
ARTICLE X
ZONE REGULATIONS

SECTION 10.0 CONSERVATION (CO) ZONE:

A. PERMITTED USES:

1. Agricultural uses.
2. Publicly owned and/or operated parks and/or recreation areas.
3. Private recreational uses other than those publicly owned and/or operated such as golf courses, country clubs, and camping areas.

B. ACCESSORY USES:

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

C. CONDITIONAL USES: The following uses and their customary accessory buildings or uses subject to the approval of the Board of Adjustment, as set forth in Section 9.14 and 18.7 of this ordinance:

1. Riding academies and stables;
2. Golf driving ranges.

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

- a. Minimum lot area - One (1) acre
- b. Minimum lot width - One hundred fifty (150) feet
- c. Minimum front yard depth - Fifty (50) feet
- d. Minimum side yard width - Twenty five (25) feet
- e. Minimum rear yard depth - Fifty (50) feet
- f. Maximum building height - Twenty five (25) feet

E. OTHER DEVELOPMENT CONTROLS:

1. A site plan, as regulated by Section 9.19 of this ordinance shall be required for any "permitted use" or "conditional use" in this zone.
2. Any activity that may be located in the floodplain of any water course shall be in accordance with the requirements of Section 9.25.
3. Dwellings, including cabins, rooming houses, and mobile homes are not permitted in this zone.
4. Temporary camping units, tents, and recreational vehicles, as defined in KRS 219.320 (8) shall be permitted; however, no such units shall be used for year-round habitation.

5. Off-street parking shall be provided for any use within this zone, in according to the provisions of Article XI .
6. No outdoor storage of any material (useable or waste) shall be permitted in this zone except within enclosed containers.
7. No motor vehicle which is inoperable, or mobile home or trailer shall be stored or used for storage in this zone
8. No use producing objectionable odors, noise, or dust, shall be permitted within five hundred (500) feet from the boundary of any residential zone.

SECTION 10.1 R-1E RESIDENTIAL ONE-E ZONE:**A. USES PERMITTED:**

1. Single family dwellings (detached)

B. ACCESSORY USES:

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

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 Section 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. Governmental offices.
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.
11. Funeral homes, provided they are located adjacent to an arterial street.
12. Accessory Dwelling (ADU) unit with the following conditions:
 - a. One (1) ADU , either attached or detached is permitted per single family dwelling per lot.
 - b. The ADU shall be subordinate in area, extent, and purpose, to the primary dwelling unit;

- c. Maximum ADU Size: 800 square feet or 30 percent of the gross floor area of the principal structure, whichever is greater.
- d. Location Requirements:
 - i. For an attached ADU, the yard or setback requirements of the principal structure shall be met. The attached ADU shall be located either to the side or rear yard of the principal structure.
 - ii. For a detached ADU, the yard or setback requirements of an accessory structure shall be met. The detached ADU shall be located either to the side or rear yard of the principal structure.
- e. ADU Access:
 - i. For an attached ADU, an exterior staircase used to access a second story or higher ADU shall not be located on the front façade of the structure.
 - ii. For a detached ADU, the exterior pedestrian entrance to the ADU shall be located facing the principal structure or side yard.
- f. Maximum Height:
 - i. For an attached ADU, the maximum height shall not exceed the height of the principal structure.
 - ii. For a detached ADU, the maximum height shall not exceed the maximum height permitted for an accessory structure in accordance with this section. The maximum height shall not exceed the height of the principal structure.
- g. The ADU may not be used for a home-based business.
- h. The ADU may not be held out to the public or used as a short or long-term rental.
- i. The primary dwelling unit and the ADU must share the same driveway encroachment.
- j. Off-street parking shall meet the requirements of Article XI of this Ordinance and one (1) paved parking pad or one (1) garage parking space shall be provided for the ADU.
- k. The owner of the property shall reside within either the principal or the accessory dwelling unit.

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES AND CONDITIONALLY APPROVED ACCESSORY DWELLING UNITS:

- 1. Minimum lot area - Ten thousand (10,000) square feet
- 2. Minimum lot width at building setback line - Ninety (90) feet
- 3. Minimum front yard depth – Twenty-five (25) feet
- 4. Minimum side yard width on each side of lot – Five (5) feet
- 5. Minimum rear yard depth - Twenty-five (25) feet
- 6. Maximum building height - Thirty-five (35) feet

E. AREA AND HEIGHT REGULATIONS FOR ALL OTHER CONDITIONALLY PERMITTED USES:

- 1. Minimum lot area - Twenty-two thousand five hundred (22,500) square feet
- 2. Minimum lot width - One hundred fifty (150) feet
- 3. Minimum front yard depth - Fifty (50) feet

4. Minimum side yard width - Fifty (50) feet
5. Minimum rear yard depth - Fifty (50) feet
6. Maximum building height - Thirty-five (35) feet

F. OTHER DEVELOPMENT CONTROLS:

1. Off-street parking and loading and 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. Where any yard of any conditional use permitted in this zone, except an accessory dwelling unit, abuts property in a single family zone, a ten (10) foot wide screening area as regulated by Section 9.17 of this ordinance shall be required.

SECTION 10.2 R-1F RESIDENTIAL ONE-F ZONE:

A. USES PERMITTED:

1. Single family dwellings (detached)

B. ACCESSORY USES:

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

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 Section 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. Governmental offices.
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.
11. Funeral homes, provided they are located adjacent to an arterial street.
12. Accessory Dwelling (ADU) unit with the following conditions:
 - a. One (1) ADU , either attached or detached is permitted per single family dwelling per lot.
 - b. The ADU shall be subordinate in area, extent, and purpose, to the primary dwelling unit;

- c. Maximum ADU Size: 800 square feet or 30 percent of the gross floor area of the principal structure, whichever is greater.
- d. Location Requirements:
 - i. For an attached ADU, the yard or setback requirements of the principal structure shall be met. The attached ADU shall be located either to the side or rear yard of the principal structure.
 - ii. For a detached ADU, the yard or setback requirements of an accessory structure shall be met. The detached ADU shall be located either to the side or rear yard of the principal structure.
- e. ADU Access:
 - i. For an attached ADU, an exterior staircase used to access a second story or higher ADU shall not be located on the front façade of the structure.
 - ii. For a detached ADU, the exterior pedestrian entrance to the ADU shall be located facing the principal structure or side yard.
- f. Maximum Height:
 - i. For an attached ADU, the maximum height shall not exceed the height of the principal structure.
 - ii. For a detached ADU, the maximum height shall not exceed the maximum height permitted for an accessory structure in accordance with this section. The maximum height shall not exceed the height of the principal structure.
- g. The ADU may not be used for a home-based business.
- h. The ADU may not be held out to the public or used as a short or long-term rental.
- i. The primary dwelling unit and the ADU must share the same driveway encroachment.
- j. Off-street parking shall meet the requirements of Article XI of this Ordinance and one (1) paved parking pad or one (1) garage parking space shall be provided for the ADU.
- k. The owner of the property shall reside within either the principal or the accessory dwelling unit.

