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## ARTICLE X

### ZONES

#### SECTION 10.0 CO (CONSERVATION) ZONE

##### A. PERMITTED USES

1. Agricultural uses
2. Publicly 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 XIII
3. Signs, as regulated by Article XIV

##### 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 providing that the development of all facilities in or adjacent to navigable waters shall be approved by the Corps of Engineers, Department of the Army, and the Division of Water, Kentucky Department for Natural Resources and Environmental Protection. Such statements 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 provided they are primarily intended to serve only persons using the boat harbor or marina:

- (1) Boat fueling, service, and repairs

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- (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
  - c. Off-street parking facilities and temporary parking of boat trailers, including spaces large enough to accommodate automobiles pulling boat trailers
- D. AREA, HEIGHT, YARD, AND SETBACK REGULATIONS: Requirements shall be as determined and approved by the planning commission.
- E. OTHER DEVELOPMENT CONTROLS
- 1. All "Uses Permitted", and "Conditional Uses", permitted in this zone shall require a certificate of approval from the city engineer, certifying his approval of the type and manner of construction to be built (insuring that such construction 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 herein required, at time of request.
  - 2. Dwelling units are not permitted in this zone.
  - 3. Off-street parking and loading and/or unloading shall be provided in accordance with Article XI and XII of this ordinance.
  - 4. No outdoor storage of any material (usable or waste) shall be permitted in this zone, except within enclosed 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. Screening and landscaping shall be provided, as regulated by Section 9.17 of this ordinance. In no case shall the minimum planting strip be required to exceed the minimum setback requirement established for this zone.
  - 7. No use producing objectionable odors, noise, or dust, shall be permitted within five hundred (500) feet from the boundary of any residential zone.
  - 8. A site plan, as regulated by Section 9.19 of this ordinance, shall be required for any use in this zone.

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**SECTION 10.1 R-RE (RESIDENTIAL RURAL ESTATE AND AGRICULTURAL) ZONE**

- A. PERMITTED USES: (Agricultural buildings, uses, and accessory uses cannot be regulated by zoning, except for setback requirements. The following regulations, therefore, apply only to those nonagricultural buildings, uses, and accessory uses, permitted herein - except item 10.1, D., 2. which applies to all uses.)
1. Single-family dwellings (detached)
  2. Sale of products that are raised, produced, and processed on the premises, provided 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
  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 than one hundred (100) feet from the front of a street, road, highway, or right-of-way line, or not nearer than fifty (50) feet from a side lot line
  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 XIII
  3. Home occupations, subject to the restrictions and limitations established in Section 9.11 of this ordinance
  4. Signs, as regulated by Article XIV
- 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. Cemeteries
  2. Churches and other buildings for the purpose of religious worship, providing they are located adjacent to an arterial street
  3. Funeral homes, provided that they are located on a separate lot or parcel of real estate that abuts and has access 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 sanatoriums, convalescent homes, nursing homes, and homes for the aged, providing they are located adjacent to an arterial street
  6. Nursery schools

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7. Police and fire stations, 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 buildings shall be erected or structurally altered hereafter, except in accordance with the following regulations:
1. Minimum lot area - One (1) 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 width - Total: Thirty-eight (38) feet; One Side: Twelve (12) feet
  5. Minimum rear yard depth - Twenty-five (25) feet
  6. Maximum building height - Thirty-five (35) 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 regulations in Section 10.1, D.
- F. OTHER DEVELOPMENT CONTROLS
1. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII.
  2. With the exception of Subsection D. of this Section of the ordinance, 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. Screening and landscaping shall be provided, as regulated by Section 9.17 of this ordinance. In no case shall the minimum planting strip be required to exceed the minimum setback requirement established for this zone.

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**SECTION 10.2 R-1B (RESIDENTIAL ONE-B) ZONE****A. PERMITTED USES**

1. Single-family residential dwellings (detached)

**B. ACCESSORY USES**

1. Customary accessory buildings and uses
2. Fences and walls, as regulated by Article XIII
3. Home occupations, as regulated in Section 9.11 of this ordinance
4. Signs, as regulated by Article XIV

**C. CONDITIONAL USES:** The following uses, or any customary accessory buildings or uses, subject to the approval of the board of adjustment, as set forth in Sections 9.14 and 18.7 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, providing they are located adjacent to an arterial street
4. Funeral homes, provided that they are located on a separate lot or parcel of real estate that abuts and has access to an arterial street
5. Governmental offices
6. Institutions for higher education, providing they are located adjacent to an arterial street
7. 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
8. Nursery schools
9. Public and parochial schools
10. Publicly owned and/or operated parks, playgrounds, golf courses, community recreation centers, swimming pools and libraries
11. Recreational uses other than those publicly owned and/or operated, as follows:
  - a. Golf courses
  - b. Country clubs
  - c. Swimming pools

**D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES**

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 width - Total: Twenty-five (25) feet; One Side: Ten (10) feet
5. Minimum rear yard depth - Twenty-five (25) feet
6. Maximum building height - Thirty-five (35) feet

E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES

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

F. OTHER DEVELOPMENT CONTROLS

1. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII.
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, or into any adjacent property.
4. Screening and landscaping shall be provided, as regulated by Section 9.17 of this ordinance. In no case shall the minimum planting strip be required to exceed the minimum setback requirement established for this zone.

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**SECTION 10.3 R-1C (RESIDENTIAL ONE-C) ZONE****A. PERMITTED USES**

1. Single-family residential dwellings (detached)
2. Neighborhood restaurant (with or without a liquor license), that existed before this zoning was enacted. Outdoor dining is permitted provided that such area meets the following minimum requirements:
  - a. Such area shall be designed to clearly identify the limits of the outdoor dining area, which shall not include any drive-thru facility
  - b. Such area shall not exceed twenty-five (25) percent of the maximum seating capacity of the indoor dining area
  - c. Entertainment, music, and sound amplifying systems shall not be permitted within the outdoor dining areas. Televisions are permitted.
  - d. Such areas shall not be permitted to locate within any minimum required front, side, or rear yard, except where a variance has been approved by the Board of Adjustments, unless that structure existed before the R-1C zone was adopted.
  - e. Outdoor dining areas shall be operated no later than (10:00) o'clock p.m. on Sunday through Thursday inclusive, and no later than eleven (11:00) o'clock p.m. on Friday and Saturday.

**B. ACCESSORY USES**

1. Customary accessory buildings and uses
2. Fences and walls, as regulated by Article XIII
3. Home 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 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. Animal hospitals, provided:
  - a. That they are constructed and maintained according to the specifications of National Veterinary Medicine Association.
  - b. They are located upon a lot which is adjacent to and has access to an arterial street.

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- c. No animal is maintained upon the lot except for the purpose of veterinary treatment, observations, and convalescence.
  - d. All animals maintained upon the premises shall be maintained within the hospital at all times.
2. Cemeteries
  3. City buildings
  4. Churches and other buildings for the purpose of religious worship, providing they are located adjacent to an arterial street
  5. Fire and police stations, providing they are located adjacent to an arterial street
  6. Funeral homes, provided that they are located on a separate lot or parcel of real estate that abuts and has access to an arterial street
  7. Institutions for higher education, providing they are located adjacent to an arterial street
  8. 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
  9. Nursery schools
  10. Public and parochial schools
  11. Publicly owned and/or operated parks, playgrounds, golf courses, community recreation centers, swimming pools and libraries
  12. 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 - 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 (12) feet
  5. Minimum rear yard depth - Twenty-five (25) feet
  6. Maximum building height - Thirty-five (35) 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 - Thirty-five (35) feet

F. OTHER DEVELOPMENT CONTROLS

1. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII.
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 and landscaping shall be provided, as regulated by Section 9.17 of this ordinance. In no case shall the minimum planting strip be required to exceed the minimum setback requirement established for this zone.

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**SECTION 10.4 R-1D (RESIDENTIAL ONE-D) ZONE****A. PERMITTED USES**

1. Single-family dwellings (detached)

**B. ACCESSORY USES**

1. Customary accessory buildings and uses
2. Fences and walls, as regulated by Article XIII 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 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. 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, providing they are located adjacent to an arterial street
4. Funeral homes, provided that they are located on a separate lot or parcel of real estate that abuts and has access 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

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- 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-five (75) feet
  3. Minimum front yard depth - Thirty-five (35) feet
  4. Minimum side yard width on each side of lot - Ten (10) 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-half (2-1/2) stories
- F. OTHER DEVELOPMENT CONTROLS
1. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII.
  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 and landscaping shall be provided, as regulated by Section 9.17 of this ordinance. In no case shall the minimum planting strip be required to exceed the minimum setback requirement established for this zone.

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**SECTION 10.5 R-1D1 (RESIDENTIAL ONE-D1) ZONE****A. PERMITTED USES**

1. Single-family residential dwellings (detached)

**B. ACCESSORY USES**

1. Customary accessory buildings and uses
2. Fences and walls, as regulated by Article XIII 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 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. 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, providing they are located adjacent to an arterial street
4. Funeral homes, provided that they are located on a separate lot or parcel of real estate that abuts and has access 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. Swimming pools (semi-public)

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- 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-five (35) feet
  4. Minimum side yard width on each side of lot - Five (5) feet on one side and a combined total of fifteen (15) 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-half (2-1/2) stories
- F. OTHER DEVELOPMENT CONTROLS
1. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII.
  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 and landscaping shall be provided, as regulated by Section 9.17 of this ordinance. In no case shall the minimum planting strip be required to exceed the minimum setback requirement established for this zone.

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**SECTION 10.6 R-1E (RESIDENTIAL ONE-E) ZONE****A. PERMITTED USES**

1. Single-family dwellings (detached)

**B. ACCESSORY USES**

1. Customary accessory buildings and uses
2. Fences and walls, as regulated by Article XIII 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 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. 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, providing they are located adjacent to an arterial street
4. Funeral homes, provided that they are located on a separate lot or parcel of real estate that abuts and has access 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

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- 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 - Ten (10) feet
  5. Minimum rear yard depth - Twenty-five (25) feet
  6. Maximum building height - Thirty-five (35) feet or two and-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 and/or unloading shall be provided in accordance with Articles XI and XII.
  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 and landscaping shall be provided, as regulated by Section 9.17 of this ordinance. In no case shall the minimum planting strip be required to exceed the minimum setback requirement established for this zone.

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

1. Single-family dwellings (detached)

**B. ACCESSORY USES**

1. Customary accessory buildings and uses
2. Fences and walls, as regulated by Article XIII 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 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. 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, providing they are located adjacent to an arterial street
4. Funeral homes, provided that they are located on a separate lot or parcel of real estate that abuts and has access 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



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- 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 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-half (2-1/2) stories
- F. OTHER DEVELOPMENT CONTROLS
1. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII.
  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 and landscaping shall be provided, as regulated by Section 9.17 of this ordinance. In no case shall the minimum planting strip be required to exceed the minimum setback requirement established for this zone.

