereto, the following:
 - a. All areas reserved for common ownership with an indication of the properties the owners will share in common
 - b. Such lot or parcel lines indicating tracts which are now in separate ownership or which may be transferred to other ownership during or after development. (Resubdivision of large lots containing several buildings may be accomplished at a later date upon application and approval.)
 - c. Indication of areas to be developed for residential (by type of housing unit), commercial, public and semi-public uses
- F. RESIDENTIAL USES AND DENSITIES: All types of residential housing units (attached or detached) may be permitted within a PUD Overlay Zone, including by not limited to, single-family, two-family, and multi-family units. The density of dwelling units in a PUD shall be determined by the density (dwelling units per net acre) as calculated from the existing residential (R) zone superimposed by the PUD overlay zone. This density shall be applied to the total project area excluding that land devoted to commercial uses and streets (public and private).
- G. COMMERCIAL USES: Commercial uses intended primarily for the service and convenience of residents of the PUD may be permitted within the project area provided a market analysis is made justifying the need for said uses. These commercial uses shall be grouped in complexes clearly delineated on the Stage I Development Plan, and may include one or more of the following uses:
1. Bakery shop
 2. Bank
 3. Beauty or barber shop
 4. Business or professional office
 5. Clothing store

6. Delicatessen, grocery, meat, fruit, or vegetable market
7. Drug store
8. Hardware store
9. Laundry
10. Restaurant
11. Shoe repair shop

Another use may be substituted on the Stage I approved Development Plan for a use previously approved providing it is one of the above listed uses and providing said use will not involve any building expansion beyond that approved in the Stage I approved Development Plan and further providing that said use is approved by the Zoning Administrator.

- H. **PUBLIC AND SEMI-PUBLIC USES:** Public and semi-public structures and uses may be permitted in the PUD. These uses shall be delineated on the Stage I development plan and shall be limited to one or more of the following uses:
1. Churches
 2. Community centers, including day care facilities
 3. Country clubs
 4. Fire and police stations
 5. Libraries
 6. Open space – recreation areas
 7. Schools (nursery, elementary and secondary)
- I. **AREA REQUIREMENTS:** No PUD overlay zone shall be permitted on less than five (5) acres of land. However, development of a smaller tract adjacent to an existing PUD overlay zone, may be permitted, if the proposed development conforms to and extends the original development as if the new area had been a part of the original development.
- J. **HEIGHT, YARD AND SETBACK REGULATIONS:** Requirements shall be as approved in the Stage I Development Plan.
- K. **OFF-STREET PARKING AND LOADING AND/OR UNLOADING:** Off-Street parking and, when applicable, loading and/or unloading shall be provided in accordance with Articles XII and XIII of this ordinance.
- L. **FENCES, WALLS, AND SIGNS:** The location, height, and type of all fences, walls and signs shall be as approved in the Stage I Development Plan.
- M. **EROSION AND SEDIMENTATION CONTROL:** Effective erosion and sedimentation controls shall be planned and applied in accordance with Section 9.7 of this ordinance.
- N. **COMMON OPEN SPACE – RECREATION AREA:** At least twenty percent (20%) of the total acreage of the proposed PUD shall be retained as common open space and

recreation area, and dedicated to a public and/or private entity for operation and maintenance. Such open space and recreation areas shall be physically situated so as to be readily accessible, available to, and useable by all residents of the PUD. Common open space and recreation area shall be that part of the total project exclusive of dwellings, streets, parking areas, single-family lots, commercial areas, and other non-open space and nonrecreationally oriented facilities.

- O. **AMENDMENTS:** Any amendments to plans, except for the minor adjustments which may be permitted by the Planning Commission, shall be made in accordance with the procedure required by this ordinance, subject to the same limitations and requirements as those under which such plans were originally approved.
- P. **EXPIRATION:** Any amendment to PUD Overlay Zone shall be subject to the time constraint, as noted below. Upon expiration of said time period and any extensions thereto, the legislative body may initiate a request for a public hearing by the Planning Commission, in accordance with the requirements of KRS Chapter 100, for the purpose of determining whether said PUD overlay zone should revert to its original zoning designation. A public hearing may be initiated if either of the following conditions apply:
 - 1. Stage II Development Plan has not been approved by the Planning Commission within a period of twelve (12) consecutive months from the date of the Stage I approved Development Plan on Overlay Zone Amendment by the legislative body; provided that an extension may be permitted upon approval of the legislative body or their duly authorized representative if sufficient proof can be demonstrated that prevailing conditions have not changed appreciably to render the Stage I approved Development Plan obsolete.
 - 2. Substantial construction has not been initiated within a period of twelve (12) consecutive months from the date of approval of the Stage II Development Plan by the Planning Commission; provided that an extension may be permitted upon approval of the legislative body or their duly authorized representative if sufficient proof can be demonstrated that the construction was delayed due to circumstances beyond the applicant's control, and that prevailing conditions have not changed appreciably to render the Stage I approved Development Plan obsolete. The amount of construction constituting initiating substantial construction shall be as approved in the Stage I approved Development Plan.

SECTION 10.13 RCD RESIDENTIAL CLUSTER DEVELOPMENT OVERLAY ZONE:

- A. **PURPOSE:** The purpose of the Residential Cluster Development (RCD) Overlay Zone is to provide a means whereby clusters of attached and detached single-family residential units may be constructed in the R-1 Single Family Residential Zones, and therein, through a development plan, permit a wide flexibility in the design, location, siting of buildings, and yard and setback requirements in order to provide for, to the greatest extent possible, the preservation of hillside areas, and other natural geographic and topographic features, and to provide for more usable and suitably located recreation facilities and open space than would otherwise be provided under conventional R-1 Single Family Residential land development procedures.
- B. **GENERAL:** A Residential Cluster Development Overlay Zone may only be permitted to be superimposed over any of the R-1 Single Family Residential Zones provided that all conditions or provisions of this section of the ordinance, the applicable requirements of the Subdivision Regulations, and any additional requirements as may be determined necessary to provide for the most efficient layout of the RCD Zone and its proper integration with the surrounding development are met; and a public hearing is held.
- C. **APPLICATION AND PROCESSING:** Applications for Residential Cluster Development Overlay Zone shall be processed in two stages:
1. Stage I – Development Plan and Zoning Map Amendment – Application for amendment to RCD overlay zone shall include a development plan in accordance with the requirements of Subsection D.
 - a. The Planning Commission shall hold a public hearing on the proposed application, duly noticed, in accordance with the requirements of KRS Chapter 424, and review said application with regard to its compliance with the stated purposes of the RCD overlay zone, the required elements of the Stage I Development Plan and other applicable requirements of this section. Upon holding such hearing, the Planning Commission shall make one of the following recommendations to the legislative body: approval, approval with condition or disapproval. The Planning Commission shall submit along with their recommendations a copy of the Stage I Development Plan and the bases for their recommendation.
 - b. The legislative body shall, within forty-five (45) days after receiving the recommendations of the Planning Commission, review said recommendations and take action to approve or disapprove said RCD application. Such action may incorporate any conditions imposed by the legislative body. However, should the legislative body take action to impose different conditions than were reviewed and considered by the Planning Commission, then said conditions shall be resubmitted to the Planning Commission for further review and recommendations in accordance with Subsection 10.14, C, 1, a. Approval of the RCD Overlay

Zone shall require that development be in conformance with the Stage I approved Development Plan.

The legislative body shall forward a copy of the approved Development Plan, certified as such by said body, to the Planning Commission for further processing in accordance with the requirements for Stage II Development Plan and record plat. Zoning Map Amendment - upon approval of the RCD Overlay Zone, the official zoning map shall be amended by adding the prefix "RCD" to the existing residential (R-1) zone (e.g., RCD-R-1B, RCD-R-1C, etc.) for the area as shown on the Stage I approved development plan.

2. Stage II – Development Plan and Record Plat - A Stage II development plan and record plat shall be developed in conformity with the Stage I approved development plan and in accordance with the requirements of Subsection E, and submitted to the Planning Commission for its review and approval. Except for the manner of submission and processing, the Subdivision Regulations may be waived, where applicable, and the requirements of Subsection E shall be substituted therefore. Those requirements not specifically waived by the Planning Commission shall conform with the Subdivision regulations.
 - a. The Planning Commission shall review the submitted Stage II development plan with regard to its compliance with the required elements of Subsection E. 1, for Stage II development plans, other applicable elements of this ordinance, other applicable regulations, and its conformity with the Stage I approved development plan. The Planning Commission, in approving the Stage II development plan, may authorize minor adjustments from the Stage I approved development plan, provided that the adjustments do not: affect the spatial relationship of structures, change land uses, increase overall density, alter circulation patterns (vehicular and pedestrian), or decrease the amount and/or usability of open space or recreation areas or affect other applicable requirements of this ordinance.