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES AND CONDITIONALLY APPROVED ACCESSORY DWELLING UNITS:

- 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 – Five (5) feet
- 5. Minimum rear yard depth - Twenty-five (25) feet
- 6. Maximum building height - Thirty-five (35) feet

E. AREA AND HEIGHT REGULATIONS FOR ALL OTHER CONDITIONALLY PERMITTED USES:

- 1. Minimum lot area - Twenty-two thousand five hundred (22,500) square feet
- 2. Minimum lot width - One hundred fifty (150) feet

3. Minimum front yard depth - Fifty (50) feet
4. Minimum side yard width - Fifty (50) feet
5. Minimum rear yard depth - Fifty (50) feet
6. Maximum building height - Thirty-five (35) feet

F. OTHER DEVELOPMENT CONTROLS:

1. Off-street parking and loading and 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. Where any yard of any conditional use permitted in this zone, except an accessory dwelling unit, abuts property in a single family zone, a ten (10) foot wide screening area as regulated by Section 9.17 of this ordinance shall be required.

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

1. Single family dwellings (detached)

B. ACCESSORY USES:

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

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 Section 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. Governmental offices.
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.
11. Funeral homes, provided they are located adjacent to an arterial street.
12. Accessory Dwelling (ADU) unit with the following conditions:
 - a. One (1) ADU , either attached or detached is permitted per single family dwelling per lot.
 - b. The ADU shall be subordinate in area, extent, and purpose, to the primary dwelling unit;

- c. Maximum ADU Size: 800 square feet or 30 percent of the gross floor area of the principal structure, whichever is greater.
- d. Location Requirements:
 - i. For an attached ADU, the yard or setback requirements of the principal structure shall be met. The attached ADU shall be located either to the side or rear yard of the principal structure.
 - ii. For a detached ADU, the yard or setback requirements of an accessory structure shall be met. The detached ADU shall be located either to the side or rear yard of the principal structure.
- e. ADU Access:
 - i. For an attached ADU, an exterior staircase used to access a second story or higher ADU shall not be located on the front façade of the structure.
 - ii. For a detached ADU, the exterior pedestrian entrance to the ADU shall be located facing the principal structure or side yard.
- f. Maximum Height:
 - i. For an attached ADU, the maximum height shall not exceed the height of the principal structure.
 - ii. For a detached ADU, the maximum height shall not exceed the maximum height permitted for an accessory structure in accordance with this section. The maximum height shall not exceed the height of the principal structure.
- g. The ADU may not be used for a home-based business.
- h. The ADU may not be held out to the public or used as a short or long-term rental.
- i. The primary dwelling unit and the ADU must share the same driveway encroachment.
- j. Off-street parking shall meet the requirements of Article XI of this Ordinance and one (1) paved parking pad or one (1) garage parking space shall be provided for the ADU.
- k. The owner of the property shall reside within either the principal or the accessory dwelling unit.

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES AND CONDITIONALLY APPROVED ACCESSORY DWELLING UNITS:

- 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 – Five (5) feet
- 5. Minimum rear yard depth - Twenty-five (25) feet
- 6. Maximum building height - Thirty-five (35) feet

E. AREA AND HEIGHT REGULATIONS FOR ALL OTHER CONDITIONALLY PERMITTED USES:

- 1. Minimum lot area - Twenty-two thousand five hundred (22,500) square feet

2. Minimum lot width - One hundred fifty (150) feet
3. Minimum front yard depth - Fifty (50) feet
4. Minimum side yard width - Fifty (50) feet
5. Minimum rear yard depth - Fifty (50) feet
6. Maximum building height - Thirty-five (35) feet

F. OTHER DEVELOPMENT CONTROLS:

1. Off-street parking and loading and 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. Where any yard of any conditional use permitted in this zone, except an accessory dwelling unit, abuts property in a single family zone, a ten (10) foot wide screening area as regulated by Section 9.17 of this ordinance shall be required.

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

1. Single family dwellings (detached)

B. ACCESSORY USES:

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

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 Section 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. Governmental offices.
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.
11. Funeral homes, provided they are located adjacent to an arterial street.
12. Accessory Dwelling (ADU) unit with the following conditions:
 - a. One (1) ADU , either attached or detached is permitted per single family dwelling per lot.
 - b. The ADU shall be subordinate in area, extent, and purpose, to the primary dwelling unit;

- c. Maximum ADU Size: 800 square feet or 30 percent of the gross floor area of the principal structure, whichever is greater.
- d. Location Requirements:
 - i. For an attached ADU, the yard or setback requirements of the principal structure shall be met. The attached ADU shall be located either to the side or rear yard of the principal structure.
 - ii. For a detached ADU, the yard or setback requirements of an accessory structure shall be met. The detached ADU shall be located either to the side or rear yard of the principal structure.
- e. ADU Access:
 - i. For an attached ADU, an exterior staircase used to access a second story or higher ADU shall not be located on the front façade of the structure.
 - ii. For a detached ADU, the exterior pedestrian entrance to the ADU shall be located facing the principal structure or side yard.
- f. Maximum Height:
 - i. For an attached ADU, the maximum height shall not exceed the height of the principal structure.
 - ii. For a detached ADU, the maximum height shall not exceed the maximum height permitted for an accessory structure in accordance with this section. The maximum height shall not exceed the height of the principal structure.
- g. The ADU may not be used for a home-based business.
- h. The ADU may not be held out to the public or used as a short or long-term rental.
- i. The primary dwelling unit and the ADU must share the same driveway encroachment.
- j. Off-street parking shall meet the requirements of Article XI of this Ordinance and one (1) paved parking pad or one (1) garage parking space shall be provided for the ADU.
- k. The owner of the property shall reside within either the principal or the accessory dwelling unit.