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

1. Single-family dwellings (detached)

**B. ACCESSORY USES**

1. Customary accessory buildings and uses
2. Fences and walls, as regulated by Article XIII 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 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. 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, providing they are located adjacent to an arterial street
4. Funeral homes, provided that they are located on a separate lot or parcel of real estate that abuts and has access 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

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- 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
  2. Minimum lot width at building setback line - Fifty (50) feet
  3. Minimum front yard depth - Twenty-five (25) 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 and/or unloading shall be provided in accordance with Articles XI and XII.
  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 and landscaping shall be provided, as regulated by Section 9.17 of this ordinance. In no case shall the minimum planting strip be required to exceed the minimum setback requirement established for this zone.

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**SECTION 10.9 R-2 (RESIDENTIAL TWO) ZONE****A. PERMITTED USES**

1. Attached single-family residential dwellings
2. Two-family residential dwellings
3. Multi-family residential dwellings
4. Recreational uses to serve the residential development, such as clubhouse, tennis courts, swimming pool, fishing lakes, etc.

**B. ACCESSORY USES**

1. Customary accessory buildings and uses
2. Fences and walls, as regulated by Article XIII
3. Signs, as regulated by Article XIV

**C. 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 site for development: Five (5) acres, except that development of a smaller area is permitted if the proposed development conforms to and extends an existing five (5) acre (or greater) development
2. Maximum density: No site for development shall exceed 14.0 dwelling units per gross acre
3. Per individual building (e.g., one multi-family building or one attached group of town houses):
  - a. Maximum number of dwelling units: Attached single-family building - eight (8) units; multi-family building - eight (8) units per floor
  - b. Minimum distance between individual buildings: Thirty (30) feet for buildings or three (3) stories or less; fifty (50) feet for buildings four (4) or five (5) stories
  - c. Minimum setback from boundaries of R-2 zone under one ownership: Thirty (30) feet; which shall remain an open area not to include swimming pools, playground equipment, or parking facilities, but a street may be located within this area if approved by the legislative body in the conceptual plan
  - d. Maximum building height: Five (5) stories
4. More than one principal building, as defined herein, may be permitted on the minimum site for development

D. OTHER DEVELOPMENT CONTROLS

1. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII.
2. No outdoor storage of any material (usable or waste) shall be permitted in this zone, except within enclosed containers.
3. No private lighting shall be permitted which would glare from this zone onto any street, or into any adjacent property.
4. No development shall occur in the R-2 Zone until a conceptual plan has been submitted and approved by the legislative body for the entire property zoned R-2, which is under one ownership. Said plan shall indicate the general circulation plan (vehicles and pedestrian) for the entire property; a schematic indication of areas by type of housing and maximum height of building; and areas to be retained for open space. A minimum of twenty (20) percent of the total acreage shall be set aside for open space use, exclusive of streets, parking areas, and buildings. The ownership and maintenance of the open space shall be indicated.
5. A site plan, in accordance with the requirements of section 9.18 shall be approved by the zoning administrator, prior to the construction of any public improvements or the issuance of any zoning or building permits. The site plan may be approved for individual sections within the minimum site for development, or plan may be submitted for the entire minimum site for development.
6. Screening and landscaping shall be provided, as regulated by Section 9.17 of this ordinance. In no case shall the minimum planting strip be required to exceed the minimum setback requirement established for this zone.

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**SECTION 10.10 R-3 (RESIDENTIAL THREE) ZONE****A. PERMITTED USES**

1. Multi-family dwellings

**B. ACCESSORY USES**

1. Customary accessory buildings and uses
2. Fences and walls, as regulated by Article XIII 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. 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, providing they are located adjacent to an arterial street
4. Funeral homes, provided that they are located on a separate lot or parcel of real estate that abuts and has access 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 building shall be erected or structurally altered hereafter, except in accordance with the following regulations:

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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 same 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 buildings and/or uses 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 and/or unloading shall be provided in accordance with Articles XI and XII.
  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 and landscaping shall be provided, as regulated by Section 9.17 of this ordinance. In no case shall the minimum planting strip be required to exceed the minimum setback requirement established for this zone.
  5. A site 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 10.9 of this ordinance.

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**SECTION 10.11 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 planned layout, reviewed and approved by the planning commission, 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 also provide for more usable and suitably located recreation facilities than would otherwise be provided under conventional R-1 Single-Family Residential land development procedures.
- B. **GENERAL:** Notwithstanding other provisions of this ordinance, a Residential Cluster Development (RCD) Overlay Zone may only be permitted only to be superimposed over any of the following R-1 Single-Family Residential Zones (e.g., R-1A, R-1B, R-1C, R-1D, etc.), 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 by the planning commission 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 on the preliminary plan and zoning map amendment.
- C. **APPLICATION AND PROCESSING:** The purpose of these procedures is to permit an initial review of and a public hearing upon the proposal by the planning commission at an early opportunity, while the details of the plan remain flexible and before the applicant has invested a large sum of money in the engineering and architectural services needed to provide the detail necessary for final plan and plat approval. Applications for the Residential Cluster Development Overlay Zone shall be processed in three stages:
1. A preliminary development plan, nonconformity with the requirements of Subsection D., shall be filed with the planning commission and processed as follows:
    - a. The planning commission shall hold a public hearing on the preliminary development plan and the amendment to the official zoning map of the area as shown in the preliminary development plan, duly noticed, in accordance with the requirements of KRS Chapter 424. Upon holding such hearing, the planning commission shall take one of the following actions on the preliminary development plan: approval, approval with condition(s), or disapproval; and shall make a recommendation to the legislative body relative to their findings with regard to the zone change.



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2. The legislative body shall, within forty-five (45) calendar days after receiving the recommendations of the planning commission, review said recommendations of that commission with regard to the requested RCD Overlay Zone and approve or disapprove said request. Approval of the RCD Overlay Zone by the legislative body shall be conditioned with the provision that the final development plan and final plat receive approval by the planning commission.
  3. After approval or conditional approval of the preliminary development plan by the planning commission and conditional approval of the RCD Overlay Zone by the legislative body, a final plat and final development plan, in accordance with the requirements of Subsection E., shall be filed with the planning commission for its review and approval.
  4. Following final plat and final development plan approval by the planning commission, the official zoning map shall be amended by adding the suffix "RCD" to the existing residential (R) zone (e.g., R-1B, R-1C, RCD, etc.) for the areas as shown on the approved final plat.
- D. PRELIMINARY DEVELOPMENT PLAN REQUIREMENTS: A preliminary development plan shall be submitted, identifying and providing the following:
1. An aerial photograph of the subject property.
  2. A plan(s) of the subject property, drawn to a scale not greater 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 topography with a maximum of five (5) foot contour intervals.
    - e. The location, height, and layout of all existing and proposed uses on the subject property, including residential uses by housing type and number of units, and recreation, public, and semi-public uses.

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- f. All walks, malls, parking areas, water bodies, open areas, recreational areas, including swimming pools, golf courses, tennis courts, playgrounds, etc.
  - g. Types of surfacing proposed on off-street parking and driveway areas.
  - h. Location of proposed streets, highways, and alleys with approximate dimensions of pavement and right-of-way widths, including type of surfacing proposed.
  - i. All existing and proposed utility lines indicating where applicable pipe sizes and types.
  - j. Accessibility to essential public facilities and services such as fire protection, schools, recreation.
  - k. Identification of the soil types on the subject property, indicating soil problems and proposed method of handling said soil problems.
  - l. A preliminary 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 ownership with a preliminary statement indicating how maintenance of the latter will be handled; and
    - (4) The construction of nonresidential buildings, in order of priority.
- E. FINAL DEVELOPMENT PLAN AND FINAL PLAT REQUIREMENTS: Except for the manner of submission and processing of subdivision plats, the standard subdivision regulations may be waived, where applicable, and the requirements of this section shall be substituted therefore. Those requirements not specifically waived by the planning commission shall conform with the subdivision regulations. The final plat shall consist of the elements hereinafter set forth, copies of which, if approved by the planning commission, shall be recorded in the county clerk's office. The elements of the final plat shall consist of:

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1. Plat or plats of the subject property drawn to a scale of not greater than one (1) inch equals one hundred (100) feet, suitable for recording and which will be recorded in the office of the county clerk, after final approval by the planning commission. The plat or plats 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 identification 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 to 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 (attached and detached) and public and semi-public uses.
  
  2. In addition to and along with the final plat, the applicant shall also submit a final development plan (including the approved preliminary development plan) at a scale of not greater than one (1) inch equals one hundred (100) feet, which shall set forth, identify, and locate the following:
    - a. The proposed finished grade of the subject property shown by contours with intervals not larger than two (2) feet, supplemented, where necessary, by spot elevations.
    - b. All walks, malls, and other open areas, including recreational areas, swimming pools, golf courses, tennis courts, playgrounds, illumination facilities, etc.
    - c. The number and type of all existing and proposed housing units on the subject property:
      - (1) Detached housing - Location and number of all lots in the proposed development, including a typical section(s) identifying lot dimensions, and the height and setbacks of buildings.
      - (2) Attached housing - Location, height, and arrangement of all buildings, and number of units within each building, including, where applicable, typical section(s) identifying lot dimensions, setbacks, and common walls.

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- d. Location, arrangement, and height of all nonresidential existing and proposed buildings on the subject property, including the identification of use of said buildings.
  - e. The location and type of all walls, fences, and screen plantings.
  - f. The location, size, height, and orientation of all signs.
  - g. The types of surfacing proposed on the various off-street parking and driveways including cross sections and drainage plans.
  - h. Location and cross section drawings of all proposed streets, highways, alleys, and walkways, indicating the proposed surfacing and drainage plans.
  - i. Location and dimensions of all curb cuts, driving lanes, off-street parking and loading and/or unloading areas, including number of spaces, angle of stalls, grades, and illumination facilities.
  - j. A plan showing all existing and proposed utilities, indicating, where applicable, pipe sizes, types, and grades.
  - k. A drainage plan of the natural and storm sewer system of the area showing: size and location of each existing and proposed structure, the approximate volume of runoff water generated by development of the subject area and the proposed method of disposing of said water. Provisions shall be included for adequate control of erosion, hillside slippage, and sedimentation, indicating the proposed temporary and permanent control practices and measures which will be implemented during all phases of clearing, and grading, and construction.
  - l. Plans and drawings required by Section E., 2., a. through k., above, may be combined in any suitable and convenient manner so long as the data required is clearly indicated on one or more of said plans. A separate plan or drawing for each element is not necessary, but may be provided at the option of the applicant.
  - m. A final schedule of development staging and phasing, as set forth in Subsection D., 2., a. of this section.
  - n. Sketches of the exteriors of several representative buildings in the project. It is intended that neither uniformity of architectural style nor unnecessary diversity thereof be a prerequisite to approval, but the developer is encouraged to exercise ingenuity in achieving a

harmonious entity without undue attention to consistency. The purpose of this subsection is to permit development flexibility greater than that permitted by other sections of this ordinance.