Upon Planning Commission approval of the Stage II Development Plan, a copy of said plan, shall be forwarded to the Zoning Administrator, who shall grant permits only in accordance with the Stage II approved development plan and other plans as may be required by this ordinance.
 - b. Upon approval of the Stage II development pan, the Planning Commission, shall review the submitted record plat with regard to its compliance with the required elements of Subsection E, 2, for record plats, the applicable requirements of the Subdivision Regulations, and its conformity with the approved Stage II approved development plan.

Upon Planning Commission approval of the record plat, copies of said plat, certified by the Planning Commission, and suitable for recording, shall be forwarded by the Planning Commission to the office of the County Clerk to be recorded.

D. **STAGE I DEVELOPMENT PLAN REQUIREMENTS:** The stage I development plan shall identify and provide the following information:

1. Plan(s) of the subject property drawn to a scale not smaller than one (1) inch equals one hundred (100) feet showing:
 - a. The total area in the project
 - b. The present zoning of the subject property and all adjacent properties
 - c. All public and private rights-of-way and easement lines located on or adjacent to the subject property which are proposed to be continued, created, enlarged, relocated, or abandoned
 - d. Existing and proposed topography shown by contour with intervals not to exceed five (5) feet
 - e. All existing and proposed housing units on the subject property:
 - (1) Detached housing – location, arrangement and number of all lots, including a typical section(s) identifying approximate lot sizes and dimensions, and setbacks and height of buildings
 - (2) Attached housing – location, height, and arrangement of all buildings, number of units within each building and all lot lines with approximate dimensions where applicable
 - f. Location, arrangement, height and identification of all existing and proposed nonresidential buildings and uses on the subject property
 - g. The amount of area proposed for common open space, including the location and arrangement of recreational facilities, identification of unique natural features to be retained and a statement indicating the means of maintaining all common areas
 - h. Location of proposed pedestrian walkways, identifying type of surfacing and approximate dimensions
 - i. Location of proposed streets identifying approximate dimensions of pavement and right-of-way widths, type of surfacing and approximate grades
 - j. Location of off-street parking, loading and/or unloading and driveway areas, identifying the number of off-street parking spaces to be provided, type of surfacing and approximate dimensions
 - k. Location of all existing and proposed water, sanitary sewer and storm drainage lines, indicating approximate pipe sizes and grades. Indication should also be given regarding the provision of electric and telephone service

- l. Certification form appropriate water and sewer agencies that services will be available
- m. Landscaping features, including identification of planting areas and the location, type, and approximate height of fences and walls
- n. Location of signs, indicating their orientation and approximate size and height
- o. Identification of soil types and geologic formations on the subject property, indicating anticipated problems and proposed methods of handling said problems
- p. A schedule of development, including the staging and phasing of:
 - (1) Residential areas, in order of priority, by type of dwelling unit
 - (2) Streets, utilities, and other public facility improvements, in order of priority
 - (3) Dedication of land to public use or set aside for common ownership
 - (4) Nonresidential buildings and uses, in order of priority

The information required in items a through p, may be combined in any suitable and convenient manner so long as the data required is clearly indicated. A separate plan or drawing for each element is not necessary, but may be provided at the option of the applicant.

E. STAGE II – DEVELOPEMNT PLAN AND RECORD PLAT REQUIREMENTS: The Stage II development plan and record plat shall conform to the following requirements:

1. Stage II Development Plan: The applicant shall submit a Stage II development plan, in conformance with the Stage I approved development plan, at a scale not smaller than one (1) inch equals one hundred (100) feet, that identifies and provides the following information:
 - a. The existing proposed finished topography of the subject property shown by contours with intervals not to exceed five (5) feet. Where conditions exist that may require more detailed information on the proposed topography, contours with intervals of less than five (5) feet may be required by the Planning Commission
 - b. All housing units on the subject property:
 - (1) Detached housing – location, arrangement and number of all lots, including exact lot dimensions and setbacks, and maximum height of all buildings
 - (2) Attached housing – location, height, and arrangement of all buildings indicating the number of units in each building, and where applicable, location and arrangement of all lots with exact lot dimensions

- c. Location, height, arrangement and identification of all nonresidential buildings and uses on the subject property and, where applicable, location and arrangement of all lots with exact lot dimensions
- d. All common open space areas, including accurate lot dimensions and the location and arrangement of all recreational facilities
- e. Landscaping features, including identification of planting areas on the location, type, and approximate height of fences and walls
- f. Location of signs indicating their orientation and size and height
- g. All utility lines and easements:
 - (1) Water distribution systems including line sizes, width of easements, type of pipe, location of hydrants and valves, and other appurtenances
 - (2) Sanitary sewer systems, including pipe sizes, width of easements, gradients, type of pipes, invert elevations, location and type of manholes, the location, type, size of all lift or pumping stations, capacity and process of any necessary treatment facilities, and other appurtenances
 - (3) Storm sewer and natural drainage system, including pipe and culvert sizes, gradients, location of open drainage courses, width of easements, location and size of inlets and catch basins, location and size of retention and/or sedimentation basins, and data indicating the quantity of storm water entering the subject property naturally from areas outside the property, the quantity of flow at each pickup point (in-let) the quantity of storm water generated by development of the subject area, and the quantity of storm water to be discharged at various points to areas outside the subject property
 - (4) Other utilities (e.g., electric, telephone, etc.) including the type of service and width of easements
- h. Location of all off-street parking, loading and/or unloading, and driveway areas, including typical cross sections, the type of surfacing, dimensions, and the number and arrangement of off-street parking, and loading and/or unloading spaces
- i. Circulation system:
 - (1) Pedestrian walkways, including alignment, grades, type of surfacing and width
 - (2) Streets, including alignment, grades, types of surfacing, width of pavement and right-of-way, geometric details, and typical cross sections

- j. Provisions for control of erosion, hillside slippage and sedimentation, indicating the temporary and permanent control practices and measures which will be implemented during all phases of clearing, grading, and construction
- k. The schedule of development staging and phasing in accordance with the requirement in Subsection D, 3, and as approved in the Stage I development plan

The information required by Section E, items a through k, may be combined in any suitable and convenient manner so long as the data required is clearly indicated.

- 2. Record Plat: The applicant shall submit a record plat, in conformance with Stage II approved development plan, at a scale not smaller than one (1) inch equals fifty (50) feet. If the record plat is submitted in sections, an index shall be developed showing the entire RCD. The particular number of the section, and the relationship of each adjoining section shall be clearly shown by a small key map on each section submitted. The record plat shall conform to the applicable requirements of the Subdivision Regulations, unless specifically waived by the Planning Commission, and in addition thereto, the following:
 - a. All areas reserved for common ownership with an indication of the properties the owners will share in common
 - b. Such lot or parcel lines indicating tracts which are now in separate ownership or which may be transferred to other ownership during or after development. (Resubdivision of large lots containing several buildings may be accomplished at a later date upon application and approval.)
 - c. Indication of areas to be developed for residential (by type of housing unit), commercial, public and semi-public uses
- F. RESIDENTIAL USES AND DENSITIES: Attached and detached single family dwellings may be permitted within a RCD overlay zone. The density of dwelling units in a RCD shall be determined by the density (dwelling units per net acre) as calculated from the residential (R-1) Zone superimposed by the RCD Overlay Zone. This density shall be applied to the total project area excluding that land denoted to streets (private and public).
- G. PUBLIC AND SEMI-PUBLIC USES: Public and semi-public structures and uses may be permitted in the RCD. These uses shall be delineated on the Stage I development plan and shall be limited to one or more of the following uses:
 - 1. Churches
 - 2. Community centers, including day care facilities
 - 3. Country clubs
 - 4. Fire or police stations
 - 5. Libraries