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES AND CONDITIONALLY APPROVED ACCESSORY DWELLING UNITS:

- 1. Minimum lot area - Five thousand (5,000) square feet
- 2. Minimum lot width at building setback line - Forty (40) feet
- 3. Minimum front yard depth – Twenty-five (25) feet
- 4. Minimum side yard width on each side of lot – Five (5) feet
- 5. Minimum rear yard depth - Twenty-five (25) feet
- 6. Maximum building height - Thirty-five (35) feet

E. AREA AND HEIGHT REGULATIONS FOR ALL OTHER CONDITIONALLY PERMITTED USES:

- 1. Minimum lot area - Twenty-two thousand five hundred (22,500) square feet
- 2. Minimum lot width - One hundred fifty (150) feet

3. Minimum front yard depth - Fifty (50) feet
4. Minimum side yard width - Fifty (50) feet
5. Minimum rear yard depth - Fifty (50) feet
6. Maximum building height - Thirty-five (35) feet

F. OTHER DEVELOPMENT CONTROLS:

1. Off-street parking and loading and 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. Where any yard of any conditional use permitted in this zone, except an accessory dwelling unit, abuts property in a single family zone, a ten (10) foot wide screening area as regulated by Section 9.17 of this ordinance shall be required.

SECTION 10-5 R-1H RESIDENTIAL ONE-H ZONE

A. USES PERMITTED:

1. Single family dwellings (detached)

B. ACCESSORY USES:

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

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 Section 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. Governmental offices.
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.
11. Funeral homes, provided they are located adjacent to an arterial street.
12. Accessory Dwelling (ADU) unit with the following conditions:
 - a. One (1) ADU , either attached or detached is permitted per single family dwelling per lot.
 - b. The ADU shall be subordinate in area, extent, and purpose, to the primary dwelling unit;

- c. Maximum ADU Size: 800 square feet or 30 percent of the gross floor area of the principal structure, whichever is greater.
- d. Location Requirements:
 - i. For an attached ADU, the yard or setback requirements of the principal structure shall be met. The attached ADU shall be located either to the side or rear yard of the principal structure.
 - ii. For a detached ADU, the yard or setback requirements of an accessory structure shall be met. The detached ADU shall be located either to the side or rear yard of the principal structure.
- e. ADU Access:
 - i. For an attached ADU, an exterior staircase used to access a second story or higher ADU shall not be located on the front façade of the structure.
 - ii. For a detached ADU, the exterior pedestrian entrance to the ADU shall be located facing the principal structure or side yard.
- f. Maximum Height:
 - i. For an attached ADU, the maximum height shall not exceed the height of the principal structure.
 - ii. For a detached ADU, the maximum height shall not exceed the maximum height permitted for an accessory structure in accordance with this section. The maximum height shall not exceed the height of the principal structure.
- g. The ADU may not be used for a home-based business.
- h. The ADU may not be held out to the public or used as a short or long-term rental.
- i. The primary dwelling unit and the ADU must share the same driveway encroachment.
- j. Off-street parking shall meet the requirements of Article XI of this Ordinance and one (1) paved parking pad or one (1) garage parking space shall be provided for the ADU.
- k. The owner of the property shall reside within either the principal or the accessory dwelling unit.

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES AND CONDITIONALLY APPROVED ACCESSORY DWELLING UNITS:

- 1. Minimum lot area - Four thousand (4,000) square feet
- 2. Minimum lot width at building setback line - Forty (40) feet
- 3. Minimum front yard depth – Twenty-five (25) feet
- 4. Minimum side yard width on each side of lot – Five (5) feet
- 5. Minimum rear yard depth - Twenty-five (25) feet
- 6. Maximum building height - Thirty-five (35) feet

E. AREA AND HEIGHT REGULATIONS FOR ALL OTHER CONDITIONALLY PERMITTED USES:

- 1. Minimum lot area - Twenty-two thousand five hundred (22,500) square feet

2. Minimum lot width - One hundred fifty (150) feet
3. Minimum front yard depth - Fifty (50) feet
4. Minimum side yard width - Fifty (50) feet
5. Minimum rear yard depth - Fifty (50) feet
6. Maximum building height - Thirty-five (35) feet

F. OTHER DEVELOPMENT CONTROLS:

1. Off-street parking and loading and 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. Where any yard of any conditional use permitted in this zone, except an accessory dwelling unit, abuts property in a single family zone, a ten (10) foot wide screening area as regulated by Section 9.17 of this ordinance shall be required.

SECTION 10-6 R-3 RESIDENTIAL THREE ZONE**A. USES PERMITTED:**

1. Two-family residential dwellings
2. Multi-family residential dwellings

B. ACCESSORY USES:

1. Customary accessory buildings and uses.
2. Fences and walls as regulated by Articles XIII.
3. 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 Section 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. Governmental offices.
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.
11. Funeral homes, provided they are located adjacent to an arterial street.

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES:

1. Minimum lot area - Forty thousand (4,000) square feet. In the case of this zone, more than one principal building, as defined herein, may be permitted on one lot
2. Maximum density – Ten (10) dwelling units per 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 on each side of lot – Fifteen (15) feet
5. Minimum rear yard depth - Thirty (30) feet
6. Maximum building height - Thirty-five (35) feet

E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES:

1. Minimum lot area - Forty thousand (40,000) square feet
2. Minimum lot width - One hundred fifty (150) feet
3. Minimum front yard depth - Fifty (50) feet
4. Minimum side yard width - Fifty (50) feet
5. Minimum rear yard depth - Fifty (50) feet
6. Maximum building height - Forty (40) feet

F. OTHER DEVELOPMENT CONTROLS:

1. Off-street parking and loading and 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. Where any yard of any conditional use permitted in this zone abuts property in a single family zone, a ten (10) foot wide screening area as regulated by Section 9.17 of this ordinance shall be required.
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, regulated by section 10.8 of this ordinance.

SECTION 10.7 RCD RESIDENTIAL CLUSTER DEVELOPMENT OVERLAY ZONE:

- A. **PURPOSE:** The purposes of the Residential Cluster Development (RCD) Overlay Zone is to provide a means whereby cluster of attached and detached single-family residential units may be constructed in the R-1 Residential Zones, and therein, through a development plan, permit a wide flexibility in the design, location, siting of buildings, in order to provide for, to the greatest extent possible, the preservation of hillside areas, and other natural geographic and topographic features, and to provide for more useable and suitable located recreation facilities and open space than would otherwise be provided under conventional R-1 Residential land development procedures.
- B. **GENERAL:** A residential Cluster Development Overlay Zone may be permitted only to be superimposed over any of the R-1 Residential Zones provided that all conditions or provisions of this section of the ordinance the applicable requirements of the subdivision regulations, and any additional requirements as may be determined necessary to provide for the most efficient layout of the RCD Zone and its proper integration with the surrounding development are met; and a public hearing is held on the RCD Application..
- C. **APPLICATION AND PROCESSING:** Application for Residential Cluster Development Overlay Zone shall be processed in two stages:
1. **STAGE I DEVELOPMENT PLAN AND ZONING MAP AMENDMENT:** Applications for amendment to RCD Overlay Zone shall include a development plan in accordance with the requirements of Section 9.20, A, Stage I Plan Requirements.
 - a. The Planning Commission shall hold a public hearing on the proposed application, duly noticed, in accordance with the requirements of KRS Chapter 424, and review said application with regard to its compliance with the stated purposes of the RCD Overlay Zone, the required elements of the Stage I Development Plan and other applicable requirements of this section. Upon holding such hearing, the Planning commission shall make one of the following recommendations to the legislation body: approval, approval with conditions or disapproval. The planning commission shall submit along with their recommendations a copy of the Stage I Development Plan and the bases for their recommendation.
 - b. The legislative body shall, within ninety (90) days after receiving the recommendations of the Planning Commission, review said recommendations and take action to approve, or disapprove said RCD application. Such action may incorporate any conditions imposed by the legislative body. However, should the legislative body take action to impose different conditions than were reviewed and considered by the Planning Commission then said conditions shall be resubmitted to the Planning Commission, for further review

and recommendation in accordance with subsection C, 1, a, above. Approval of the RCD Overlay Zone shall require that development be in conformance with the Stage I approval plan.

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

Zoning Map Amendment - Upon approval of the RCD Overlay Zone, the official zoning map shall be amended by adding the prefix "RCD" to the existing residential (R) Zone (e.g., RCD R-1B, RCD-R-1C, etc.) for the area as shown on the Stage I approved plan.

2. STAGE II DEVELOPMENT PLAN AND RECORD PLAT: A Stage II Plan and Record Plat shall be developed in conformity with the Stage I approved plan and in accordance with the requirements of Section 9.20, B and C, and submitted to the Planning Commission for its review and approval. Except for the manner of submission and processing the subdivision regulations may be waived, where applicable, and the requirements of Section 9.20, B and C shall be substituted therefore. Those requirements not specifically waived by the Planning Commission shall conform with the subdivision regulations.
 - a. The Planning Commission shall review the submitted Stage II development plan with regard to its compliance with the required elements of Section 9.20, B for Stage II development plans, other applicable elements of this ordinance, and other applicable regulations, and its conformity with the Stage I approved plan. The Planning Commission, in approving the Stage II plan, may authorize minor adjustments from the Stage I approved development plan, provided that the adjustments do not: affect the spatial relationship of structures, change land uses, increase overall density, alter circulation patterns (vehicular and pedestrian) or decrease the amount and/or usability of open space or recreation areas of affect other applicable requirements of this ordinance.

Upon Planning Commission approval of the Stage II development plan, a copy of said plan, shall be forwarded to the zoning administrator, who shall grant permits only in accordance with the Stage II approved development-plan and other plans as may be required by this ordinance.
 - b. Upon approval of the Stage II development plan, the Planning Commission shall review the submitted Record Plat with regard to its compliance with the required elements of Section 9.20, C,, for Record Plats, the applicable requirements of the Subdivision

Regulations, and its conformity with the Stage II approved development plan.

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

- D. **RESIDENTIAL USES AND DENSITIES:** Attached and detached single-family dwellings may be permitted within a RCD Overlay zone, including single-family, two-family, and multi-family units. The density of dwelling units in a RCD, shall be determined by the density (dwelling units per acre) as calculated from the existing residential (R) zone superimposed by the RCD Overlay Zone. This density shall be applied to the total project area excluding that land devoted to commercial uses and streets (public and private).
- E. **PUBLIC AND SEMI-PUBLIC USES:** Public and semi-public structures and uses may be permitted in the RCD. these uses shall be delineated on the Stage I development plan and shall be limited to one or more of the following uses;
1. Schools (nursery, elementary and secondary)
 2. Churches
 3. Community centers, including day care facilities
 4. Country Clubs
 5. Libraries.
 6. Fire and Police stations
 7. Open space-recreation areas
- F. **AREA REQUIREMENTS:** No RCD Overlay Zone shall be permitted on less than four (4) acres of land. However, development of a smaller tract adjacent to an existing RCD Overlay Zone, may be permitted, if the proposed development conforms to and extends the original development as if the new area had been part of the original development.
- G. **HEIGHT, YARD AND SETBACK REGULATIONS:** Requirements shall be as approved in the Stage I Development Plan.
- H. **OFF-STREET PARKING AND LOADING AND/OR UNLOADING:** Off-street parking and, when applicable, loading and/or unloading shall be provided in accordance with Articles XI and XII of this ordinance.
- I. **FENCES, WALLS, AND SIGNS:** The location, height and type of all fences, walls, and signs shall be as approved in the Stage I Development Plan.
- J. **EROSION AND SEDIMENTATION CONTROL:** Effective erosion and sediment controls shall be planned and applied in accordance with Section 9.7 of this Ordinance.

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- K. COMMON OPEN SPACE - RECREATION AREA: At least twenty percent (20%) of the total acreage of the proposed RCD shall be retained as common open space and recreation area, and dedicated to a public and/or private entity for operation and maintenance. Such open space and recreation areas shall be physically situated so as to be readily accessible, available to, and usable by all residents of the RCD. Common open space and recreation area shall be that part of the total project exclusive of dwellings, streets, parking areas, single-family lots, commercial areas, and other non-open space and non-recreationally oriented facilities.
- L. AMENDMENTS: Any amendments to plans, shall be made in accordance with the procedure required by this ordinance, subject to the same limitations and requirements as those under which such plans were originally approved.
- M. EXPIRATION: Any amendment to RCD Overlay Zone shall be subject to the time constraint, as noted below. Upon expiration of said time period, and any extensions thereto, the legislative body may initiate a request for a public hearing by the Planning Commission, in accordance with the requirements of KRS Chapter 100, for the purpose of determining whether said RCD Overlay Zone should revert to its original zoning designation. A public hearing may be initiated if either of the following conditions apply:
1. A Stage II Development Plan has not been approved by the Planning Commission within a period of twenty-four (24) consecutive months from the date of the Stage I approved Plan and Overlay Zone Amendment by the legislative body; provided that an extension may be permitted upon approval of the legislative body or their duly authorized representative if sufficient proof can be demonstrated that prevailing conditions have not changed appreciable to render the Stage I approved Development Plan obsolete.
 2. Substantial construction has not been initiated within a period of twelve (12) consecutive months from the date of approval of the Stage II Plan by the Planning Commission; provided that an extension may be permitted upon approval of the legislative body or their duly authorized representative if sufficient proof can be demonstrated that the construction was delayed due to circumstances beyond the applicant's control, and that prevailing conditions have not changed appreciably to render the Stage I approved Plan obsolete. The amount of construction constituting initiating substantial construction shall be as approved in the Stage II approved Development Plan.