3. The final development plan, after approval by the planning commission, shall be delivered to the zoning administrator, who shall grant permits only in accordance with the approved development plan and other plans as required by this ordinance.
- F. **RESIDENTIAL USES AND DENSITIES:** Attached and detached single-family dwelling units may be permitted within a RCD Overlay Zone, upon approval of the planning commission. Dwelling unit density will be the number of units to be developed per gross acre within the total project area, excluding that land devoted to streets (public and private) and other nonrecreational and open space uses.
- The density of dwelling units in Residential Cluster Developments shall be determined by the density (dwelling units per net acre) as calculated from the existing residential (R) zone superimposed by the RCD Overlay Zone.
- G. **PUBLIC USES:** Public and semi-public structures and uses may be permitted in the RCD Overlay Zone upon the approval of the planning commission. These uses shall be delineated on the preliminary and final development plan and shall be limited to one or more of the following uses:
1. Churches
  2. Community centers
  3. Country clubs
  4. Fire or police stations
  5. Libraries
  6. Parks and open spaces
  7. Schools (elementary and secondary)
- H. **AREA REQUIREMENTS** No RCD Overlay Zone shall be permitted on less than ten (10) acres of land. However, development of a smaller tract adjacent to an existing RCD Overlay Zone may be permitted, when approved by the planning commission, if the proposed development conforms to and extends the original development as if the new area had been a part of the original development.
- I. **HEIGHT, YARD, AND SETBACK REQUIREMENTS:** Requirements shall be as determined and approved by the planning commission.
- 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 XI and XII of this ordinance.

- K. **FENCES, WALLS, AND SIGNS:** The location, height, and type of all fences, walls, and signs, shall be as approved by the planning commission.
- L. **ALTERATIONS:** Except as herein provided, no use shall be established or changed or any structure constructed or altered after final approval of the development plan and final plat, by the planning commission.
- M. **AMENDMENTS:** Amendments to plans may 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.
- N. **EXPIRATION:** As a condition to the zone change, substantial construction shall have been initiated within twelve (12) consecutive months following the date of final approval of the zone change, provided that an extension may be permitted upon approval of the zoning administrator if sufficient proof can be demonstrated that the construction was delayed due to circumstances beyond the applicant's control. For the purpose of this ordinance, substantial construction shall be defined as the amount of construction to be completed as set forth in, and approved as part of, the phasing of the final development plan. At the expiration of said permit and extension, if any, a public hearing shall be initiated by the city or its authorized representative, and held by the planning commission, according to the requirements of KRS 100, for the purpose of determining whether said zone change should revert to its original zoning designation.
- O. **APPROVAL:** All such development plans and plats shall be reviewed by the planning commission and the factual determination approving or rejecting such plans and plats shall be made in accordance with requirements of this or other applicable ordinances and the comprehensive plan.

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**SECTION 10.12 PUD (PLANNED UNIT DEVELOPMENT) OVERLAY ZONE**

- A. **PURPOSE:** The purposes 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 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 an harmonious fashion; provide for more usable 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:** Notwithstanding other provisions of this ordinance, a Planned Unit Development (PUD) Overlay Zone may be permitted only to be superimposed over any of the existing Residential (R-1) 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 by the planning commission to provide for the most efficient layout of the PUD Zone and its proper integration with the surrounding development, are met; and a public hearing is held on the preliminary plan and zoning map amendment.
- C. **APPLICATION AND PROCESSING:** The purpose of these procedures is to permit an initial review of and a public hearing upon the proposal by the planning commission at an early opportunity, while the details of the plan remain flexible and before the applicant has invested a large sum of money in the engineering and architectural services needed to provide the detail necessary for final plan and plat approval. Applications for the Planned Unit Development Overlay Zone shall be processed in four stages:
1. A preliminary development plan, nonconformity with the requirements of Subsection D., shall be filed with the planning commission and processed as follows:
    - a. The planning commission shall hold a public hearing on the preliminary development plan and the amendment to the official zoning map of the area as shown in the preliminary development plan, duly noticed, in accordance with the requirements of KRS Chapter 424. Upon holding such hearing, the planning commission shall take one of the following actions on the preliminary development plan: approval, approval with condition(s), or disapproval.

- b. Upon approval, or approval with condition(s), of the preliminary development plan, the planning commission shall hold a second public hearing, duly noticed, in accordance with KRS Chapter 424 with regard to amending the official zoning map of the area as shown in the preliminary development plan to the PUD Overlay Zone. After holding said hearing, the planning commission shall make a recommendation to the legislative body relative to their findings with regard to the zone change.

The public hearings on the preliminary development plan and zone change amendment may be held concurrently at the discretion of the planning commission.

2. The legislative body shall, within thirty (30) days after receiving the recommendations of the planning commission, review said recommendations of that commission with regard to the requested PUD Overlay Zone and approve or disapprove said request. Approval of the PUD Overlay Zone by the legislative body shall be conditioned with the provision that the final development plan and final plat receive approval by the planning commission.
  3. After approval or conditional approval of the preliminary development plan by the planning commission and conditional approval of the PUD Overlay Zone by the legislative body, a final plat and final development plan, in accordance with the requirements of Subsection E., shall be filed with the planning commission for its review and approval.
  4. Following final plat and final development plan approval by the planning commission, 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 areas as shown on the approved final plat.
- D. PRELIMINARY DEVELOPMENT PLAN REQUIREMENTS: A preliminary development plan shall be submitted, identifying and providing the following:
1. An aerial photograph of the subject property.
  2. A plan(s) of the subject property, drawn to a scale not greater 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.



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- 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 topography with a maximum of five (5) foot contour intervals. Where existing ground is on a slope of less than two (2) percent, the plan shall show either one (1) foot contours or spot elevations where necessary, but not more than fifty (50) feet apart in all directions.
  - e. The location, height, and layout of all existing and proposed buildings on the subject property, including existing and proposed residential uses by housing type, and commercial and public uses by type and function.
  - f. All walks, malls, parking areas, water bodies, open areas, recreational areas, including swimming pools, golf courses, tennis courts, playgrounds, etc.
  - g. Types of surfacing proposed on off-street parking and driveway areas.
  - h. Location of proposed streets, highways, and alleys with approximate dimensions of pavement and right-of-way widths.
  - i. All existing and proposed utility lines indicating where applicable pipe sizes and types.
  - j. Accessibility to essential public facilities and services such as fire protection, schools, recreation.
  - k. A preliminary 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 ownership with a preliminary statement indicating how maintenance of the latter will be handled; and

- (4) The construction of nonresidential buildings, in order of priority.

E. FINAL DEVELOPMENT PLAN AND FINAL PLAT REQUIREMENTS: Except for the manner of submission and processing of subdivision plats, the standard subdivision regulations may be waived, where applicable, and the requirements of this section shall be substituted therefore. Those requirements not specifically waived by the planning commission shall conform with the subdivision regulations. The final plat shall consist of the elements hereinafter set forth, copies of which, if approved by the planning commission, shall be recorded in the county clerk's office. The elements of the final plat shall consist of:

1. Plat or plats of the subject property drawn to a scale of not greater than one (1) inch equals one hundred (100) feet, suitable for recording and which will be recorded in the office of the county clerk, after final approval by the planning commission. The plat or plats 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 identification 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 to 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.
2. In addition to and along with the final plat, the applicant shall also submit a final development plan at a scale of not greater than one (1) inch equals one hundred (100) feet, which shall set forth, identify, and locate the following:
  - a. The proposed finished grade of the subject property shown by contours with intervals not larger than two (2) feet, supplemented, where necessary, by spot elevations.
  - b. All walks, malls, and other open areas, including recreational areas, swimming pools, golf courses, tennis courts, playgrounds, illumination facilities, etc.

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- c. The location and type of all walls, fences, and screen plantings, and landscaping.
  - d. The location, size, height, and orientation of all signs.
  - e. The types of surfacing proposed on the various off-street parking and driveways including cross sections and drainage plans.
  - f. Location and cross section drawings of all proposed streets, highways, alleys, and walkways, indicating the proposed surfacing and drainage plans.
  - g. Location and dimensions of all curb cuts, driving lanes, off-street parking and loading and/or unloading areas, including number of spaces, angle of stalls, grades, and illumination facilities.
  - h. A plan showing all existing and proposed utilities, indicating, where applicable, pipe sizes, types, and grades.
  - i. A drainage plan of the natural and storm sewer system of the area showing: size and location of each existing and proposed structure, the approximate volume of runoff water generated by development of the subject area and the proposed method of disposing of said water. Provisions shall be included for adequate control of erosion, hillside slippage, and sedimentation, indicating the proposed temporary and permanent control practices and measures which will be implemented during all phases of clearing, and grading, and construction.
  - j. Plans and drawings required by Section E., 2., a. through i., above, may be combined in any suitable and convenient manner so long as the data required is clearly indicated on one or more of said plans. A separate plan or drawing for each element is not necessary, but may be provided at the option of the applicant.
  - k. A final schedule of development staging and phasing, as set forth in Subsection D., 2., k. of this section.
  - l. Sketches of the exteriors of several representative buildings in the project. It is intended that neither uniformity of architectural style nor unnecessary diversity thereof be a prerequisite to approval, but the developer is encouraged to exercise ingenuity in achieving a harmonious entity without undue attention to consistency. The purpose of this subsection is to permit development flexibility greater than that permitted by other sections of this ordinance.

- m. The location and height of every existing and proposed building on the subject property, including existing and proposed residential uses by housing type, and commercial and public uses by type and function.
  3. The final development plan, after approval by the planning commission, shall be delivered to the zoning administrator, who shall grant permits only in accordance with the approved development plan and other plans as required by this ordinance.
- F. RESIDENTIAL USES AND DENSITIES: All types of residential housing units (attached and detached) may be permitted within a PUD Overlay Zone, upon approval of the planning commission, including but not limited to, single-family, two-family, and multi-family units. Dwelling unit density will be the number of units to be developed per gross acre within the total project area, excluding that land devoted to commercial uses and streets.

The density of dwelling units in 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, should the zone develop in a conventional manner.

- G. COMMERCIAL USES: Commercial uses, intended primarily for the convenience of residents of the PUD, may be permitted within the project area, upon approval of the planning commission.