6. Schools (nursery, elementary and secondary)
- H. AREA REQUIREMENTS: No RCD Overlay Zone shall be permitted on less than five (5) acres of land. However, development of a smaller tract adjacent to an existing RCD Overlay Zone, may be permitted, if the proposed development conforms to all extends the original development as if the new area had been part of the original development.
- I. HEIGHT, YARD, AND SETBACK REGULATIONS: Requirements shall be as approved in the Stage I Development Plan.
- J. OFF-STREET PARKING AND LOADING AND/OR UNLOADING: Off-street parking and, when applicable, loading and/or unloading shall be provided in accordance with Articles XII and XIII of this ordinance.
- K. FENCES, WALLS, AND SIGNS: The location, height, and type of all fences, walls, and signs, shall be as approved in the Stage I Development Plan.
- L. EROSION AND SEDIMENTATION CONTROL: Effective erosion and sediment controls shall be planned and applied in accordance with Section 9.7 of this ordinance.
- M. COMMON OPEN SPACE - RECREATION AREA: At least twenty percent (20%) of the total acreage of the proposed RCD shall be retained as common open space and recreation area, and dedicated to a public and/or private entity for operation and maintenance. Such open space and recreation areas shall be physically situated so as to be readily accessible, available to and usable by all the residents of the RCD. Common open space and recreation areas shall be that part of the total project exclusive of dwellings, streets, parking areas, single family lots, commercial areas, and other non-open space and nonrecreationally oriented facilities.
- N. AMENDMENTS: Any amendments to plans, except for the minor adjustments which may be permitted by the Planning Commission, shall be made in accordance with the procedure required by this ordinance, subject to the same limitations and requirements as those under which such plans were originally approved.
- O. EXPIRATION: Any amendment to RCD Overlay Zone shall be subject to the time constraints, as noted below. Upon expiration of said time period, and any extensions thereto, the legislative body may initiate a request for a public hearing by the Planning Commission, in accordance with the requirements of KRS Chapter 100, for the purpose of determining whether said RCD Overlay Zone should revert to its original zoning designation. A public hearing may be initiated if either of the following conditions apply:
1. Stage II Development Plan has not been approved by the Planning Commission, within a period of twelve (12) consecutive months from the date of the Stage I approved Development Plan and RCD Overlay Zone Amendment by the

legislative body; provided that an extension may be permitted upon approval of the legislative body or their duly authorized representative if sufficient proof can be demonstrated that prevailing conditions have not changed appreciably to render the approved Stage I approved development plan obsolete.

2. Substantial construction has not been initiated within a period of twelve (12) consecutive months from the date of approval of the Stage II Development Plan by the Planning Commission; provided that an extension may be permitted upon approval by the legislative body or their duly authorized representative if sufficient proof can be demonstrated that the construction was delayed due to circumstances beyond the applicant's control, and that prevailing conditions have not changed appreciably to render the Stage I approved development plan obsolete. The amount of construction constituting initiating substantial construction shall be as approved in the Stage I approved development plan.

SECTION 10.14 SC SHOPPING CENTER ZONE:**A. USES PERMITTED:** The following retail and service businesses:

1. Advertising agencies
2. Animal clinic
3. Antique shops
4. Apparel shops
5. Art supplies
6. Automobile laundry
7. Automotive parts and accessories store, new
8. Automotive service and repair
9. Bakery and bakery goods store, provided the products are sold exclusively on the premises
10. Banks and other financial institutions including savings, loan, and finance companies, with drive-in windows
11. Barber shops
12. Beauty shops
13. Billiard or pool hall
14. Book, stationary or gift shops
15. Bowling alley
16. Bus station
17. Business or professional college
18. Camera and photographic supplies
19. Candy store, soda fountain, ice cream store
20. Carpet and rug store
21. Clinics – medical or dental
22. Clubs (including businessmen's, YMCA-YWCA)
23. Computer store - retail
24. Delicatessen store
25. Department store
26. Drug store
27. Dry cleaning and laundry pickup station
28. Eating and drinking places
29. Employment agencies
30. Florist shop
31. Food store and supermarket
32. Furniture store
33. Garden supplies
34. Glass, china, or pottery store
35. Haberdashery
36. Hardware store
37. Health clinics and health spas
38. Hobby shop
39. Home Improvement Center Use/General Building Supplies

40. Household and electrical appliance store including incidental repair
41. Interior decorating store
42. Jewelry store including repair
43. Laboratories, medical and dental
44. Laundromats, self service washing and drying
45. Leather goods and luggage store
46. Library
47. Locksmith shop
48. Nursery school
49. Office appliances and supplies
50. Offices
51. Off-street, parking lots and/or garages
52. Opticians and optical goods
53. Package liquor and wine store
54. Paint and wallpaper store
55. Pet shop excluding boarding and outside runs
56. Police and fire stations
57. Post office
58. Radio and television store including repair
59. Shoe store and shoe repair
60. Sporting goods
61. Studios for professional work on teaching of any form of fine arts, photography, music, drama, or dance
62. Tailor shops
63. Theaters, excluding drive-ins
64. Toy stores
65. Travel bureau
66. Variety stores including notions and “Five and Ten” stores

B. ACCESSORY USES:

1. Customary accessory uses
2. Fences and walls as regulated by Article XI of this ordinance
3. Signs as regulated by Article XIV of this ordinance

C. CONDITIONAL USES: No building or occupancy permit shall be issued for any of the following, nor shall any of the following uses or any customary accessory buildings or uses be permitted until and unless the location of said use shall have been applied for and approved of by the Board of Adjustment as set forth in Section 9.14 of this ordinance.

1. Service stations (including auto repairing, providing all repair except that of a minor nature (e.g., change of fan belt, minor carburetor adjustment, tire removal and/or replacement, windshield wiper replacement, etc.) is conducted wholly within a completely enclosed building and providing further that such service

station is located adjacent to an arterial street as identified in the city's adopted comprehensive plan

D. AREA AND HEIGHT REGULATIONS: No building shall be created or structurally altered except in accordance with the following regulations:

1. Minimum Building Site Area – Ten (10) acres. (In the case of this zone (SC) more than one principal building, as defined herein, may be permitted to be constructed within the minimum building site area.)
2. Minimum Yard Requirements – Fifty (50) feet for each front, side (on each side of the building site) and rear yards
3. Maximum Building Height – Forty (40) feet or three (3) stories, unless such building is set back from the street right-of-way a distance of not less than one-half (1/2) its height and is set back from all other property lines a distance of fifteen (15) feet from side yard and twenty-five (25) feet from rear yard plus two (2) feet on each side and rear yard for each foot of height in excess of forty (40) feet. In addition to the above requirement any such building shall provide a pad to support a fire truck within twenty (20) feet of said building

E. OTHER DEVELOPMENT CONTROLS:

1. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XII and XIII of this ordinance
2. No outdoor storage of any material (useable or waste) shall be permitted in this zone except within enclosed containers
3. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way, or into any residential zone
4. Screening areas and additional setbacks shall be provided in accordance with Section 9.17 of this ordinance and as approved by the Planning Commission
5. No use producing objectionable odors, noise, or dust shall be permitted within five hundred (500) feet from the boundary of any residential zone
6. All business activities permitted within this zone shall be conducted within a completely enclosed building with the exception of off-street parking and loading and/or unloading areas, provided that lawn and garden, and landscape materials and seasonal merchandise may be displayed and sold in specific designated areas other than in a completely enclosed building as depicted on the Development Plan, as approved by the Planning Commission
7. A development plan, as regulated by section 9.19 of this ordinance, shall be required for any use in this zone. Such development plan shall include the layout of the entire area of the shopping center and shall take into consideration good shopping center design including internal and external pedestrian and vehicular access, and functional relationship of uses within the shopping center

SECTION 10.15 NSC NEIGHBORHOOD SHOPPING CENTER ZONE:

- A. USES PERMITTED: The following retail sales or service businesses:
1. Apparel shop
 2. Art supplies
 3. Bakery and bakery goods store, provided the products are sold exclusively on the premises
 4. Banks and other financial institutions including savings, loan, and finance companies
 5. Barber and beauty shop
 6. Beauty shops
 7. Billiard or pool hall
 8. Book, stationary, or gift shop
 9. Camera and photographic supplies
 10. Candy store, soda fountain, ice cream store, excluding drive-ins
 11. Computer store – retail
 12. Computer store - service
 13. Delicatessen
 14. Drug store
 15. Dry cleaning and laundry pick-up station
 16. Eating and drinking places, excluding drive-ins
 17. Florist shop
 18. Food store and supermarkets
 19. Furniture store
 20. Garden supplies
 21. Glass, china, or pottery store
 22. Haberdashery
 23. Hardware store
 24. Health spas
 25. Hobby shop
 26. Household and electrical appliance store, including incidental repair
 27. Interior decorating studio
 28. Jewelry store, including repair
 29. Laundromats and self service washing and drying
 30. Leather goods and luggage store
 31. Library
 32. Locksmith shop
 33. Music, musical instruments and records store, including incidental repair
 34. Nursery School
 35. Offices
 36. Off-street parking lots and garages
 37. Opticians and optical goods
 38. Package liquor and wine store
 39. Paint and wallpaper store

40. Pet shop, excluding boarding and outside runs
41. Police and fire stations
42. Post office
43. Radio and television store, including repair
44. Shoe store and shoe repair
45. Sporting goods
46. Studios for professional work or teaching of any form of fine arts, photography, music, drama, or dance
47. Tailor shop
48. Toy store
49. Variety store, including notions and "Five and Ten" stores

B. ACCESSORY USES:

1. Customary accessory buildings and uses
2. Fences and walls as regulated by Article XI of this ordinance
3. Signs as regulated by Article XIV of this ordinance

C. CONDITIONAL USES: No building or occupancy permit shall be issued for any of the following, nor shall any of the following uses or any customary accessory buildings or uses be permitted until and unless the location of said use shall have been applied for and approved of by the Board of Adjustment as set forth in Section 9.14 of this ordinance.

1. Service stations (including auto repairing, providing all repair except that of a minor nature (e.g., change of fan belt, minor carburetor adjustment, tire removal and/or replacement, windshield wiper replacement, etc.) is conducted wholly within a completely enclosed building and providing further that such service station is located adjacent to an arterial street as identified in the city's adopted comprehensive plan

D. AREA AND HEIGHT REGULATIONS: No building shall be erected or structurally altered except in accordance with the following regulations:

1. Minimum Building Site Area – Eight (8) acres and shall abut a deeded right-of-way. In the case of this zone (NSC) more than one principal building, as defined herein, may be permitted to be constructed within the minimum building site area
2. Minimum Yard Requirements – Fifty (50) feet for each front, side (on each side of the building site) and rear yards except where the lot abuts a major arterial, as identified in the adopted comprehensive plan, then there shall be a minimum yard requirement of one hundred (100) feet
3. Maximum Building Height – Forty (40) feet or three (3) stories

E. OTHER DEVELOPMENT CONTROLS:

1. Off-street parking and loading or unloading shall be provided in accordance with Articles XII and XIII of this ordinance
2. No outdoor storage of any material (usable or waste) shall be permitted in this zone except within enclosed containers
3. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way or into any adjacent property
4. Where any yard of any use permitted in this zone abuts land in any residential zone, a ten (10) foot wide screening area, as regulated by Section 9.17 of this ordinance shall be provided
5. A development plan, as regulated by Section 9.19 of this ordinance shall be required for any use in this zone
6. No use producing objectionable odors, noise, or dust shall be permitted within five hundred (500) feet from the boundary of any residential zone
7. All business activities permitted within this zone shall be conducted within a completely enclosed building with the exception of off-street parking and loading and/or unloading areas

SECTION 10.16 GC GENERAL COMMERCIAL ZONE:

- A. **PURPOSE:** The purposes of the General Commercial (GC) Zone are to: provide those retail businesses and services oriented to meeting the needs of the residents in the area and the surrounding neighborhood(s), and to promote the development of a local commercial area as part of a total design concept coordinating the uses provided, off-street parking and vehicular and pedestrian access.
- B. **PERMITTED USES:**
1. Advertising agencies
 2. Apparel shop
 3. Art supplies
 4. Bakery and bakery goods store providing that the products are sold exclusively on the premises
 5. Banks and other financial institutions including savings, loan, and finance companies with drive-in windows
 6. Barber and beauty shops
 7. Book, stationary or gift shop
 8. Bowling Alley
 9. Camera and photographic supplies (including incidental repair)
 10. Candy store, soda fountain, ice cream store, excluding drive-ins
 11. Computer store – retail
 12. Computer store - service
 13. Delicatessen
 14. Drug store
 15. Dry cleaning establishments
 16. Eating and drinking places, excluding drive-ins
 17. Family dining style restaurants, which may include a drive-through facility, provided that a drive-through facility may be permitted in the case of “family dining style restaurants” which serves meals for breakfast, lunch and dinner, with waiter/waitress tableside service, and not serve alcoholic beverages.
 18. Florist shop
 19. Food stores and supermarkets
 20. Furniture store
 21. Garden supplies
 22. General building supply
 23. Glass, china or pottery store
 24. Haberdashery
 25. Hardware store
 26. Health clinics and health spas
 27. Hobby shop
 28. Household and electrical appliance store including incidental repair
 29. Interior decorating studio
 30. Jewelry store, including repair

31. Laundromats, self-service washing and drying
32. Leather goods and luggage store
33. Library
34. Locksmith shop
35. Motels
36. Music, musical instruments and record store (inc. incidental repair)
37. Offices
38. Off-street parking lots and/or garages
39. Opticians and optical supplies
40. Package liquor and wine store
41. Paint and wallpaper store
42. Pet shop, excluding boarding and outside runs
43. Photography, music, drama, or dance studio
44. Police and fire stations
45. Post office
46. Radio and television store (including repair)
47. Shoe store and shoe repair
48. Sporting goods
49. Tailor shop
50. Toy store
51. Variety store, including notions and “Five and Ten” stores

C. ACCESSORY USES:

1. Customary accessory uses
2. Fences and walls as regulated by Article XI of this ordinance
3. Signs as regulated by Article XIV of this ordinance

D. CONDITIONAL USES: No building or occupancy permit shall be issued for any of the following, nor shall any of the following uses or any customary accessory building or uses be permitted until and unless the location of said use shall be permitted until and unless the location of said use shall have been applied for and approved of by the Board of Adjustment as set forth in Section 9.14 of this ordinance.

1. Automobile Laundry
2. Emergency Ambulance Vehicle Sales, new vehicles only; outside lot parking for two (2) such vehicles maximum. Vehicles may be parked outside for no more than five (5) consecutive days
3. Nursery School
4. Service stations (including auto repairing, providing all repair except that of a minor nature (e.g. change of fan belt, minor carburetor adjustment, tire removal and/or replacement, windshield wiper replacement, etc.,) is conducted wholly within a completely enclosed building

- E. **AREA AND HEIGHT REGULATIONS:** No building shall be erected or structurally altered hereafter except in accordance with the following regulations:
1. Minimum Lot Area Per Structure – Fifteen thousand (15,000) square feet. In the case of this zone (GC) City Council, upon recommendation of the Planning Commission, may permit more than one principal building, as defined herein, to be constructed on one lot provided the density requirements of this zone are not exceeded
 2. Minimum Lot Width at Building Setback – Seventy-five (75) feet
 3. Minimum Front Yard Depth – Thirty (30) feet per building, five (5) stories or less in height. One (1) additional foot of front yard depth shall be required for each additional story over five (5) stories
 4. Minimum Side Yard Width:
 - a. For buildings five (5) stories or less in height – No restrictions except when adjacent to a street, road, highway, or other right-of-way when the required width shall be the same as required for a minimum front yard depth in this zone. When buildings abut each other, firewall construction, as required by the Building Code, shall be required. In the event a side yard is provided it shall never be less than fifteen (15) feet
 - b. For buildings six (6) stories in height a fifteen (15) foot minimum side yard width shall be required except where adjacent to a street, road, highway, or other right-of-way when the required width shall be the same as required for a minimum front yard depth in this zone
 5. Minimum Rear Yard Depth – Fifteen (15) feet for buildings five (5) stories or less in height. One (1) additional foot of rear yard depth shall be required for each additional story over five (5)
 6. Maximum Percentage of Lot Coverage – No restriction except as required by the yard requirements of this zone
 7. Maximum Building Height – No building shall exceed forty (40) feet or three (3) stories in height unless such building is set back from the street right-of-way line a distance of not less than one-half (1/2) its height and is set back from all other property lines a distance of fifteen (15) feet from side yard and twenty-five (25) feet from rear yard, plus two (2) feet on each side and rear yards for each foot of height in excess of forty (40) feet. In addition to the above requirements any such building shall provide a pad to support a fire truck within twenty (20) feet of said building
- F. **OTHER DEVELOPMENT CONTROLS:**
1. Off-street parking and loading or unloading shall be provided in accordance with Articles XII and XIII of this ordinance
 2. No outdoor storage of any material (usable or waste) shall be permitted in this zone except within enclosed containers

3. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way or into any adjacent property
4. Where land in this zone is abutting a residential zone, a minimum yard requirement of fifty (50) feet for each side and/or rear yard which abuts said zone shall be provided, ten (10) feet of which shall be maintained by a screening area as regulated by Section 9.17 of this ordinance
5. A development plan as regulated by Section 9.19 of this ordinance shall be required for any use in this zone
6. No use producing objectionable odors, noise, or dust shall be permitted within five hundred (500) feet from the boundary of any residential zone
7. All business activities permitted within this zone shall be conducted within a completely enclosed building with the exception of off-street parking and loading and/or unloading areas

SECTION 10.17 PO PROFESSIONAL OFFICE BUILDING) ZONE:**A. USES PERMITTED:**

1. Animal clinics, excluding outside runs
2. Banks and other financial institutions, including loan, savings, and finance companies
3. Clinics – medical or dental Offices
4. Computer store – service
5. Florists
6. Massage therapist clinic
7. Offices
8. Off–street parking lots and/or garages
9. Opticians
10. Police and fire Stations
11. Post offices
12. Prescription pharmacy

B. ACCESSORY USES:

1. Customary accessory buildings and uses
2. Fences and Walls as regulated by Article XI of this ordinance
3. Signs as regulated by Article XIV of this ordinance
4. Uses as listed below as a convenience to the occupants thereof, their patients, clients, or customers provided that the accessory uses shall not exceed fifteen (15) percent of the gross floor area of each permitted use in the building. The total of all accessory uses shall not exceed forty-five (45) percent:
 - a. Barber shop
 - b. Beauty shop
 - c. Coffee shops or refreshment stands
 - d. Eating establishments and taverns
 - e. Medical or dental laboratory
 - f. News and confectionary stands
5. Eating and drinking places as an accessory use are permitted to locate outside an office building within a free standing building, provided all of the following conditions and other applicable sections of this ordinance are met:
 - a. The total development, including principal and accessory uses, comprises a minimum building site of three (3) acres
 - b. A pedestrian and vehicular circulation plan, in accordance with Section 12.0. L. of this ordinance is submitted and approved by the Zoning Administrator. Said plan shall provide for the safe movement of vehicular and pedestrian traffic to and from within the site

- c. Such an accessory use shall be developed only in conjunction with a principally permitted use (except off-street parking lots and/or acres) and shall not exceed twenty-five percent (25%) of the gross floor area of the permitted use(s)
 - d. Signs are provided in accordance with the requirements of Section 1.7, as it applies to the General Commercial Zone
 - e. Where such an accessory use is abutting a residential zone, a minimum yard requirement of fifty (50) feet for each side and/or rear yard which abuts said zone shall be provided, ten (10) feet of which shall be maintained by a screening area as regulated by Section 9.17 of this ordinance
- C. **CONDITIONAL USES:** No building or occupancy permit shall be issued for any of the following, nor shall any of the following uses or any customary accessory building or uses be permitted until and unless the location of said use have been applied for and approved by the Board of Adjustment as set forth in Section 9.14 of this ordinance.
1. Barber Shop and Beauty Salon
 2. Consignment shop
 3. Drug Store
 4. Dry Cleaning and Tailor shop, (drop off and pick up only)
 5. Interior decorator – studio and design services
 6. Medical and Dental Laboratory
 7. Nursery School
 8. Photography Studio
- D. **AREA AND HEIGHT REGULATIONS:**
1. Minimum Lot Area – Fifteen thousand (15,000) square feet
 2. Minimum Lot Width at Building Setback Line – One hundred (100) feet
 3. Minimum Front Yard Depth - Thirty (30) feet
 4. Minimum Side Yard Width - Fifteen (15) feet
 5. Minimum Rear Yard Depth - Twenty-five (25) feet
 6. Maximum Building Height – No building shall exceed forty (40) feet or three (3) stories in height unless such building is set back from the street right-of-way line a distance of not less than one-half (1/2) its height and is set back from all other property lines a distance of fifteen (15) feet from side yard and twenty-five (25) feet from rear yard, plus two (2) feet on each side and rear yards for each foot of height in excess of forty (40) feet. In addition to the above requirements any such building shall provide a pad to support a fire truck within twenty (20) feet of said building
- E. **OTHER DEVELOPMENT CONTROLS:**

1. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XII and XIII of this ordinance
2. No outdoor storage of any material (usable or waste) shall be permitted in this zone except within enclosed containers
3. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way, or into any adjacent property
4. Screening areas and additional setbacks shall be provided in accordance with Section 9.17 of this ordinance
5. A development plan, as regulated by Section 9.19 of this ordinance shall be required for any use in this zone
6. No use producing objectionable odors, noise, or dust shall be permitted within five hundred (500) feet from any building of any residential zone
7. All business activities permitted within this zone shall be conducted within a completely enclosed building with the exception of off-street parking and loading and/or unloading areas

SECTION 10.18 LSC LIMITED SERVICE COMMERCIAL ZONE:

- A. **PURPOSE:** The purpose of the Limited Service Commercial (LSC) Zone is to provide for a specialized neighborhood oriented services, with a variety of office, business, and commercial uses which relate to the existing and planned development and require maximum restriction to avoid conflicts with circulation and adjacent land uses.
- B. **PRINCIPLE PERMITTED USES:** The permitted uses are generally small in floor area and because of their hours of operation, traffic generation, appearance, etc., are more compatible with residential uses than other type of retail operations. These uses may be free-standing, but are usually part of a shopping center.
1. Business and cleaning services including, but not limited to, packaging and mailing; building maintenance; blue printing and photo copying; office equipment rental and leasing; carpet and upholstery cleaning; business supply services and other similar establishments engaged in rendering services to businesses or households on a fee or contract basis
 2. Computer store – retail
 3. Computer store – service
 4. Financial establishments including banks with drive-in windows, savings and loan association; credit unions; finance companies, loan offices, and safe deposit companies
 5. Food store and supermarkets including grocery stores and drug stores
 6. Home furnishings; home improvements; and miscellaneous materials and equipment stores; including, but not limited to, appliance and appliance repair stores; auto accessory stores, with no on premises installation; bicycle shops; business machine shops; carpeting and floor covering stores; curtain and drapery stores; fabric stores; hardware stores; glass shops; sewing shops; lawnmowers and snow blower sales; music, record, and musical instruments stores; glass and wall paper stores; sporting goods stores; stereo, radio, and telephone stores; and video stores. This category does not include lumberyards; building material sales, motorcycle shops or lawnmower repair
 7. Offices, including medical or dental clinics, opticians, and massage therapist clinics
 8. Personal services including, but not limited to, beauty and barber shops; laundry and dry cleaning establishments' photo studios and photo finishing; shoe repair; tailoring, watch, clock and jewelry repair; clothing rental; and other services performed for person or their apparel
 9. Post office
 10. Restaurant eating and drinking places provided that such use is conducted within a completely enclosed building and is at least two hundred (200) feet from any residential district. This category does not include fast food service restaurants and drive through facilities
 11. Specially food stores specializing in any special type or class of food, including, but not limited to, bakeries; candy, nut and cheese shops; confectionary store;

coffee and tea shops; dairy and ice cream stores; delicatessens; fruit and vegetable stores; international food stores; nutritional health foods; and wine shops. These uses do not include restaurants or carry-outs or convenient food stores. These uses do not include stores with drive-up or drive through facilities

12. Specially retail commercial establishments and boutiques including but not limited to antique stores; apparel stores; art galleries, art supplies, book and magazine stores; card and stationary shops; cosmetic stores; craft and hobby stores; camera and photo supply stores; florist; furriers; gift shops; toy shops; interior decorating accessories; leather goods stores; picture framing shops; and tobacco shops. These uses do not include stores with drive-in or drive through facilities

C. **CONDITIONAL USES:** No building or occupancy permit shall be issued for any of the following, nor shall any of the following uses or customary accessory buildings or uses be permitted until and unless the location of said use shall have been applied for and approved of by the Board of Adjustments, as set forth in Section 9.14 of this ordinance.