SECTION 10.8 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 building , circulation systems, land uses, and utilities; preserve, to the greatest extent possible, the existing landscape features and amenities, and to utilize such features in a harmonious fashion; provide for more usable and suitably located recreation facilities, other public and common facilities than would otherwise be provided under conventional land development procedures, but always with the intention of furthering the public health, safety, and general welfare.
- B. **GENERAL:** A Planned Unit Development overlay Zone may be permitted only to be superimposed over any of the Residential (R) zones, provided that all conditions or provisions of this section of the Ordinance, the applicable requirements of the subdivision regulations, and any additional requirements as may be determined necessary to provide for the most efficient layout of the PUD and its proper integration with the surrounding developments are met; and a public hearing is held on the PUD Application
- C. **APPLICATION AND PROCESSING:** Application for Planned Unit Development Overlay Zone shall be processed as follows in two stages:
1. **STAGE I DEVELOPMENT PLAN AND ZONING MAP AMENDMENT:** Application for amendment to PUD Overlay Zone shall include a development plan in accordance with the requirements of Section 9.20,A, Stage I plan requirements.
 - a. The Planning Commission shall hold a public hearing on the proposed application, in accordance with the requirements of KRS Chapter 424, and review said application with regard to its compliance with the stated purposes of the PUD Overlay Zone, the required elements of the Stage I Development Plan and other applicable requirements of this Section. Upon holding such hearing the Planning Commission shall make one of the following recommendations to the legislation body: approval, approval with conditions or disapproval. The Planning Commission shall submit along with their recommendations a copy of the Stage I Plan and the bases for their recommendation.
 - b. The legislative body shall, within ninety (90) days after receiving the recommendations of the Planning Commission, review said recommendations and take action to approve, or disapprove said PUD application. Such action may incorporate any conditions imposed by the legislative body. However, should the legislative body take action to impose different conditions than were reviewed

and considered by the Planning Commission, then said conditions shall be resubmitted to the Planning Commission, for further review and recommendation in accordance with subsection C, 1, a. Approval of the PUD Overlay Zone shall require that development be in conformance with the Stage I approved plan.

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

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

2. STAGE II DEVELOPMENT PLAN AND RECORD PLAT: A Stage II development plan and Record Plat shall be developed in conformity with the Stage I approved development plan and in accordance with the requirements of Section 9.20, B and C, and submitted to the Planning Commission for its review and approval. Except for the manner of submission and processing the subdivision regulations may be waived, where applicable, and the requirements of Section B and C shall be substituted therefore. Those requirements not specifically waived by the Planning Commission shall conform with the subdivision regulations.

- a. The Planning Commission shall review the submitted Stage II development plan with regard to its compliance with the required elements of Section 9.20.B, for Stage II plans, other applicable elements of this ordinance, other applicable regulations, and its conformity with the Stage I approved plan. The Planning Commission, in approving the Stage II development plan, may authorize minor adjustments from the Stage I approved development plan, provided that the adjustments do not: affect the spatial relationship of structures, change land uses, increase overall density, alter circulation patterns (vehicular and pedestrian) or decrease the amount and/or usability of open space or recreation areas or affect other applicable requirements of this ordinance.

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

- b. Upon approval of the Stage II plan, the Planning Commission shall review the submitted Record Plat with regard to its compliance with

the required elements of section 9.2, c, for Record Plats, the applicable requirements of the Subdivision Regulations, and its conformity with the Stage II approved development plan.

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

- D. **RESIDENTIAL USES AND DENSITIES:** All types of residential housing units (attached or detached) may be permitted within a PUD Overlay zone, including single-family, two-family, and multi-family units. The density of dwelling units in a PUD, shall be determined by the density (dwelling units per acre) as calculated from the existing residential (R) zone superimposed by the PUD Overlay Zone. This density shall be applied to the total project area excluding that land devoted to commercial uses and streets (public and private).
- E. **COMMERCIAL USES:** Commercial uses intended primarily for the service and convenience of residents of the PUD may be permitted within the project area provided a market analysis is made justifying the need for said uses.

These commercial uses shall be grouped in complexes clearly delineated on the Stage I Plan, and may include one or more of the following uses;

1. Delicatessen, grocery, meat, fruit, or vegetable market
2. Drug Store
3. Bakery Shop
4. Laundry/Dry Cleaning, pick-up stations, or self-service facility
5. Beauty or Barber Shop
6. Shoe repair shop
7. Hardware Store
8. Business or professional office
9. Clothing store
10. Restaurant
11. Bank

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

- F. **PUBLIC AND SEMI-PUBLIC USES:** Public and semi-public structures and uses may be permitted in the PUD. These uses shall be delineated on the plan and shall be limited to one or more of the following uses;
1. Schools (nursery, elementary and secondary)
 2. Churches (parish houses included)
 3. Community Centers, including day care facilities

4. Country Clubs
 5. Libraries
 6. Fire or Police Stations
 7. Open Space, Recreation Areas
- G. 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, if the proposed development conforms to and extends the original development as if the new area had been a part of the original development.
- H. HEIGHT, YARD AND SETBACK REGULATIONS: Requirements shall be as approved in the plan.
- I. OFF-STREET PARKING AND LOADING AND/OR UNLOADING: Off-street parking and, when applicable, loading and/or unloading shall be provided in accordance with Articles XI and XII of this Ordinance.
- J. FENCES, WALLS, AND SIGNS: The location, height,, and type of all fences, walls, and signs shall be as approved in the plan.
- K. EROSION AND SEDIMENTATION CONTROL: Effective erosion and sedimentation controls shall be planned and applied in accordance with Section 9.7 of this Ordinance.
- L. COMMON OPEN SPACE - RECREATION AREA: At least twenty percent (20%) of the total acreage of the proposed PUD shall be retained as common open space and recreation area, and dedicated to a public and/or private entity for operation and maintenance. Such open space and recreation areas shall be physically situated so as to be readily accessible, available to, and usable by all residents of the PUD. Common open space and recreation area shall be that part of the total project exclusive of dwellings, streets, parking areas, single-family lots, commercial areas, and other non-open space and nonrecreationally oriented facilities.
- M. AMENDMENTS: Any amendments to plans, shall be made in accordance with the procedure required by this Ordinance, subject to the same limitations and requirements as those under which such plans were originally approved.
- N. EXPIRATION: Any amendment to PUD Overlay Zone shall be subject to the time constraint, as noted below. Upon expiration of said time period and any extensions thereto, the legislative body may initiate a request for a public hearing by the Planning Commission, in accordance with the requirements of KRS Chapter 100, for the purpose of determining whether said PUD Overlay Zone should revert to its original zoning designation. A public hearing may be initiated if either of the following conditions apply:

1. Stage II Development Plan has not been approved by the Planning Commission within a period of twenty-four (24) consecutive months from the date of the Stage I approved Plan on Overlay Zone Amendment by the legislative body; provided that an extension may be permitted upon approval of the legislative body or their duly authorized representative if sufficient proof can be demonstrated that prevailing conditions have not changed appreciable to render the Stage I approved plan obsolete.
 2. Substantial construction has not been initiated within a period of twelve (12) months from the date of approval of the Stage II Development Plan by the Planning Commission; provided that an extension may be permitted upon approval of the legislative body or their duly authorized representative if sufficient proof can be demonstrated that the construction was delayed due to circumstances beyond the applicant's control, and that prevailing conditions have not changed appreciably to render the Stage I approved plan obsolete. The amount of construction constituting initiating substantial construction shall be as approved in the Stage I approved plan.
- O. CONTINUANCE UNDER PRIOR ORDINANCE: Any PUD which was approved under a prior zoning ordinance shall continue in effect as if it were approved under the provisions of this section, and shall be subject to the provisions of this section pertaining to amendments and expiration.

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SECTION 10.9 GC GENERAL COMMERCIAL ZONE:**A. USES PERMITTED:** The following retail sales and services businesses:

1. Advertising agency
2. Antique shop
3. Apparel shop
4. Art Supplies
5. Automobile, motorcycle, and truck sales, new or used.
6. Automobile and truck rentals
7. Automobile parts and accessories store, new.
8. Automotive service and repair (providing that all business activities are conducted within a completely enclosed building).
9. Bakery and bakery goods store provided the products are sold exclusively on the premises.
10. Banks and other financial institutions including savings, loan and finance complies, with drive-in windows.
11. Barber Shops
12. Beauty Shops
13. Billiard or pool hall
14. Boat and marine sales and service, new and used
15. Book, stationary or gift shop
16. Bowling Alley
17. Business and professional colleges
18. Bus terminal
19. Camera and photographic supplies
20. Candy store, soda fountain, ice cream store, except drive-ins.
21. Carpet and rug store
22. Clinics – medical and dental
23. Clubs (including businessman's YMCA-YWCA)
24. Delicatessen
25. Department store
26. Drug Store
27. Dry cleaning and laundry pick-up station
28. Dry cleaning establishments
29. Eating and drinking places, including drive-ins
30. Employment agencies
31. Florist Shop
32. Food services and supermarkets
33. Funeral homes
34. Furniture store, including upholstery
35. Garden supplies
36. Glass, china or pottery store
37. Haberdashery
38. Hardware Store
39. Health Spas
40. Hobby shop
41. Household and electrical appliance store including incidental repair

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42. Interior decorating studio
 43. Jewelry store, including repair
 44. Laboratories – medical and dental
 45. Laundromats and self service washing and drying
 46. Laundry (all types)
 47. Leather goods and luggage store
 48. Library
 49. Locksmith shop
 50. Mobile home and trailer sales, rental and service
 51. Music, musical instruments and records including incidental repair
 52. Newspaper offices, including printing
 53. Office appliances and supply
 54. Offices
 55. Off-street parking lots and garages
 56. Opticians and optical goods
 57. Package liquor and wine store
 58. Paint and wallpaper store
 59. Pawn shop
 60. Pet shop, excluding boarding and outside runs
 61. Plumbing sales and repair
 62. Police and fire stations
 63. Post office
 64. Radio and television store (including repair)
 65. Self-service (providing that all repair work except that of a minor nature is conducted within a completely enclosed building.
 66. Shoe store and shoe repair
 67. Sporting goods
 68. Studios for professional work or teaching of any form of fine arts, photography, music, drama, or dance
 69. Tailor shop
 70. Taxi terminal
 71. Theater { excluding drive-in)
 72. Toy store
 73. Travel Bureau
 74. Variety store, including notions and "Five and Ten" stores
- B. ACCESSORY USES:
1. Customary accessory buildings and uses.
 2. Fences and walls as regulated by Article XIII of this ordinance.
 3. Signs as regulated by Article XIV of this ordinance.
- C. CONDITIONAL USES:
1. Medicinal marijuana dispensary.
- 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. In the case of this zone, more than one principal building, as defined herein, may be constructed on one lot.
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 city's 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 – Thirty-five (35) feet

E. OTHER DEVELOPMENT CONTROLS:

1. Off-street parking and loading 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 approved containers.
3. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way or into any adjacent property.
4. Where land in this zone is abutting a residential zone, a minimum yard requirement of thirty-five (35) feet for each side and/or rear yard which abuts said zone shall be provided, ten (10) feet of which shall be maintained by a screening area, as regulated by Section 9.17 of this ordinance.
5. A 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 unlading areas, and the sale of gasoline.

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SECTION 10.10 HC HIGHWAY COMMERCIAL ZONE:**A. PERMITTED USES:**

1. Banks and other financial institutions including savings, loan and finance companies with drive-in windows
2. Bowling alley.
3. Eating and drinking places, including drive-ins.
4. Golf driving ranges, miniature and par-3 golf courses.
5. Hotels and motels.
6. Off-street parking lots and garages.
7. Police and fire stations.
8. Racquetball, tennis, and health club facilities
9. Service stations (providing all repair work except that of a minor nature is conducted within a completely enclosed building).
10. Skating rinks.
11. Swimming pools, public and private.
12. Theaters, excluding drive-ins.

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 motel or hotel building, as a convenience to the occupants thereof, and their customers providing that the 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 for any accessory uses shall be visible outside the building:
 - a. Barber shops
 - b. Beauty shops
 - c. News and Confectionery stands

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

1. Minimum lot area – 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 dedicated 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 city's building code, shall be required. In the event a side yard is provided, it shall never to be less than fifteen (15) feet.
5. Minimum rear yard depth – Twenty-five (25) feet

6. Maximum building height - Forty (40) feet
7. In the case of this zone, more than one principal building, as herein defined, may be constructed on one lot.

E. OTHER DEVELOPMENT CONTROLS:

1. Off-street parking and loading 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 approved containers.
3. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way or into any adjacent property.
4. Where any yard of any use permitted in this zone abuts a residential zone, a minimum yard requirement of thirty-five (35) feet for each side and/or rear yard which abuts said zone shall be provided, ten (10) feet of which shall be maintained by a screening area as regulated by Section 9.17 of this ordinance.
5. A 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.