These commercial uses shall be grouped in complexes clearly delineated on the final development plan(s), and may provide for one or more of the following uses:

1. Bakery shop
  2. Banks
  3. Beauty or barber shops
  4. Business or professional office
  5. Clothing store
  6. Delicatessen, grocery, meat, fruit, or vegetable market;
  7. Drug store
  8. Hardware stores
  9. Laundry/dry cleaning pick-up stations, or self-service facilities
  10. Restaurants
  11. Shoe repair shops
  12. Theater
- H. PUBLIC USES: Public and semi-public structures and uses may be permitted in the PUD Overlay Zone upon the approval of the planning commission. These

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uses shall be delineated on the preliminary and final development plan and shall be limited to one or more of the following uses:

1. Churches
  2. Community centers
  3. Country clubs
  4. Fire or police stations
  5. Libraries
  6. Parks
  7. Schools (elementary and secondary)
- I. AREA REQUIREMENTS: No PUD Overlay Zone shall be permitted on less than twenty-five (25) acres of land. However, development of a smaller tract adjacent to an existing PUD Overlay Zone may be permitted, when approved by the planning commission, 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 REQUIREMENTS: Requirements shall be as determined and approved by the planning commission.
- K. 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 XI and XII of this ordinance.
- L. FENCES, WALLS, AND SIGNS: The location, height, and type of all fences, walls, and signs, shall be as approved by the planning commission.
- M. ALTERATIONS: Except as herein provided, no use shall be established or changed or any structure constructed or altered after final approval of the development plan and final plat, by the planning commission.
- N. AMENDMENTS: Amendments to plans may 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: As a condition to the zone change, substantial construction shall have been initiated within twelve (12) consecutive months following the date of final approval of the zone change, provided that an extension may be permitted upon approval of the zoning administrator if sufficient proof can be demonstrated that the construction was delayed due to circumstances beyond the applicant's control. For the purpose of this ordinance, substantial construction shall be defined as the amount of construction to be completed as set forth in, and approved as part of, the phasing of the final development plan. At the expiration of said permit and extension, if any, a public hearing shall be initiated by the city

or its authorized representative, and held by the planning commission, according to the requirements of KRS 100, for the purpose of determining whether said zone change should revert to its original zoning designation.

- P. APPROVAL: All such development plans and plats shall be reviewed by the planning commission and the factual determination approving or rejecting such plans and plats shall be made in accordance with requirements of this or other applicable ordinances and the comprehensive plan
- Q. REVOCATION: Any PUD permit, or portion thereof, may be revoked by the same procedures applicable to the revocation of conditional use permits.

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**SECTION 10.13 NSC (NEIGHBORHOOD SHOPPING CENTER) ZONE****A. PERMITTED USES:**

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 with drive-in windows
5. Barber shops
6. Beauty shops
7. Billiard or pool hall
8. Book, stationery, or gift shop
9. Camera and photographic supplies
10. Candy store, soda fountain, ice cream store, excluding drive-ins
11. Delicatessen
12. Drug store
13. Dry cleaning and laundry pick-up station
14. Eating and drinking places, except drive-ins
15. Florist shop
16. Food store and supermarkets
17. Furniture store
18. Garden supplies
19. Glass, china, or pottery store
20. Haberdashery
21. Hardware store
22. Health spas
23. Hobby shop
24. Household and electrical appliance store, including incidental repair
25. Interior decorating studio
26. Jewelry store, including repair
27. Laundromats, self-service washing and drying
28. Leather goods and luggage store
29. Library
30. Locksmith shop
31. Music, musical instruments, and records, including incidental repair
32. Nursery school, including related outdoor recreational facilities
33. Off-street parking lots and garages
34. Offices
35. Opticians and optical goods
36. Package liquor and wine store
37. Paint and wallpaper store
38. Pet shop, excluding boarding and outside runs
39. Police and fire stations

40. Post office
41. Radio and television store, including repair
42. Shoe store and shoe repair
43. Sporting goods
44. Studios for professional work or teaching of any form of fine arts, photography, music, drama, or dance
45. Tailor shop
46. Toy store
47. Variety store, including notions and "five and ten" stores

**B. ACCESSORY USES**

1. Customary accessory uses
2. Fences and walls, as regulated by Article XIII 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 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., removal 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 on a major arterial street, as identified in the city's adopted comprehensive plan).

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

1. Minimum building site area - Five (5) 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), and rear yards, except where the lot abuts a major arterial, as identified in the city's 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 and/or unloading shall be provided in accordance with Articles XI 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. Screening and landscaping shall be provided, as regulated by Section 9.17 of this ordinance. In no case shall the minimum planting strip be required to exceed the minimum setback requirement established for this zone.
5. A site plan, as regulated by Section 9.19 of this ordinance, shall be required for any use permitted in this zone. Such site plan shall include the layout of the entire area of the proposed shopping center and shall take into consideration good shopping center design (i.e., internal and external good pedestrian and vehicle access) and functional relationship of uses within the shopping center
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. Except as provided for under "Permitted Uses", 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.

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**SECTION 10.14 NC (NEIGHBORHOOD COMMERCIAL) ZONE****A. PERMITTED USES:**

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 with drive-in windows
5. Barber and beauty shops
6. Billiard or pool hall
7. Book, stationery, or gift shop
8. Camera and photographic supplies
9. Candy store, soda fountain, ice cream store, excluding drive-ins
10. Delicatessen
11. Drug store
12. Dry cleaning and laundry pick-up station
13. Eating and drinking places, excluding drive-ins
14. Florist shop
15. Food store and supermarkets
16. Furniture store
17. Garden supplies
18. Glass, china, or pottery store
19. Haberdashery
20. Hardware store
21. Health spas
22. Hobby shop
23. Household and electrical appliance store, including incidental repair
24. Interior decorating studio
25. Jewelry store, including repair
26. Laundromats and self-service washing and drying
27. Leather goods and luggage store
28. Library
29. Locksmith shop
30. Music, musical instruments, and records, including incidental repair
31. Off-street parking lots and/or garages
32. Offices
33. Opticians and optical goods
34. Package liquor and wine store
35. Paint and wallpaper store
36. Pet shop, excluding boarding and outside runs
37. Police and fire stations
38. Post office
39. Existing private club or lodge

40. Radio and television store, including repair
41. Shoe store and shoe repair
42. Sporting goods
43. Studios for professional work or teaching of any form of fine arts, photography, music, drama, or dance
44. Tailor shop
45. Toy store
46. Variety store, including notions and "five and ten" stores

**B. ACCESSORY USES**

1. Customary accessory uses
2. Fences and walls, as regulated by Article XIII 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 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., removal 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 on a major arterial street, as identified in the city's adopted comprehensive plan).
2. Outdoor dining in connection with either: (1) a restaurant, private club, or Lodge without a liquor license; or (2) a restaurant, private club, or lodge with a wine and drink license, provided that such area meets the following minimum requirements:
  - a. Such area shall be designed to clearly identify the limits of the outdoor dining area, which shall not include any drive-thru facility
  - b. Such area shall not exceed twenty-five (25) percent of the maximum seating capacity of the indoor dining area
  - c. Entertainment, music and sound amplifying systems shall not be permitted within the outdoor dining areas. Televisions are permitted.

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- d. Such areas shall not be permitted to locate within any minimum required front, side or rear yard, except where a variance has been approved by the Board of Adjustments.
  - e. Outdoor dining areas shall be operated no later than (10:00) o'clock p.m. on Sunday through Thursday inclusive, and no later than eleven (11:00) o'clock p.m. on Friday and Saturday.
- D. AREA AND HEIGHT REGULATIONS: No building shall be erected or structurally altered hereafter except in accordance with the following regulations:
- 1. Minimum lot area - Ten thousand (10,000) square feet
  - 2. Minimum lot width at building setback line - Seventy (70) feet
  - 3. Minimum front yard depth - Fifty (50) feet
  - 4. Minimum side yard width - 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
  - 5. Minimum rear yard depth - Fifteen (15) feet
  - 6. Maximum building height - Forty (40) feet
  - 7. In the case of this zone, more than one principal building, as defined herein, may be constructed on one lot
- E. OTHER DEVELOPMENT CONTROLS
- 1. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XI 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 residential zone.
  - 4. Screening and landscaping shall be provided, as regulated by Section 9.17 of this ordinance. In no case shall the minimum planting strip be required to exceed the minimum setback requirement established for this zone.
  - 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.
  - 7. A site plan, as regulated by Section 9.19 of this ordinance, shall be required for any use permitted in this zone.
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**SECTION 10.15 PO (PROFESSIONAL OFFICE BUILDING) ZONE****A. PERMITTED USES**

1. Banks and other financial institutions, including savings, loan, and finance companies with drive-in windows
2. Clinics - medical or dental
3. Eating and drinking establishments (excluding drive-in, carry-out, or in-car service) in accordance with the following requirements:
  - a. One eating and/or drinking establishment shall be permitted as a principal use for each five (5) acres of land zoned PO
  - b. The eating and/or drinking establishment (including off-street parking areas) shall not exceed twenty-five (25) percent of the minimum tract for development
3. Off-street parking lots and/or garages
4. Offices
5. Police and fire stations
6. Post offices

**B. ACCESSORY USES**

1. Customary accessory buildings and uses
2. Fences and walls, as regulated by Article XIII 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 office building, 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 the permitted uses in the building and no exterior advertising displays for any of the accessory uses shall be visible from outside the building:
  - a. Barber shops
  - b. Beauty shops
  - c. Coffee shops or refreshment stands
  - d. Eating and drinking places
  - e. Medical or dental laboratories
  - f. News and confectionery stands
  - g. Prescription pharmacies

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

1. Minimum tract for professional office development - Five (5) acres, except where area restrictions are less, as identified in the adopted comprehensive plan; however, development of a smaller tract adjacent to an existing approved site may be permitted providing the proposed development conforms to and extends the original development as if the new site has been a part of the originally approved site plan layout
2. Minimum lot area within minimum tract - Twenty-two thousand five hundred (22,500) square feet
3. Minimum lot width at building setback line - One hundred (100) feet
4. Minimum front yard depth - Thirty (30) feet
5. Minimum side yard width - Fifteen (15) feet
6. Minimum rear yard depth - Twenty-five (25) feet
7. Maximum building height - Forty (40) feet
8. In the case of this zone, more than one principal building, as herein defined, may be constructed on one lot

#### D. OTHER DEVELOPMENT CONTROLS

1. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XI 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 dedicated street, or into any adjacent property.
4. Screening and landscaping shall be provided, as regulated by Section 9.17 of this ordinance. In no case shall the minimum planting strip be required to exceed the minimum setback requirement established for this zone.
5. A site 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.