1. Nursery school

D. **ACCESSORY USES:**

1. Customary accessory uses
2. Fence and walls as regulated by Article XI of this ordinance
3. Signs as regulated by Article XIV of this ordinance

E. **AREA AND HEIGHT REGULATIONS:** No building shall be erected or structurally altered hereafter except in accordance with the following regulations:

1. Minimum Lot Area – Twenty-two thousand five hundred (22,500) square feet
2. Minimum Lot Width at Setback Line – One hundred (100) feet
3. Minimum Front Yard Depth – Thirty (30) feet
4. Minimum Side Yard Width – Fifteen (15) feet
5. Minimum Rear Yard Depth – Twenty-five (25) feet
6. Maximum Building Height - No building shall exceed forty (40) feet or three (3) stories in height unless such building is set back from the street right-of-way line a distance of not less than one-half (1/2) its height and is set back from all other property lines a distance of fifteen (15) feet from side yard and twenty-five (25) feet from rear yard, plus two (2) feet on each side and rear yards for each foot of height in excess of forty (40) feet. In addition to the above requirements any such building shall provide a pad to support a fire truck within twenty (20) feet of said building

F. **OTHER DEVELOPMENT CONTROLS:**

1. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XII and XIII of this ordinance
2. Parking for floor area specifically allocated for general and/or medical office use within the development shall be provided in accordance with the requirements of Article XII and XIII of these uses
3. Outdoor storage of any material (useable or waste) shall be permitted in this zone within enclosed container with proper solid screening and landscaping
4. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way, or onto any adjacent property
5. Screening areas and additional setbacks shall be provided in accordance with Section 9.17 of this ordinance
6. When a structure directly abuts a residential district, side and rear yard set backs shall be used as yard space only, free from loading areas, driving aisles, parking and anything else associated with the operation of the development, including any mechanical equipment associated therewith
7. Structures directly abutting residence districts shall be made as possible architecturally compatible with the character of the adjoining residences through facade improvements, screening, fencing, and landscaping. All mechanical equipment on the roof of buildings shall be screened from view of adjacent residential districts
8. No use producing objectionable odors, noise, or dust shall be permitted within five hundred (500) feet from the boundary of any residential zone
9. All business activities permitted within this zone shall be conducted within a completely enclosed building with the exception of off-street parking and loading and/or unloading areas
10. A development plan, as regulated by Section 9.19 of this ordinance shall be required for any use in this zone

SECTION 10.19 MLU MIXED LAND USE ZONE:

- A. **PURPOSE:** The purpose of the Mixed Land Use (MLU) Zone is to provide for the combining of offices, hotels and motels and residential uses with secondary retail and service uses within a planned development. Such development is intended to be designed to provide for an internally oriented group of activities which are functionally integrated relative to land uses, vehicular and pedestrian circulation and the arrangement of structures. In addition, the intent of the zone is to promote flexibility in design and planned diversification in the relationships between location of and types of uses and structures; promote the advantages of modern large scale site planning for community development through the efficient use of land, facilitating a more economic arrangement of buildings, circulation systems, land uses, and utilities; preserve, to the greatest extent possible, the existing landscape features and amenities, and to utilize such features in a harmonious fashion; provide for more usable and suitably located open space facilities and common facilities than would otherwise be provided under conventional land development procedures, but always with the intention of furthering the public health, safety, and general welfare.
- B. **GENERAL:** A Mixed Land Use Zone may be permitted provided that all conditions or provisions of this section of the ordinance, the applicable requirements of the subdivision regulations, and any additional requirements as may be determined necessary to provide for the most efficient layout of the MLU Zone and its proper integration with the surrounding development are met; and a public hearing is held on the MLU application.
- C. **APPLICATION AND PROCESSING:** Applications for a Mixed Land Use Zone shall be processed as follows in two stages:
1. **Stage I - Applications for a map amendment to zone an area for Mixed Land Use (MLU) shall be accompanied by a development plan, in accordance with the Stage I Plan requirements, provided for within paragraph (B) Section 10.13D Stage I Development Plan. If an area, however, is zoned MLU at the time the original zoning for the area is established (through annexation) the submission of the Stage I development plan for review by the planning commission, shall not be required until the area is proposed to be developed.**
 - a. The planning commission shall hold a public hearing on the proposed application (development plan Stage I and where applicable, the zoning map amendment), in accordance with the requirements of KRS Chapter 424, and review said application with regard to its compliance with the stated purposes of the MLU Zone, the required elements of the Stage I Plan and other applicable requirements of this section.
 2. **Stage II - Plan And Record Plat - A Stage II Plan and record plat shall be developed in conformance with the Stage I approved plan and in accordance with the requirements of Section 10.12, E, 1 F2, and submitted to the planning**

commission, or its duly authorized representative for its review and approval. Except for the manner of submission and processing, the subdivision regulations may be waived, where applicable, and the requirements of Section 10.12, E. 1 and 2 shall be substituted therefore. Those requirements not specifically waived by the planning commission shall conform with the subdivision regulations.

- a. The planning commission shall review the submitted Stage II Development Plan with regard to its compliance with the required elements of Section 10.12, E, 1 and 2 for Stage II plans, other applicable elements of this ordinance and other applicable regulations, and its conformity with the Stage I approved plan. Minor adjustments from the Stage I approved plan may be permitted, provided that the adjustments do not change land uses, increase overall density, significantly alter circulation patterns (vehicular and pedestrian) or decrease the amount and/or usability of open space or recreation areas, or conflict with other applicable requirements of this ordinance (e.g., parking requirements).
- b. Upon approval of the Stage II plan by the Planning Commission, a copy of said plan shall be forwarded to the zoning administrator, who shall grant permits only in accordance with the Stage II approved plan and other regulations, as may be required by this ordinance.
- c. Upon approval of the Stage II plan, the planning commission shall review the submitted record plat, if applicable, with regard to its compliance with the required elements of Section 10.12, E.1 and 2 for record plats, the applicable requirements of the subdivision regulations and its conformance with the Stage II approved plan.

Upon planning commission approval of the record plat, copies of said plat, certified by the planning commission, and suitable for recording shall be forwarded by the planning commission to the office of the county clerk to be recorded.

D. PERMITTED USES: One or more of the following uses may be permitted. Said uses shall be clearly delineated on the Stage I and II Plans:

1. Hotels and Motels
2. Learning for continuing education programs
3. Manufactured, assembly and storage of electronic and radio frequency equipment and related products which are, in part, related to a cooperative program with an accredited college or university and located on a single tract of land not less than twenty (20) acres
4. Offices and research laboratories
5. Restaurants (sit down only)
6. Residential – Including single family attached and detached, two family and multi-family

E. ACCESSORY USES:

1. Customary accessory buildings and uses
2. Retail and service uses, as listed below, may be included as part of the development, provided said uses are entered from within any of the permitted uses listed above or are developed as an integral part of the proposed development. Said uses shall be internally oriented to the development and shall serve as a convenience to any of the occupants thereof, their patients, as a convenience to the client or customers, and further provided that no exterior advertising signs shall be visible from outside the area of the approved development:
 - a. Apparel shop
 - b. Art and art supplies
 - c. Bakery and bakery goods store, provided the products are sold exclusively on the premises
 - d. Banks and other financial institutions, including savings, loan and finance companies
 - e. Barber and beauty shops
 - f. Book, stationary or gift shops
 - g. Camera and photographic supplies
 - h. Candy store, soda fountain, ice cream store, excluding drive-ins
 - i. Drug store
 - j. Eating and drinking places, including entertainment facilities
 - k. Florist shop
 - l. Glass, china
 - m. Haberdashery
 - n. Health spas
 - o. Hobby shop
 - p. Interior decorating studio
 - q. Jewelry store, including repair
 - r. Leather goods, and luggage store
 - s. Music, musical instruments and records, including incidental repair
 - t. Opticians and optical goods
 - u. Package liquor and wine store
 - v. Post office
 - w. Shoe store with incidental shoe repair
 - x. Sporting goods, studios for professional work or teaching of any form of fine arts, photography, music, drama, or dance
 - y. Toy store

- F. PUBLIC AND SEMI-PUBLIC USES: Public and semi-public structures and uses may be permitted in the MLU Zone. These uses shall be delineated on the plan and shall be limited to one or more of the following uses:

1. Churches
 2. Community centers, including day care facilities
 3. Country clubs
 4. Fire or police stations
 5. Government offices
 6. Libraries
 7. Open space/recreation areas
 8. Schools (elementary and secondary)
- G. **AREA REQUIREMENTS:** No MLU Zone shall be permitted on less than 5 acres of land. However, development of a small tract adjacent to an existing MLU Zone may be permitted, if the proposed development conforms to and extends the original developments as if the new area had been a part of the original development.
- H. **ACCESS REGULATIONS:** Access shall be provided to the site via a major arterial or collector street, as identified within the locally adopted comprehensive plan.
- I. **HEIGHT, YARD AND SETBACK REGULATIONS:** Requirements shall be as approved in the plan except that no building shall exceed forty (40) feet or three (3) stories in height unless such building is set back from the street right-of-way line a distance of not less than one-half (1/2) its height and is set back from all other property lines a distance of fifteen (15) feet from side yard and twenty-five (25) feet from rear yard, plus two (2) feet on each side and rear yards for each foot of height in excess of forty (40) feet. In addition to the above requirements any such building shall provide a pad to support a fire truck within twenty (20) feet of said building.
- J. **OFF-STREET PARKING AND LOADING AND/OR UNLOADING:** Off-street parking and when applicable, loading and/or unloading facilities, shall be provided in accordance with Articles XII and XIII of this ordinance.
- K. **FENCES, WALLS, AND SIGNS:** The location, height, and type of all fences, walls, and signs shall be approved in the plan.
- L. **EROSION AND SEDIMENTATION CONTROL:** Effective erosion and sedimentation controls shall be planned and applied in accordance with Section 9.6 of this ordinance.
- M. **OPEN SPACE/RECREATION AREA:** At least 20% of the total acreage of the proposed MLU development shall be retained as open space or recreation areas. Such open space/recreation areas shall be physically situated so as to be readily accessible, available to, and usable by all activities within the MLU development. Open space and recreation areas shall be that part of the total project exclusive parking areas, access drives and streets.

- N. **AMENDMENTS:** Any amendments to plans, except for the minor adjustments which may be permitted by the planning commission, shall be made in accordance with the procedure required by Subsection C of this section.
- O. **EXPIRATION:** Development plans within the MLU Zone shall be subject to the time constraints, as noted below. Upon expiration of said time period and any extensions thereto, the legislative body may initiate a request for a public hearing by the planning commission, in accordance with the requirements of KRS Chapter 100, for the purpose of determining the appropriateness of the approved development plan. A public hearing may be initiated if either of the following condition apply:
1. Stage II Plan has not been approved by the planning commission within a period of 24 consecutive months from the date of the Stage I approved plan, except as agreed upon for the phasing of development by the legislative body; provided that an extension may be permitted upon approval of the legislative body or their duly authorized representative if sufficient proof can be demonstrated that prevailing conditions have not changed appreciably to render the Stage I approved plan obsolete.
 2. Substantial construction has not been initiated within a period of 12 consecutive months from the date of approval of the Stage II plan by the planning commission; provided that an extension may be permitted upon approval of the legislative body or its duly authorized representative if sufficient proof can be demonstrated that the construction was delayed due to circumstances beyond the applicant's control, and that prevailing conditions have not changed appreciably to render the Stage I approved plan obsolete. The amount of construction constituting initiating substantial construction shall be as approved in the Stage II approved plan.

SECTION 10.20 I INDUSTRIAL ZONE:

- A. **USES PERMITTED:** The following industrial uses are permitted:
1. Contractors offices, equipment repair shop, materials storage and accessory storage yards, including the storage of general construction equipment and vehicles
 2. Warehousing or wholesaling
- B. **ACCESSORY USES:**
1. Customary accessory buildings and uses including operations required to maintain or support any use permitted in this zone on the same lot as the permitted use, such as maintenance shops, power plants, and machine shops. An accessory building shall have a floor area of less than twenty-five (25) percent of the principle building
 2. Fences and walls as regulated by Article XI of this Ordinance
 3. Signs as regulated by Article XIV of this Ordinance
 4. Uses, as listed below, included within and entered from within any use permitted in this zone as a convenience to the occupants thereof, and their customers providing such accessory uses shall not exceed ten (10) percent of the gross floor area of the permitted uses in the building and no exterior advertising displays shall be visible from outside the building.
 - a. Cafeterias
 - b. Coffee shops or refreshment stands
 - c. Soda or dairy bars
- C. **AREA AND HEIGHT REGULATIONS:** No building shall be erected or structurally altered hereafter except in accordance with the following regulations:
1. **Minimum Lot Area Per Principal Building:** Fifteen thousand (15,000) square feet. The Planning Commission may permit more than one principal building, as defined herein, to be constructed on one lot provided the density requirements of this zone are not exceeded
 2. **Minimum Lot Width at Building Setback Line:** Seventy-five (75) feet
 3. **Minimum Side Yard Width:**
 - a. No restrictions except when adjacent to a street, road, highway, or other right-of-way when the required width shall be the same as required for a minimum front yard depth in this zone. When buildings abut each other, firewall construction, as required by the Building Code, shall be required. In the event a side yard is provided, it shall never be less than fifteen (15) feet

4. Minimum Rear Yard Depth: Fifteen (15) feet
5. Maximum Percentage of Lot Coverage: No restrictions except as required by the yard requirement of this zone
6. Maximum Building Height: Forty (40) feet or three (3) stories

D. OTHER DEVELOPMENT CONTROL:

1. Off-street parking and loading or unloading shall be provided in accordance with articles XII and XIII of this Ordinance
2. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way, or into any adjacent property
3. Where any yard of any use permitted in this zone abuts a residential zone, a minimum requirement of fifteen (15) feet for each side and/or rear yard which abuts said zone shall be provided, ten (10) feet of which shall be maintained by a screening area as regulated by Section 9.17 of this ordinance
4. A development plan as regulated by Section 9.19 of this ordinance shall be required for any use in this zone

SECTION 10.21 CTO CORRIDOR TRANSITIONAL OVERLAY DISTRICT ZONE:

- A. **PURPOSES:** The purpose of the Corridor Transitional Overlay Zone is to implement the land use policies of the Comprehensive Plan with respect to development along U.S. Route 27. This highway Corridor Transitional Overlay Zone is intended to promote economic development and reinvestment, as well as, purposeful community design.
- B. **GENERAL:**
1. The Corridor Transitional Overlay Zone replaces Section 9.25 in its entirety
 2. The Corridor Transitional Overlay Zone covers only those properties designated as, "Corridor Transitional" on the Comprehensive Plan Land Use Map. Property abutting a Corridor Transitional Overlay Zone which is held in common ownership with adjoining CTO property may be included in the CTO zone provided that the proposed development of such property is consistent with the purpose and intent of the CTO district, and is in accord with the district's development standards and design criteria as determined by the Planning and Zoning Commission and does not adversely impact on neighboring residential properties
- C. **PRINCIPAL PERMITTED USES:** Uses permitted in the Corridor Transitional Overlay Zone include:
1. Uses permitted in the underlying zone
 2. Uses permitted in Section 10.17 PO, Professional Office Zone
 3. Uses permitted in Section 10.18 LSC, Limited Service Commercial Zone
- D. **CONDITONAL USES:** Higher density residential development within the Corridor Transitional Overlay Zone, may be appropriate and may be permitted, provided that such building and use is compatible for the particular area and site, as determined by the Board of Adjustments, pursuant to Section 9.14 of this Ordinance. This following conditional uses may be permitted when the Board of Adjustments finds the proposed development as depicted on a submitted site development plan is appropriate for the site relative to its compatibility with present and future development conditions and is consistent with the development standards and design of the CTO district:
1. Two-family duplex dwellings, provided that it meets the area requirements of Section 10.5 R-1E zone
 2. Four-family apartment buildings, provided that it meets the area requirements of Section 10.10 R-2 zone
- E. **APPLICATION AND PROCESSING:** Under the Corridor Transitional Overlay Zone a property owner may submit a site development plan, in accordance with Section 9.19 of this Ordinance as part of a rezoning application, to develop or redevelop property for a CTO zone use which otherwise would not be permitted in the underlying zone.