SECTION 10.11 PRCU (PLANNED RESIDENTIAL/COMMERCIAL USE) OVERLAY ZONE

- A. **PURPOSE:** The purposes of the Planned Residential / Commercial Use (PRCU) Overlay Zone is to provide for the combination of offices, residential uses, retail and service uses, recreational facilities, or public and semi-public facilities within a planned development. Such development is intended to be designed to provide for a group of activities which are functionally integrated relative to land uses, vehicular and pedestrian circulation and the arrangement of structures. In addition, the intent of the zone is to promote flexibility in design and planned diversification in the relationships between location of and types of uses and structures; promote the advantages of modern large scale site planning for community development through the efficient use of land, facilitating a more economic arrangement of buildings, circulation systems, land uses, and utilities; preserve, to the greatest extent possible, the existing landscape features and amenities, and to utilize such features in a harmonious fashion; provide for more useable and suitably located open space facilities and common facilities than would otherwise be provided under conventional land development procedures; but always with the intention of furthering the public health, safety, and general welfare.
- B. **GENERAL:** A PRCU Overlay Zone may be permitted provided such development is in agreement with city's adopted comprehensive plan and that all conditions or provisions of this section of the ordinance, the applicable requirements of the subdivision regulations, and any additional requirements as may be determined necessary to provide for the most efficient layout of the PRCU overlay Zone and its proper integration with the surrounding development, are met.
- C. **APPLICATION AND PROCESSING:** Application for PRCU Overlay Zone shall be processed as follows in two stages:
1. Stage I - Applications for a map amendment to zone an area PRCU shall be accompanied by a Development Plan, in accordance with the stage I Plan requirements, provided for within paragraph (G), Development Plan Requirements, of this section.
 - a. The planning commission shall hold a public hearing on the proposed application (Stage I development plan), in accordance with the requirements of KRS Chapter 424, and review said application with regard to its compliance with the stated purposes of the PRCU Overlay Zone, the criteria for evaluation of a PRCU Overlay Zone as set forth in Subsection F, the required elements of the Stage I Plan and other applicable requirements of this section. Upon holding such hearing, the planning commission shall make one of the following recommendations to the legislation body: approval, approval with conditions or disapproval. The planning commission shall submit, along with their recommendations, a copy of the Stage I Plan and the bases for their recommendation.

- b. The legislative body shall, within ninety (90) days after receiving the recommendations of the planning commission, review said recommendations and take action to approve, approve with conditions, or disapprove said PRCU application. Such action may incorporate any conditions imposed by the planning commission. However, should the legislative body take action to impose different conditions than were reviewed and considered by the planning commission, then said conditions shall be resubmitted to the planning commission further review and recommendation, in accordance with Subsection C, 1, b, above. Approval of the PRCU Overlay Zone shall require that development be in conformance with the Stage I approved plan.

The legislative body shall forward a copy of the approved plan to the planning commission for further processing, in accordance with the requirements for Stage II plan and record plat.

Zoning Map Amendment - Upon approval of the PRCU Overlay Zone, the official zoning map shall be amended by adding the prefix "PRCU" to the existing zone, for the area identified in the Stage I approved plan.

2. Stage II – Plan & record Plat – A Stage II plan and record plat shall be developed in conformance with the Stage I approved plan and in accordance with the requirements of paragraph G, 2. Of this section, and submitted to the planning commission and the legislative body for its review and approval. Except for the manner of submission and processing, the subdivision regulations may be waived, where applicable, and the requirements of paragraph G, 2, of this section, shall be substituted therefore. Those requirements not specifically waived by the planning commission, shall conform with the subdivision regulations.
 - a. The planning commission shall review the submitted Stage II plan with regard to its compliance with the required elements of paragraph G, 2, of this section, for Stage II plans. Other applicable elements of this ordinance and applicable regulations, and its conformity with the Stage I approved plan. Minor adjustments from the Stage I approved plan may be recommended, provided that the adjustments do not change land uses, increase overall density, significantly alter circulation patterns (vehicular and pedestrian), decrease the amount and / or usability of open space or recreation areas, conflict with their applicable requirements of this ordinance (e.g., parking requirements), affect any conditions placed upon the Stage I Plan by the legislative body, or conflict with the overall conceptual design of the development as included in the approved stage I Plan. The planning commission, upon completion of its review of proposed Stage II Plan, shall make one of the following

recommendations to the legislative body: approval, approval with conditions, or disapproval. The planning commission shall submit along with their recommendations, a copy of the Stage II Plan and bases for their recommendations.

1. The legislative body shall, within ninety (90) days after receiving the recommendations of the planning commission, review said recommendations and take action to approve, approve with conditions or disapprove the Stage II Plan. The legislative body shall also take action to approve or disapprove any minor adjustments proposed to the approved Stage I Plan. Such actions may incorporate any conditions imposed by the planning commission. However, should the legislative body take action to impose different conditions than were reviewed and considered by the planning commission, then said conditions shall be resubmitted to the planning commission for further review and recommendation, in accordance with Subsection C,2,a, above.

Upon approval of the Stage II plan by the legislative body, a copy of said plan shall be forwarded to the (1) zoning administrator, who shall grant permits only in accordance with the Stage II approved plan and other regulations, as may be required by this ordinance; and (2) the planning commission.

2. Upon approval of the Stage II Plan, the planning commission shall review the submitted record plat, if applicable, with regard to its compliance with the required elements of Section 10.8 E, 2, for record plats, the applicable requirements of the subdivision regulations, and its conformance with the stage II approved plan. Upon planning commission approval of the record plat, copies of said plat, certified by the planning commission, and suitable for recording, shall be forwarded to the office of the county clerk to be recorded.

D. PERMITTED USES: The following five (5) uses, in addition to those permitted in the zone being overlaid, are permitted in the PRCU Overlay Zone. Since The PRCU Overlay Zone is intended to promote the combination of several different land uses with a planned development, at least two of the following five uses shall be present in the Stage I Plan. Said uses shall be clearly delineated on the Stage I and Stage II Plans:

1. Office Facilities.
2. Residential – including single-family, attached and detached; two-family; and multi-family.
3. Retail and Service facilities, defined as those permitted uses in Section 10.9 of this Ordinance and any other uses permitted in the identifying zone.