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**SECTION 10.16 1-4 (INDUSTRIAL FOUR RIVER) ZONE**

- A. **PURPOSE:** This zone is established to provide for traditional industrial activities that orient towards the river, the railroad, and the highway, as a transportation point of exchange and distribution and do not require extensive urban services, along with other uses (i.e., retail, service, public, and semi-public) which serve to supplement the needs of the area labor force.
- B. **PERMITTED USES:** The following uses are permitted providing all uses are in compliance with the performance standards as set forth in Article XV of this ordinance:
1. Bulk storage and/or transfer stations for materials, excluding types of a flammable or explosive nature
  2. Carting, express, hauling, or storage yards
  3. Freight terminals
  4. Transportation facilities, including railroad rights-of-way, marshaling yards, maintenance, and fueling facilities
  5. Warehousing
- C. **ACCESSORY USES**
1. Customary accessory buildings and uses including operations required to maintain or support any permitted use in this zone on the same lot as the permitted use, such as maintenance shops, power plants, laboratories, offices, and machine shops
  2. Fences and/or walls, as regulated by Article XIII of this ordinance
  3. Signs, as regulated by Article XIV of this ordinance
  4. Uses, as listed below, located and entered from within any permitted use in this zone as a convenience to the occupants thereof, and their customers, provided 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
- D. **CONDITIONAL USES:** No buildings or occupancy permits 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. Bulk storage and/or transfer stations for materials that are of a flammable or explosive nature
2. Body piercing establishment
3. Massage parlor
4. Pawn shop
5. Sexually oriented business
6. Tattoo parlor

E. AREA AND HEIGHT REGULATIONS

1. Minimum site for an Industrial River Zone - Twenty-five (25) acres
2. Minimum lot area - One (1) acre
3. Minimum lot width at building setback line - One hundred fifty (150) feet
4. Minimum front yard depth - Fifty (50) feet
5. Minimum side yard width on each side of lot - Twenty-five (25) feet
6. Minimum rear yard depth - In internal parts of the park - Fifty (50) feet. No rear yard is required where a rail spur forms the rear property line
7. Maximum building height - Forty (40) feet or three (3) stories

F. OTHER DEVELOPMENT CONTROLS

1. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII 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. Screening and landscaping shall be provided, as regulated by Section 9.17 of this ordinance. In no case shall the minimum planting strip be required to exceed the minimum setback requirement established for this zone.
4. A site plan, as regulated by Section 9.19 of this ordinance, shall be required for any use in this zone.
5. All development in areas defined as "flood prone" (either the floodway or floodplain) must be developed in accordance with the regulations set forth in Section 9.24 of this ordinance.



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**SECTION 10.17 A-1 (AGRICULTURAL-ONE) ZONE****A. PERMITTED USES**

1. Agricultural uses
2. Single-family residential dwellings (detached)
3. Sale of products that are raised, produced, and processed on the premises, provided that no roadside stands of any type for the sale or display of agricultural products shall be permitted within fifty (50) feet from any road or highway
4. Greenhouses and nurseries, including both wholesale and retail sales of products grown on the premises
5. Stables and riding academies

**B. ACCESSORY USES**

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

**C. CONDITIONAL USES:** The following uses or any customary accessory buildings and uses, subject to the approval by the board of adjustments, as set forth in Sections 9.14 and 18.7 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. Governmental offices
4. Nursery schools
5. Police and fire stations, provided they are located adjacent to an arterial street
6. Public and parochial schools
7. Veterinarians' offices for large and small animals, including outside runs
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 publicly owned and/or operated, as follows:
  - a. Golf courses
  - b. Country clubs
  - c. Swimming pools
  - d. Tennis courts/clubs

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- e. Fishing lakes
10. Funeral homes, providing they are located adjacent to an arterial street
- 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 - One (1) 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 Width - Total: Thirty-eight (38) feet; One Side: Twelve (12) feet
  - 5. Minimum Rear Yard Depth - Twenty-five (25) feet
  - 6. Maximum Building Height - Thirty-five (35) 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 - Thirty-five (35) feet
- F. OTHER DEVELOPMENT CONTROLS:
- 1. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII.
  - 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 or road or into any adjacent property.
  - 4. Screening and landscaping shall be provided, as regulated by Section 9.17 of this ordinance. In no case shall the minimum planting strip be required to exceed the minimum setback requirement established for this zone.

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**SECTION 10.18 DTM-1 (DOWNTOWN TAYLOR MILL PRIMARY MAIN STREET) ZONE**

- A. **PURPOSE:** The purpose of the DTM-1 Zone is to provide for a pedestrian friendly, mixed use “main street” style environment consistent with the *Comprehensive Plan's* and *I-275/KY 16 Land Use Plan's* development, land use and transportation goals, objectives, policies and strategies. This zone is intended to be both a community focal point and destination where residents can congregate, socialize, and have access to a wide variety of small to medium sized retail, office, and service uses located in a dense, urban environment. DTM-1 development regulations collectively promote high quality and innovative site design to create a sense of place unique to Taylor Mill. Mixed land use flexibility is provided in return for adherence to design standards. Provisions for bicycle and pedestrian accessibility and circulation are required within the DTM-1 Zone to reduce automobile trips, provide a livable environment for existing residents, and enhance the value and aesthetics of the surrounding community.
- B. **PERMITTED USES:**
1. Apparel shop
  2. Art gallery, picture framing
  3. Art supplies
  4. Bakery and bakery goods store, provided the product are sold exclusively on the premises
  5. Bicycle sales and service
  6. Book, stationery, or gift shop
  7. Camera and photographic supplies
  8. Candy store, soda fountain, ice cream store
  9. Clothing store
  10. Community centers, publicly owned and/or operated
  11. Copy services
  12. Delicatessen
  13. Drug store
  14. Drive-through facilities, in accordance with the use standards provided in this Section
  15. Dry cleaning and laundry pick-up station
  16. Eating and drinking establishments, outdoor patio dining is permitted
  17. Existing single-family residential dwellings
  18. Existing multi-family residential dwellings
  19. Multi-family residential dwellings (R2 zoning uses and densities) on upper floors of permitted commercial/office developments.
  20. Florist shop
  21. Food store and supermarkets
  22. Furniture store
  23. General merchandise Grocery store

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24. Glass, china, or pottery store
  25. Governmental offices
  26. Grocery store
  27. Hardware store
  28. Health club/fitness center
  29. Hobby shop
  30. Household and electrical appliance store, including incidental repair
  31. Interior decorating studio
  32. Jewelry store, including repair
  33. Leather goods and luggage store
  34. Libraries
  35. Meat store, butcher
  36. Music, musical instruments, and records, including incidental repair
  37. Nursery school
  38. Opticians and optical goods
  39. Package liquor and wine store
  40. Pet shop, excluding boarding and outside runs
  41. Police and fire stations
  42. Post office
  43. Professional offices, including:
    - a. Medical and dental
    - b. Banks and other financial institutions, including savings, loan, and finance companies
    - c. Legal
    - d. Accounting
    - e. Engineering
    - f. Architecture
    - g. Interior design
    - h. Marketing
    - i. Employment service
    - j. Administrative and managerial
    - k. Medical laboratory
    - l. Education service
    - m. Office equipment and computer service
    - n. Telecommunications
    - o. Data processing
    - p. Corporate and regional corporate offices
    - q. Investment services office
  44. Radio and television store, including incidental repair
  45. Shipping and mail service
  46. Shoe sales and repair
  47. Spas, salons and barber shops
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48. Sporting goods
49. Studios for professional work or teaching of any form of fine arts, photography, music, drama, or dance
50. Tailor shop
51. Toy store
52. Travel agency
53. Variety store, including notions and “five and ten” stores
54. Video sales and rental

#### C. ACCESSORY USES

1. Customary accessory uses.
2. Fences and walls, as regulated by Article XI and Article XIII of this ordinance.
3. Signs, as regulated by Article XIV and Section 9.29 of this ordinance.

#### D. AREA AND HEIGHT REGULATIONS

1. **Building Placement:** In the DTM-1 zone, setbacks are more relaxed than in the DTM-3 zone. While buildings are still directed toward the street, parking is permitted in the front, back and side yards. Sidewalks and street trees create a pedestrian-friendly atmosphere that helps link this zone to DTM-3, while allowing design flexibility with regards to the location of parking lots. Appropriate site accommodations shall be made for off-street parking and loading and landscaping and buffering requirements. Off street parking shall be permitted in the front yard, side yard and rear yards in accordance with the provisions of Section 9.29.
  - a. **Minimum Front Yard Depth:** Buildings shall be constructed to a minimum fifteen (15') foot front yard setback from all public streets, except in the following circumstances.
    - (1) The two sides of a corner lot or parcel which front on a public right of way shall be considered a front yard for purposes of determining minimum set back requirements.
    - (2) Slight variations in the setback may be allowed at building entrances to architecturally pronounce the location and importance of building entrances to pedestrians.
    - (3) A larger setback is permitted when the resulting area is used as a pedestrian amenity, including formally landscaped plazas, courtyards and outdoor seating areas for restaurants, cafes, and coffee shops.
  - b. **Minimum Side Yard Depth:** Buildings shall be constructed to a zero

minimum fifteen (15') foot setback from all side property lines, except in the following circumstances:

- (1) When a zone or land use adjoins a residential zone or land use, a 30-foot wide planting strip shall be provided as required in Section 9.29.
  - (2) A formal pedestrian-only walkway is provided that connects off-street parking areas located to the rear of a site to the storefront and walkway system located adjacent to storefronts. A minimum six (6) feet and a maximum of ten (10) feet in walkway width is required. Lighting fixtures shall be provided in the walkway area with lighting fixtures placed at regular intervals to provide continuous ground plane overlap.
  - (3) Formal open spaces, plazas, or outdoor seating may be developed between buildings. Such areas shall be accessible to the public or shall serve an adjacent business.
  - (4) Curb cuts onto arterial or collector streets shall be limited to no more than one (1) per block face. Such curb cuts shall allow vehicular access to common parking lots located to the rear of buildings.
- c. **Minimum Rear Yard Depth:** A minimum rear setback of fifteen (15') feet is permissible but appropriate site accommodations shall be made for dumpsters, mechanical equipment, off-street parking and loading, landscaping and buffering (including a 30-foot wide planting strip when a DTM zone or land use adjoins a residential zone or land use as provided in Section 9.29), and on-site storm water management facilities.
2. **Building Mass and Bulk:** Relative building size or mass in relation to adjacent buildings provides design continuity throughout downtown Taylor Mill and in the DTM-1 Zone in particular.
- a. **Building Height and Stories:**
- (1) In order to achieve a degree of building scale compatibility a maximum of four (4) stories in height or sixty (60) feet.
  - (2) Building height deviation among adjacent buildings along the same block shall be minimized. The height of adjacent buildings shall not deviate by more than one (1) story.

## E. OTHER DEVELOPMENT CONTROLS

1. **Site Plan.** A site plan, as regulated by Section 9.19 of this ordinance shall

be required for any use in this zone.

2. Standards and Requirements. Buildings and uses in the DTM-1 Zone shall be subject to all applicable standards and requirements set forth in this ordinance, including the following standards and requirements of Section 9.29:

Subsection	Standard or Requirement
E, 2	Minimum Development Area, except for pre-existing parcels or lots which are landlocked by virtue of adjoining right of ways and property lines.
E, 3	Ownership
E, 4	Location of Business Activities
E, 5	Maximum Building Footprint
E, 6	Mixed-Use Buildings
E, 7	Building Design
E, 8	Utilities
E, 9	Lighting
E, 10	Coverage and Open Space Requirements
E, 11	Landscaping and Buffering
E, 12	On-Street Parking
E, 13	Off-Street Parking and Loading
E, 14	Site Access
E, 15	Signage

- F. USE STANDARDS: This section provides standards for specific land uses permitted by this ordinance. These standards are intended to apply in addition to all other requirements of this ordinance.