1. The site development plan shall meet the relevant district requirements of area size and setback dimensions for the proposed use
 2. Planning and Zoning Commission approval of a proposed site development plan shall be in accordance with Section 9.30 of this ordinance, and shall meet the performance standards established in subsection F, herein, as well as, other applicable requirements of this ordinance
 3. The Commission must find the proposed site development plan is consistent with the intent of the Comprehensive Plan with regard to the US 27, highway corridor
 4. The Planning Commission shall make a finding of whether the proposed development meets the performance standards of this zone and is a permitted use under the CTO, and make appropriate recommendations to the legislative body
 5. The legislative body shall, within forty-five (45) days after receiving the recommendations of the Planning Commission, review said recommendations and take action to approve, approve with changes, or disapprove said CTO application
- F. **PERFORMANCE STANDARDS:** The following standards are in addition to the distinct requirements of this ordinance, and are established as a means of improving the economic viability and environmental quality of the US 27 Highway Corridor.
1. A landscape buffer along the highway right-of-way, for non-residential properties should be developed as a means of unifying the area and soften the visual clutter of vehicular parking, and to help define individual driveway entrances
 - a. The depth of the landscape buffer should have a minimum width of five feet measured from the abutting edge of the sidewalk
 - b. In cases where parking is in the front of a building the landscape buffer should be mounted to partially hide parked automobiles without impending visibility or traffic safety
 2. A landscape plan is required as part of a site development plan for all CTO zone uses. The landscape plan should address measures to improve the environmental design quality of the site and the corridor
 3. The landscape plan should also address measures to – screen and/or buffer any adverse impact associated with the site relative to neighboring properties
 4. Conversion of an existing residential building for a non-residential use must nevertheless preserve the residential character and appearance of the building
 5. All new buildings should be designed to enhance the image of the corridor, in a manner compatible with its surroundings
 6. Commercial signage for a non-residential structure shall be as approved on the Site Development Plan
 7. When a non-residential use directly abuts a residential district, side yard setbacks shall be used as yard space provided that driveways shall be permitted. Parking in rear yard shall be permitted, provided adequate screening and buffering is provided to minimize any adverse impact to abutting residential property

SECTION 10.22 ROD REDEVELOPMENT OVERLAY DISTRICT ZONE:

- A. **PURPOSES:** The Redevelopment Overlay District (ROD) Zone is designed to foster the development of four (4) strategically located redevelopment areas in Highland Heights. These four redevelopment areas are designed on the Comprehensive Plan, Land Use Plan Map (figure 11) as gateway East and gateway West, and Park Plaza East and Park Plaza West. The intended purpose of the Redevelopment Overlay District is to effect the redevelopment of each of the four areas individually in a manner consistent with the land use development policies of the Comprehensive Plan.
- B. **GENERAL:** The rezoning of a development area shall be predicted upon the approval of a unified Site Development Plan for that area. Because of the degree of difficulty and complexity in redeveloping these four areas, the City of Highland Heights may wish to assist in the development process to the extent necessary and feasible in order to foster the implementation of its land use and community development objectives. The implementation steps that may be required in carrying out the economic development of these four proposed redevelopment areas are outlined in the Comprehensive Plan.
- C. **PROCESS AND PROCEDURES FOR ZONE CHANGE:** Application for zoning amendment to ROD Zone shall be processed in two stages in accordance with Section 10.13 C, of this ordinance.
1. The Redevelopment Overlay District (ROD) Zone is applicable only to the four redevelopment areas depicted on the Comprehensive Plan, Land Use Plan Map (figure 11)
 2. The rezoning of a development site shall be contingent upon the following requirements:
 - a. That a Stage I Unified Site Development Plan for the redevelopment area has been formulated by the applicant and submitted for approval
 - b. That in accordance with Section 9.30 of this ordinance, notification shall be given to owners of property that abut a proposed ROD zone for which a Stage I Unified Site Development Plan & Rezoning application has been submitted to the Planning & Zoning Commission for consideration
 - c. The Stage I Unified Development Plan is of sufficient detail to satisfy the requirements of Section 10.13 D & E of this ordinance
 - d. The proposed uses depicted on the Unified Site Development Plan are appropriate for the site and consistent with the land use development guidelines outlined in the Comprehensive Plan
 - e. The proposed Unified Site Development Plan has to the extent possible, been formulated by an interdisciplinary design team comprising such discipline as architecture and landscape design, engineering design, and urban planning

- f. The proposed Stage I Unified Site Development Plan has adequately addressed the development issues raised in the Comprehensive Plan in a manner that will enhance the image of Highland Heights
3. The applicants' Stage I Unified Site Development Plan shall be first referred to the City Planner, the City Engineer and the City Zoning Administrator and other relevant departments for review. The reviewers shall submit written reports to the Planning and Zoning Commission within fifteen (15) working days of the applicants' submittal. Such reports shall be made available to the applicant, and to adjoining property owners upon request
4. The Stage I Unified Site Development Plan shall be considered for approval by the Planning and Zoning Commission pursuant to Section 10.13 C and D of this Ordinance
5. The Stage I Unified Site Development Plan shall establish how the redevelopment site shall be developed, indicating the type of uses, specifying the types of building, and design features including layout, architecture, signage, drainage, and placement of utilities; provided that all utilities, for which the developer is responsible, are placed underground
6. The Stage I Unified Site Development Plan shall include a schedule indicating when various site improvements are anticipated to be started and completed over the life of the development project. If the development is to be carried out in phases, then the development scheduled shall include a performance schedule for each phase
7. Rezoning of a redevelopment site to a ROD zone shall be carried out in accordance with Section 16 of this ordinance
8. Changes may not be made to an approved Site Development Plan except for minor changes as determined by the Zoning Administrator without resubmitting a revised Site Development Plan to the Planning and Zoning Commission pursuant to Section 9.30 and Section 10.13 C & D of this ordinance
9. Following approval of a Stage I Unified Site Development Plan, the applicant shall:
 - a. Submit a Stage II Site Development Plan(s) in accordance with Section 10.13 E of this ordinance within six months following Stage I Site Development Plan approval
 - b. And shall commence construction within nine months following Stage II Site Development Plan approval
10. Should the applicant fail to meet the specified time deadline(s) the Site Development Plan shall become null and void and the zoning on site shall revert back to its original classification. The Planning and Zoning Commission may grant the applicant one, nine-month time extension provided the applicant can show good cause for an extension

- D. **PERMITTED USES:** The following permitted uses in a Redevelopment Overlay District Zone shall be as approved on the Stage I Site Development Plan, provided that such uses are consistent with the purpose and intent of the Comprehensive Plan for the area in question. Uses permitted in the Redevelopment Overlay District Zone may include mixed uses including:
1. Uses permitted in Section 10.16 General Commercial Zone
 2. Uses permitted in Section 10.17 Professional Office Building Zone
 3. Uses permitted in Section 10.11 Residential Three Zone
- E. **ACCESSORY USES:** Customary accessory buildings and uses shall be as approved on the Stage I Site Development Plan.
- F. **LAND COVERAGE, DENSITY AND INTENSITY OF USE:** The placement of buildings, land coverage and land use intensity shall be as approved on the Stage I Site Development Plan, provided that the development plan is consistent with the purpose and intent of the Comprehensive Plan relative to the redevelopment plan is consistent with the purpose and intent of the Comprehensive Plan relative to the redevelopment area in question.
1. The placement of buildings and other features of the built environment shall be as approved on the Stage I Site Development Plan
 2. Building height and setback requirements shall be as approved on the Stage I Site Development Plan
- G. **OFF-STREET PARKING AND LOADING:** Off-Street parking and loading requirements shall be as approved on the Stage I Site Development Plan, in accordance with Articles XII & XIII of this ordinance.
- H. **OPENSOURCE AND LANDSCAPE FEATURES:** Open space and landscape features are important and integral elements of the site, and shall be as approved on the Site Development Plan.
- I. **EROSION & SEDIMENTATION CONTROLS:** Effective erosion and sedimentation controls shall be planned and applied in accordance with Section 9.7 of this ordinance.
- J. **AREA REQUIREMENTS:** No redevelopment Overlay District Zone shall be established for only a portion of a redevelopment site that is smaller than three (3) acres in size. It is the intent that each redevelopment area is developed in accordance with a unified development plan for the entire development area. Piecemeal and disjointed development of such areas are not to be permitted.