- (1) Drive-Through Facilities: Drive-through facilities are auto-oriented uses that detract from the pedestrian-friendly and human-scale environment planned in Downtown Taylor Mill. However, in recognition of the need to balance business interests with overall downtown revitalization goals, drive-through facilities are permitted in limited circumstances when all of the following requirements are satisfied:

- a. Drive-through facilities shall be accessory to banks and other financial institutions and drug store, and restaurant uses, whether such uses are principal or accessory uses.
- b. Ingress and egress to the drive-through shall not be provided directly from KY 16, Taylor Mill Road, or arterial or collector streets.
- c. In no circumstances shall a new curb cut be approved to provide access to a drive-through facility.
- d. Drive-through facilities shall be located at the rear or side of buildings and must be completely screened from all adjacent right-

of-ways. In situations where a development fronts multiple dedicated streets, the side of the building with the main entrance will be considered the front, for drive-through discussions.

- e. Only one stacking lane per drive-through facility is permitted. Financial Institutions will be permitted to have up to three stacking lanes. For design purposes, a stacking lane is a complete customer service lane, from beginning to end. Restaurant drive-through lanes that split for an additional order point, then merge, are considered a single stacking lane.
- f. Ingress and egress to any drive-through facility shall not unreasonably interfere or unreasonably conflict with on- or off-site pedestrian or vehicular circulation.



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**SECTION 10.19 DTM-2 (DOWNTOWN TAYLOR MILL OFFICE – SERVICE) ZONE**

- A. **PURPOSE** The purpose of the DTM-2 Zone is to provide small to medium sized retail, office, and service uses that cater to the daily convenience shopping and service needs of the community and surrounding employment centers consistent with the *Comprehensive Plan's* and *I-275/KY 16 Land Use Plan's* development, land use and transportation goals, objectives, policies and strategies. This zone permits a more intensive range of commercial uses than the DTM-1 Zone. Development standards in this zone are similar to the DTM-1 Zone but slightly relaxed to provide additional flexibility for businesses not wishing to locate in a “main street” style environment. Provisions for bicycle and pedestrian accessibility and circulation are required within the DTM-2 Zone to reduce automobile trips, provide a livable environment for existing residents, and enhance the value and aesthetics of the surrounding community.
- B. **PERMITTED USES:**
1. Apparel shop
  2. Art gallery, picture framing
  3. Art supplies
  4. Bakery and bakery goods store, provided the product are sold exclusively on the premises
  5. Bicycle sales and service
  6. Book, stationery, or gift shop
  7. Camera and photographic supplies
  8. Candy store, soda fountain, ice cream store
  9. Clothing store
  10. Community centers, publicly owned and/or operated
  11. Copy services
  12. Delicatessen
  13. Drug store
  14. Drive-through facilities, in accordance with the use standards provided in this Section
  15. Dry cleaning and laundry pick-up station
  16. Eating and drinking establishments, outdoor patio dining is permitted
  17. Existing single-family residential dwellings
  18. Existing multi-family residential dwellings
  19. Multi-family residential dwellings (R2 zoning uses and densities) on upper floors of permitted commercial/office developments.
  20. Florist shop
  21. Food store and supermarkets
  22. Furniture store
  23. Gasoline station, in accordance with the use standards provided in this Section
  24. General merchandise and grocery store

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25. Glass, china, or pottery store
  26. Governmental offices
  27. Grocery and convenience store(s)
  28. Hardware store
  29. Health club/fitness center
  30. Hobby shop
  31. Household and electrical appliance store, including incidental repair
  32. Interior decorating studio
  33. Jewelry store, including repair
  34. Leather goods and luggage store
  35. Libraries
  36. Meat store, butcher
  37. Music, musical instruments, and records, including incidental repair
  38. Nursery school
  39. Opticians and optical goods
  40. Package liquor and wine store
  41. Pet shop, excluding boarding and outside runs
  42. Police and fire stations
  43. Post office
  44. Professional offices, including:
    - a. Medical and dental
    - b. Banks and other financial institutions, including savings, loan, and finance companies
    - c. Legal
    - d. Accounting
    - e. Engineering
    - f. Architecture
    - g. Interior design
    - h. Marketing
    - i. Employment service
    - j. Administrative and managerial
    - k. Medical laboratory
    - l. Education service
    - m. Office equipment and computer service
    - n. Telecommunications
    - o. Data processing
    - p. Corporate and regional corporate offices
    - q. Investment services office
  45. Radio and television store, including incidental repair
  46. Shipping and mail service
  47. Shoe sales and repair
  48. Spas, hair salons and barber shops
  49. Sporting goods

50. Stores producing jewelry, leather goods, candles, and similar merchandise when merchandise is sold only on the premises and when no more than four (4) persons are involved in the production of such merchandise
51. Studios for professional work or teaching of any form of fine arts, photography, music, drama, or dance
52. Tailor shop
53. Toy store
54. Travel agency
55. Variety store, including notions and “five and ten” stores
56. Video sales and rental

#### C. ACCESSORY USES

1. Customary accessory uses.
2. Fences and walls, as regulated by Article XI and Article XIII of this ordinance.
3. Signs, as regulated by Article XIV and Section 9.29 of this ordinance.

#### D. AREA AND HEIGHT REGULATIONS

1. Building Placement: In the DTM-2 Zone, the street wall should be more relaxed than in the DTM-1 Zone. While minimal building setbacks allow for buildings directed towards the street, parking is permitted to be located in the front, the back and side yard. Through the use of reduced curb cuts and by providing pedestrian walkways and street trees, the DTM-2 Zone creates a pedestrian-friendly environment while allowing design flexibility with regards to the location of parking lots. Appropriate site accommodations shall be made for off-street parking and loading and landscaping and buffering requirements. Off street parking shall be permitted in the front yard, side yard and rear yards in accordance with the provisions of Section 9.29.
  - a. Minimum Front Yard Depth: Buildings shall be constructed to a minimum forty-five (45') foot front yard setback from all public streets, except in the following circumstances.
    - (1) The two sides of a corner lot or parcel which front on a public right of way shall be considered a front yard for purposes of determining minimum set back requirements.
    - (2) Slight variations in the setback may be allowed at building entrances to architecturally pronounce the location and importance of building entrances to pedestrians.
    - (3) A larger setback is permitted when the resulting area is used as a pedestrian amenity, including formally landscaped plazas, courtyards and outdoor seating areas for

restaurants, cafes, ice cream and coffee shops.

- b. Minimum Side Yard Depth: Buildings shall be constructed to a minimum fifteen (15') foot setback from all side property lines, except in the following circumstances:
    - (1) Appropriate site accommodations shall be made for off-street parking and loading and landscaping. Off-street parking shall be permitted in front, side, and rear yards, including along the perimeter of a building, in accordance with the provisions of Section 9.29.
    - (2) A formal pedestrian-only walkway is provided that connects off-street parking areas located to the rear of a site to the storefront and walkway system located adjacent to storefronts. A minimum six (6) feet and a maximum of ten (10) feet in walkway width is required. Lighting fixtures shall be provided in the walkway area with lighting fixtures placed at regular intervals to provide continuous ground plane overlap.
    - (3) Formal open spaces, plazas, or outdoor seating may be developed between or adjacent to buildings. Such areas shall be accessible to the public or shall serve an adjacent business.
    - (4) Curb cuts onto arterial or collector streets shall be limited to no more than one (1) per block face. Such curb cuts shall allow vehicular access to common parking lots located to the front, side or rear of buildings.
  - c. Minimum Rear Yard Depth: A minimum rear setback of fifteen (15') feet is permissible but appropriate site accommodations shall be made for dumpsters, mechanical equipment, off-street parking and loading, landscaping and buffering, and on-site storm water detention management facilities.
2. Building Mass and Bulk: Relative building size or mass in relation to adjacent buildings provides design continuity throughout downtown Taylor Mill.
    - a. Building Height and Stories:
      - (1) In order to achieve a degree of building scale compatibility, buildings in the DTM-2 Zone shall be a maximum of four (4) stories in height or sixty (60) feet.
      - (2) Building height deviation among adjacent buildings along the same block shall be minimized.

## E. OTHER DEVELOPMENT CONTROLS

1. Site Plan. A site plan, as regulated by Section 9.19 of this ordinance shall be required for any use in this zone.
2. Standards and Requirements. Buildings and uses in the DTM-2 Zone shall be subject to all applicable standards and requirements set forth in this ordinance, including the following standards and requirements of Section 9.29:

Subsection	Standard or Requirement
E, 2	Minimum Development Area, except for pre-existing parcels or lots which are landlocked by virtue of adjoining right of ways and property lines.
E, 3	Ownership
E, 4	Location of Business Activities
E, 5	Maximum Building Footprint
E, 6	Mixed-Use Buildings
E, 7	Building Design
E, 8	Utilities
E, 9	Lighting
E, 10	Coverage and Open Space Requirements
E, 11	Landscaping and Buffering
E, 12	On-Street Parking
E, 13	Off-Street Parking and Loading
E, 14	Site Access
E, 15	Signage

- F. USE STANDARDS: This section provides standards for specific land uses permitted by this ordinance. These standards are intended to apply in addition to all other requirements of this ordinance.

1. Drive-Through Facilities: Drive-through facilities are auto-oriented uses that detract from the pedestrian-friendly and human-scale environment planned in Downtown Taylor Mill. However, in recognition of the need to balance business interests with overall downtown revitalization goals, drive-through facilities are permitted in limited circumstances when all of the following requirements are satisfied:
  - a. Drive-through facilities shall be accessory to banks and other financial institutions, drug store, and restaurant uses, whether such uses are principal or accessory uses.
  - b. Ingress and egress to the drive-through shall not be provided directly from KY 16, Taylor Mill Road, or arterial or collector streets.

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- c. In no circumstances shall a new curb cut be approved to provide access to a drive-through facility.
  - d. Drive-through facilities shall be located at the rear or side of buildings and must be completely screened from all adjacent right-of-ways. In situations where a development fronts multiple dedicated streets, the side of the building with the main entrance will be considered the front, for drive-through discussions.
  - e. Only one stacking lane per drive-through facility is permitted. Financial Institutions will be permitted to have up to three stacking lanes. For design purposes, a stacking lane is a complete customer service lane, from beginning to end. Restaurant drive-through lanes that split for an additional order point, then merge, are considered a single stacking lane.
  - f. Ingress and egress to any drive-through facility shall not unreasonably interfere or unreasonably conflict with on- or off-site pedestrian or vehicular circulation.
2. Gasoline Stations: Gasoline stations are auto-oriented uses that detract from the pedestrian-friendly and human-scale environment planned in Downtown Taylor Mill. However, in recognition of the need to balance business interests and community convenience with overall downtown revitalization goals, gasoline stations are permitted in limited circumstances when all of the following requirements are satisfied:
- a. No more than four gas pumps are permitted between the building and an abutting street right-of-way, provided, however, in the circumstance where a lot or parcel is a corner lot which fronts on two (2) separate right of ways, eight (8) gas pumps shall be permitted between the building and the abutting street right of ways. Additional pumps are permitted to the side and rear of the attendant station.
  - b. Canopy support structures shall be clad with brick masonry or stone when visible from a public or private roadway.
  - c. Flush mount canopy lights are prohibited. Canopy lights shall be recessed into the canopy.
  - d. A raised landscape planting bed is required when gasoline pumps are located adjacent to a public right-of-way.
  - g. A walkway shall be provided between the public sidewalk and building entrances if the gas station includes a convenience store.
  - h. All building walls visible from a public or private roadway shall use similar building materials and architectural details and treatments as the front building wall.

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**SECTION 10.20 DTM-3 (DOWNTOWN TAYLOR MILL COMMERCIAL) ZONE**

- A. **PURPOSE:** The purpose of the DTM-3 Zone is to serve the commuting public and community residents by providing adequate land for mixed commercial uses which require larger sites and a higher degree of visibility. This zone is intended to accommodate the diverse development needs of various commercial uses, including hospitality uses, consistent with the *Comprehensive Plan's* and *I-275/KY 16 Land Use Plan's* development, land use and transportation goals, objectives, policies and strategies. Though the DTM-3 Zone permits the most intensive range of commercial uses, adherence to commercial design guidelines is important to achieve a mixed use, pedestrian friendly downtown environment that is compatible with existing neighboring residential uses and complimentary to adjacent commercial developments.
- B. **PERMITTED USES:**
1. Apparel shop
  2. Art gallery, picture framing
  3. Art supplies
  4. Bakery and bakery goods store, provided the product are sold exclusively on the premises
  5. Bicycle sales and service
  6. Book, stationery, or gift shop
  7. Camera and photographic supplies
  8. Candy store, soda fountain, ice cream store
  9. Clothing store
  10. Community centers, publicly owned and/or operated
  11. Copy services
  12. Delicatessen
  13. Drive-through facilities, in accordance with the use standards provided in this Section
  14. Drug store
  15. Dry cleaning and laundry pick-up station
  16. Eating and drinking establishments, outdoor patio dining is permitted
  17. Existing single-family residential dwellings
  18. Multi-family residential dwellings (R2 zoning uses and densities) on upper floors of permitted commercial/office developments.
  19. Florist shop
  20. Food store and supermarkets
  21. Furniture store
  22. General merchandise and grocery store
  23. Glass, china, or pottery store
  24. Governmental offices
  25. Grocery store
  26. Hardware store

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27. Health club/fitness center
  28. Hobby shop
  29. Hotels and Conference Centers, in accordance with the use standards provided in this Section
  30. Household and electrical appliance store, including incidental repair
  31. Interior decorating studio
  32. Jewelry store, including repair
  33. Leather goods and luggage store
  34. Libraries
  35. Meat store, butcher
  36. Music, musical instruments, and records, including incidental repair
  37. Nursery school
  38. Opticians and optical goods
  39. Package liquor and wine store
  40. Pet shop, excluding boarding and outside runs
  41. Police and fire stations
  42. Post office
  43. Professional offices, including:
    - a. Medical and dental
    - b. Banks and other financial institutions, including savings, loan, and finance companies
    - c. Legal
    - d. Accounting
    - e. Engineering
    - f. Architecture
    - g. Interior design
    - h. Marketing
    - i. Employment service
    - j. Administrative and managerial
    - k. Medical laboratory
    - l. Education service
    - m. Office equipment and computer service
    - n. Telecommunications
    - o. Data processing
    - p. Corporate and regional corporate offices
    - q. Investment services office
  44. Radio and television store, including incidental repair
  45. Shipping and mail service
  46. Shoe sales and repair
  47. Spas, salons
  48. Sporting goods
  49. Studios for professional work or teaching of any form of fine arts, photography, music, drama, or dance



50. Tailor shop
51. Toy store
52. Travel agency
53. Variety store, including notions and “five and ten” stores
54. Video sales and rental

C. ACCESSORY USES

1. Customary accessory uses.
2. Fences and walls, as regulated by Article XI and Article XIII of this ordinance.
3. Signs, as regulated by Article XIV and Section 9.29 of this ordinance.

D. AREA AND HEIGHT REGULATIONS

1. Building Placement: Building placement and location in the DTM-3 Zone shall enable pedestrian and vehicular circulation within the DTM-3 Zone and between the DTM-1 and DTM-3 Zones.
  - a. Minimum Front Yard Depth: Buildings shall be constructed to a twenty (20) foot build-to line from all public streets, except in the following circumstances.
    - (1) The two sides of a corner lot or parcel which front on a public right of way shall be considered a front yard for purposes of determining minimum set back requirements.
    - (2) Slight variations in the setback may be allowed at building entrances to architecturally pronounce the location and importance of building entrances to pedestrians.
    - (3) A larger setback is permitted when the resulting area is used as a pedestrian amenity, including formally landscaped plazas, courtyards and outdoor seating areas for restaurants, cafes, and coffee shops. Pedestrian spaces located within the front yard setback must be surrounded on three sides by building walls unless located at a corner.
  - b. Minimum Side Yard Depth: Buildings shall be constructed to a zero foot setback (or “build-to” line) from all side property lines to create a continuous building street wall between walls, except in the following circumstances:
    - (1) When a zone or land use adjoins a residential zone or land use, a 30-foot wide planting strip shall be provided as required in Section 9.29.
    - (2) Appropriate site accommodations shall be made for off-

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- street parking and loading and landscaping and buffering requirements. Off-street parking shall be permitted in side-yards in accordance with the provisions of Section 9.29.
- (3) A formal pedestrian-only walkway is provided that connects off-street parking areas located to the rear of a site to the storefront and walkway system located adjacent to storefronts. A minimum six (6) feet walkway width is required. Lighting fixtures shall be provided in the walkway area with lighting fixtures placed at regular intervals to provide continuous ground plane overlap.
  - (4) Formal open spaces, plazas, or outdoor seating may be developed between buildings, thus interrupting the continuous building street wall. Such areas shall be accessible to the public or shall serve an adjacent business. The design of such spaces shall ensure that parking to the rear of buildings is effectively screened through the use of fences, walls, or evergreens or a combination thereof. Such screening materials shall be in accordance with the provisions of Section 9.17, Landscape Regulations and Section 9.29.
  - (5) Curb cuts onto Taylor Mill Road shall be limited to no more than one (1) per block face. Such curb cuts shall allow vehicular access to common parking lots located to the rear of buildings. Primary access to development in the DTM-3 Zone shall be located at the intersection of arterial or collector streets and Taylor Mill Road.
- c. **Minimum Rear Yard Depth:** A rear zero-foot setback (or “build-to” line) is permissible but appropriate site accommodations shall be made for dumpsters, mechanical equipment, off-street parking and loading, landscaping and buffering (including a 30-foot wide planting strip when a DTM zone or land use adjoins a residential zone or land use as provided in Section 9.29), and on-site storm water management facilities.
2. **Building Mass and Bulk:** The relative size or mass of in relation to adjacent buildings is one of the primary ways to achieve design continuity throughout downtown Taylor Mill.
- a. **Building Height and Stories:**
    - (1) Hotel and conference center buildings shall have a minimum building height of three (3) stories or forty-five (45) feet and a maximum building height of twelve (12) stories or one hundred eight (180) feet.

- (2) The building height for all uses other than the hotel and conference center shall be a minimum of two (2) stories or thirty (30) feet, and a maximum of four (4) stories in height or sixty (60) feet.

#### E. OTHER DEVELOPMENT CONTROLS

1. Site Plan. A site plan, as regulated by Section 9.19 of this ordinance shall be required for any use in this zone.
2. Standards and Requirements. Buildings and uses in the DTM-3 Zone shall be subject to all applicable standards and requirements set forth in this ordinance, including the following standards and requirements of Section 9.29:

Subsection	Standard or Requirement
E, 2	Minimum Development Area, except for pre-existing parcels or lots which are landlocked by virtue of adjoining right of ways and property lines.
E, 3	Ownership
E, 4	Location of Business Activities
E, 5	Maximum Building Footprint
E, 6	Mixed-Use Buildings
E, 7	Building Design
E, 8	Utilities
E, 9	Lighting
E, 10	Coverage and Open Space Requirements
E, 11	Landscaping and Buffering
E, 12	On-Street Parking
E, 13	Off-Street Parking and Loading
E, 14	Site Access
E, 15	Signage

- F. USE STANDARDS: This section provides standards for specific land uses permitted by this ordinance. These standards are intended to apply in addition to all other requirements of this ordinance.

1. Drive-Through Facilities: Drive-through facilities are auto-oriented uses that detract from the pedestrian-friendly and human-scale environment planned in Downtown Taylor Mill. However, in recognition of the need to balance business interests with overall downtown revitalization goals, drive-through facilities are permitted in limited circumstances when all of the following requirements are satisfied:
  - a. Drive-through facilities shall be accessory to banks and other

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financial institutions, drug store, and restaurant uses, whether such uses are principal or accessory uses.

- b. Ingress and egress to the drive-through shall not be provided directly from KY 16, Taylor Mill Road, or arterial or collector streets.
- c. In no circumstances shall a new curb cut be approved to provide access to a drive-through facility.
- d. Drive-through facilities shall be located at the rear or side of buildings and must be completely screened from all adjacent right-of-ways. In situations where a development fronts multiple dedicated streets, the side of the building with the main entrance will be considered the front, for drive-through discussions.
- e. Only one stacking lane per drive-through facility is permitted. Financial Institutions will be permitted to have up to three stacking lanes. For design purposes, a stacking lane is a complete customer service lane, from beginning to end. Restaurant drive-through lanes that split for an additional order point, then merge, are considered a single stacking lane.
- f. Ingress and egress to any drive-through facility shall not interfere or conflict with on- or off-site pedestrian or vehicular circulation.

2. Hotels and Conference Centers:

- a. A hotel and conference center shall provide off-street parking at the rate of one (1) parking space for each guest room. In addition to those requirements, for guest rooms, parking is to provided at the rate of one (1) parking space for each two hundred (200) square feet of floor area of any meeting space facilities, ballroom, conference suites, and eating and drinking establishments.
- b. Hotels shall be connected to retail shops and restaurants with pedestrian paths and walkways that contain lighting and seating.
- c. All hotel stairwells, corridors and other circulation components of the building shall be completely enclosed within the building envelope.
- d. When a public or semi-public space such as the hotel lobby, restaurants, meeting rooms and banquet facilities are sited at the ground level adjacent to a pedestrian path or public or private roadway, these spaces shall be accented with the use of glass and transparent materials between the height of three feet and eight feet above the walkway or street grade.
- e. No hotel room shall have exterior room access.
- f. Eating and drinking establishments shall be provided only if accessory to the principal hotel and conference center use. Such eating and drinking establishment must be located within the hotel building. Stores, shops, and service facilities are also permitted as accessory uses to the hotel and conference center use if located

within the hotel building and intended primarily for the use and convenience of hotel guests.

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**SECTION 10.21 DTM-4 (DOWNTOWN TAYLOR MILL BUSINESS PARK) ZONE**

- A. **PURPOSE:** The purpose of the DTM-4 Zone is to provide for and encourage the development of business parks in a campus-like setting with landscaping and architectural amenities that create a sense of place and an esthetically attractive urban environment consistent with the *Comprehensive Plan's* and *I-275/KY 16 Land Use Plan's* development, land use and transportation goals, objectives, policies and strategies. It is intended that the DTM-4 Zone provide for the grouping and clustering of professional offices, non-hazardous research and development facilities, and limited manufacturing and fabrication uses that functionally interact well together. Development standards in this zone are intended to provide compatibility with and protection to surrounding residential and commercial properties by minimizing traffic congestion, noise, glare, vibration, odors, airborne particulate, and toxic substances.
- B. **PERMITTED USES**
1. Existing single-family residential dwellings
  2. Industrial research and development uses including research relating to product development in conjunction with testing, laboratory, and minor fabricating and assembly operations
  3. Information technology uses including telecommunications; data processing and computing centers; computer electronic parts, equipment, and electronics manufacturing; computer programming and software development; and internet-related businesses
  4. National and regional corporate headquarters
  5. Limited manufacturing and fabrication, in accordance with the performance standards of Section 10.21, F.
  6. Professional offices, including:
    - a. Medical and dental
    - b. Banks and other financial institutions, including savings, loan, and finance companies
    - c. Legal
    - d. Accounting
    - e. Engineering
    - f. Architecture
    - g. Interior design
    - h. Marketing
    - i. Employment service
    - j. Administrative and managerial
    - k. Medical laboratory
    - l. Education service
    - m. Office equipment and computer service
    - n. Telecommunications

- o. Data processing
  - p. Corporate and regional corporate offices
  - q. Investment services office
7. Warehousing up to fifty (50) percent of first floor gross area or ten thousand (10,000) square feet, whichever is less

#### C. ACCESSORY USES

1. Customary accessory uses.
2. Fences and walls, as regulated by Article XI and Article XIII of this ordinance.
3. Signs, as regulated by Article XIV and Section 9.29 of this ordinance.

#### D. AREA AND HEIGHT REGULATIONS

1. Building Placement: Building placement in the DTM-4 Zone shall allow a campus-style environment for business and should encourage pedestrian access within the Zone and to other DTM Zones.
  - a. Minimum Front Yard Depth: Buildings shall be constructed to a twenty (20) foot build-to line from all public streets, except in the following circumstances.
    - (1) The two sides of a corner lot or parcel which front on a public right of way shall be considered a front yard for purposes of determining minimum set back requirements.
    - (2) Slight variations in the setback may be allowed at building entrances to architecturally pronounce the location and importance of building entrances to pedestrians.
    - (3) A larger setback is permitted when the resulting area is used as a pedestrian amenity, including formally landscaped plazas, courtyards and outdoor seating areas for restaurants, cafes, and coffee shops. Pedestrian spaces located within the front yard setback must be surrounded on three sides by building walls unless located at a corner.
  - b. Minimum Side Yard Depth: Buildings shall be constructed to a zero foot setback (or "build-to" line) from all side property lines to create a continuous building street wall between walls, except in the following circumstances:
    - (1) When a zone or land use adjoins a residential zone or land use, a 30-foot wide planting strip shall be provided as required in Section 9.29.

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- (2) Appropriate site accommodations shall be made for off-street parking and loading and landscaping and buffering requirements. Off-street parking shall be permitted in side-yards in accordance with the provisions of Section 9.29.
  - (3) A formal pedestrian-only walkway is provided that connects off-street parking areas located to the rear of a site to the storefront and walkway system located adjacent to storefronts. A minimum six (6) feet walkway width is required. Lighting fixtures shall be provided in the walkway area with lighting fixtures placed at regular intervals to provide continuous ground plane overlap.
  - (4) Formal open spaces, plazas, or outdoor seating may be developed between buildings, thus interrupting the continuous building street wall. Such areas shall be accessible to the public or shall serve an adjacent business. The design of such spaces shall ensure that parking to the rear of buildings is effectively screened through the use of fences, walls, or evergreens or a combination thereof. Such screening materials shall be in accordance with the provisions of Section 9.17, Landscape Regulations and Section 9.29.
  - (5) Curb cuts onto arterial or collector streets shall be limited
- c. Minimum Rear Yard Depth: A rear zero-foot setback (or “build-to” line) is permissible but appropriate site accommodations shall be made for dumpsters, mechanical equipment, off-street parking and loading, landscaping and buffering (including a 20-foot wide planting strip when a DTM zone or land use adjoins a residential zone or land use as provided in Section 9.29), and on-site storm water management facilities.
2. Building Mass and Bulk: The relative size or mass of in relation to adjacent buildings is one of the primary ways to achieve design continuity throughout downtown Taylor Mill.
    - a. Building Height and Stories: In order to achieve a allow for flexibility in office building design, buildings in the DTM-4 Zone shall be a maximum of six (6) stories in height or ninety (90) feet.
- E. OTHER DEVELOPMENT CONTROLS
1. Site Plan. A site plan, as regulated by Section 9.19 of this ordinance shall be required for any use in this zone.
  2. Standards and Requirements. Buildings and uses in the DTM-4 Zone shall be subject to all applicable standards and requirements set forth in



this ordinance, including the following standards and requirements of Section 9.29:

Subsection	Standard or Requirement
E, 2	Minimum Development Area, except for pre-existing parcels or lots which are landlocked by virtue of adjoining right of ways and property lines.
E, 3	Ownership
E, 4	Location of Business Activities
E, 5	Maximum Building Footprint
E, 6	Mixed-Use Buildings
E, 7	Building Design
E, 8	Utilities
E, 9	Lighting
E, 10	Coverage and Open Space Requirements
E, 11	Landscaping and Buffering
E, 12	On-Street Parking
E, 13	Off-Street Parking and Loading
E, 14	Site Access
E, 15	Signage

F. **USE STANDARDS:** All uses permitted in the DTM-4 Zone shall meet the following standards in order to ensure compatibility between uses permitted in the zone and to protect residential zones and uses from such zones.

1. **Outdoor Storage:** The outside storage of goods, merchandise, inventory, equipment, or raw materials is prohibited. In addition, the outside storage of (but not limited to) junk, refuse, inoperative items, and inoperative or unlicensed motor vehicles and recreational equipment is prohibited. The use of trailers for storage is prohibited.
2. **Material Processing:** No raw materials shall be processed into any of the following basic products: metal of any kind, glass, plastic, textiles, paper or petroleum products.
3. **Commercial Vehicles:** No commercial vehicle with a gross vehicle weight rated in excess of ten thousand (10,000) pounds, or more than seven (7) feet in height, and not owned by or associated with an existing business on a subject property, may be parked on any commercial lot, except for commercial vehicles making service calls or deliveries to or from a subject property.
4. **Noise and Vibration:** No noise or vibration shall be permitted which is discernable to the human sense of feeling at or beyond the lot lines for three (3) minutes or more duration in any one (1) hour.
5. **Toxic or Noxious Matter:** No emission of toxic or noxious matter, which is injurious to human health, comfort and enjoyment of life and property or to

- animal or plant life, shall be permitted.
6. Smoke or Air Pollutants: The emission of smoke or other air pollutants shall not violate the standards and regulations of the Northern Kentucky District Health Department.
  7. Dust. Landscaping and surface paving shall be used to prevent dust and other types of air pollution from passing onto adjoining properties.
  8. Odors: There will be no emission of odors or odor causing substances which can be detected without the use of instruments at or beyond the lot lines.
  9. Radioactive Materials: Manufacturing activities involving the use, storage, or disposal of radioactive materials are prohibited except for those materials:
    - a. That do not become an integral part of the manufactured product;  
or
    - b. That are exempt from state and/or federal licensing requirements;  
or
    - c. Are used for medical diagnosis and therapy, education, or industrial/ defense related research and development.

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**SECTION 10.22 R-1A (RESIDENTIAL ONE-A) ZONE**

- A. Purpose: To encourage the orderly development of low density single-family homes on environmentally sensitive land that promotes the health and safety of its residents through the use of high construction standards. When developed according to conservation design standards, this zone will promote the preservation of open space while allowing for flexibility in lot sizes.
- B. PERMITTED USES
1. Single-family dwellings (detached), in accordance with the area and height regulations of Section 10.22D or the conservation design development standards of Section 10.22E
- C. Accessory Uses
1. Customary accessory buildings and uses
  2. Fences and walls, as regulated by Article XIII
  3. Home 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
  5. Publicly owned and/or operated parks, playgrounds, golf courses, community recreation centers, swimming pools and libraries
  6. 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: No buildings shall be erected or structurally altered hereafter, except in accordance with the following regulations:
1. Minimum lot area - One (1) acre
  2. Minimum lot width at minimum 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 - Twenty-five (25) 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. CONSERVATION DESIGN DEVELOPMENT STANDARDS: In addition to the general provisions of this Section and this ordinance, conservation design developments shall conform to the following standards:

1. Purpose. The purpose of the conservation design option is to provide a means whereby single-family residential dwellings may be constructed through a planned layout and reviewed and approved by the city. Such developments permit flexibility in design, location, and siting in exchange for the preservation of hillside areas, other natural geographic and topographic features, and open spaces.
2. Density. The density permitted in conservation design developments shall be one dwelling unit per net acre. Net acres shall be determined by subtracting all required public road and utility areas and areas required to meet the city's hillside development controls from the total gross acres.
3. Development Area Requirements. The minimum development area shall be five (5) acres.
4. Open Space Requirements. Open space shall be provided in accordance with the following provisions:
  - a. Open space shall be set aside and protected by the developer in the form of an irrevocable conveyance whereby the open space area must be preserved according to the approved development plan and may never be changed to any other use, unless it is part of an approved site plan amendment.
  - b. The developer shall provide for perpetual and mandatory maintenance of the open space through the use of deed restrictions or other means acceptable to the City, which shall provide for participation in said maintenance cost by each property owner within the development. This conveyance can provide that the open space is for the use and enjoyment of the residents, occupants, and users of the development.
5. Area and Height Regulations. When open space is provided in accordance with the provisions of this Section, a one (1) percent reduction in the lot size and yard requirements of Section 10.22D shall be granted for each one (1) percent of open space provided. In no case shall the lot size be reduced more than fifty (50) percent.
6. Site Plan. A site plan, as regulated by Section 9.19 of this ordinance, shall be required for all conservation design developments.

#### F. OTHER DEVELOPMENT CONTROLS

1. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XI 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 conditional use permitted in this zone abuts property in a single-family residential zone, a ten (10) foot wide screening area, as regulated by Section 9.17 of this ordinance, shall be required.
5. All walls shall be constructed of a masonry building materials, including stone.