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4. Recreational Facilities – including golf courses, country clubs, community centers, ballfields, playgrounds, racquet ball/tennis clubs, and other similar recreational uses.
 5. Public and Semi-Public Facilities – including schools, churches, libraries, and fire or police stations.
- E. No Planned Residential/Commercial Use Overlay Zone shall be permitted on less than five (5) acres of land.
- F. CRITERIA FOR EVALUATION OF A PRCU OVERLAY ZONE AND STAGE I PLAN: The criteria established in this section are to be used as a basis in reviewing any application for amendment to a PRCU Overlay Zone. The criteria are as follows:
1. A positive finding shall be made in regard to the following factors:
 - a. The proposed application is in agreement with the planning unit's Comprehensive Plan.
 - b. The proposed development abuts an arterial street.
 - c. A minimum of twenty (20) percent of the total site is maintained as open space. Open space shall not include space occupied by parking areas, streets, buildings, or commercial recreational facilities. Such open space is to be well-designed and located to meet the needs of the proposed development, considering such factors as size, shape, location, and topography of the space.
 - d. The proposed development provides for a mixture of different land use types that comprise a unified development concept. Residential uses may comprise up to seventy-five (75) percent of either the total land area of the site or gross floor space proposed for all uses. (For purposes of this section, each of the permitted uses as designated in the PRCU Overlay Zone, is considered a different land use type.)
 - e. The Stage I Plan includes all applicable requirements of Section 10.11.G.
 2. Evaluation of the proposed development plan shall be based upon the following factors:
 - a. The adequacy of the proposed site, considering such factors as the sufficiency of the size of the site to comply with the established criteria, the configuration of the site, and the extent to which the site is formed by logical boundaries (based on topography, natural features, streets, relationship of adjacent uses, etc.).
 - b. The nature and extent of the proposed mix of land use types, considering the types of uses proposed in relation to the unique characteristics of the site, and the current or anticipated need for such use(s) and the specific size and locale of the market area from which the specific uses of the site will draw or serve.

- c. The extent to which the proposed design, as indicated in the Stage I Plan, is compatible with development contiguous to the site, Compatibility shall be reviewed in terms of intensity of use in relation to the general character of the surrounding areas; the scale (e.g., height and mass of structures) of the proposed development; location of open spaces and size of setbacks; provision of screening areas or utilization of natural features; the transition of land use types based on the proposed design; and the impact of the proposed development on adjacent uses, such as noise, visual impact, hours of operation, traffic circulation, etc.
- d. The amount of traffic that would be generated by the proposed operation and the ability of the existing highway system to adequately handle said traffic, Where deficiencies exist, proposed traffic improvements that would correct such deficiencies may be considered.
- e. The extent to which the design of the internal street system provides for the efficient and safe movement of traffic within the site, and to and from the site without adversely affecting the ability of the adjoining street system to carry traffic.
- f. The extent to which all necessary public utilities and facilities are available to service the development including police and fire protection, water and sewer services, and other services normally provided within the area. Where deficiencies exist, improvements that would correct such deficiencies may be considered.
- g. The relationship of proposed development to the overall development goals of the city.

G. DEVELOPMENT PLAN REQUIREMENTS:

1. Stage I – Plan Requirements: The Stage I Plan shall identify and provide the following information, drawn to a scale not smaller than (1) inch equals one hundred (100) feet:
 - 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 the subject property;
 - d. Existing topography, shown by contour with intervals not to exceed five (5) feet;
 - e. Delineation of all existing and proposed residential areas in the project with a statement indicating net density of the total project:
 - (1) Detached housing – general location and approximate number of lots, including a typical section (s) identifying approximate lot sizes and dimensions, and heights of buildings.

- (2) Attached housing – general location and description of the various housing types (i.e. townhouse, fourplex, garden apartment, etc.) including approximate heights of typical structures, and the approximate number of units by housing type.
- f. Delineation of all existing and proposed nonresidential uses in the project:
 - (1) Office, Retail and Service Facilities – general location and types of uses including approximate number of acres, gross floor area and heights of buildings.
 - (2) Open Space-Recreational Facilities – the approximate of area proposed for open space, including the location of recreational facilities, and identification of unique natural features to be retained.
 - (3) Public and semi-public uses – location and type of uses, including approximate acreage, and heights of buildings.
 - g. General locations of proposed pedestrian walkways, identifying approximate dimensions.
 - h. General location of proposed streets, identifying approximate dimensions of pavement, right-of-way widths, and grades.
 - i. Location of all existing and proposed water, sanitary sewer, and storm drainage lines, indicating approximate pipe sizes. Indication should also be given regarding the provision of electric and telephone service.
 - j. Landscaping features to be utilized screening development from adjacent areas.
 - k. A schedule of development, for 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 use to public use or set aside for common ownership; and
 - (4) Non residential buildings and uses, in order of priority.
 - l. A location map showing uses and ownership of abutting lands.
 - m. A description of how the applicant's particular mix of land uses meets existing and future community demands.
 - n. Other information that may be determined necessary for description and/or to insure proper integration of the proposed project in the area.

The aforementioned information required may be combined in any suitable and convenient manner so long as the data required is clearly indicated.

A separate plan or drawing for each element is not necessary, but may be provided at the option of the applicant.

2. Stage II – The Stage II Plan shall be prepared in accordance with the requirements of Section 10.8, E. of this ordinance.
- H. HEIGHT, YARD AND SETBACK REGULATIONS: Requirements shall be as approved in the plan.
- I. OFF-STREET PARKING AND LOADING AND/OR UNLOADING: Off-street parking and, when applicable, loading and/or unloading shall be provided in accordance with Articles XI and XII of this Ordinance.
- J. FENCES, WALLS, AND SIGNS: The location, height, and type of all fences, walls, and signs shall be as approved in the Stage II Plan.
- K. EROSION AND SEDIMENTATION CONTROL: Effective erosion and sedimentation controls shall be planned and applied.
- L. SCREENING: Screening shall be provided in accordance with Section 9.17 of this ordinance and the approved Stage I Plan.
- M. AMENDMENTS: Minor adjustments to the plans shall be made in accordance with the provisions of paragraph C.2. of this Section. No major adjustments shall be permitted to the Stage I Plan except as follows:
1. Any amendments to the plans, except for minor changes which may be permitted by the legislative body, shall require public hearings by the planning commission and review by the legislative body as set out in paragraph C.1 and 2,. Of this ordinance. Any dispute as to whether an amendment is a minor or a major adjustment or modification to the plans shall be resolved by the legislative body.
 2. Any proposed adjustment or modification to the Stage I Plan which changes land uses, increases density of uses, significantly alters circulation patterns (vehicular or pedestrian), decreases the amount and/or usability of open space or recreation areas, or otherwise conflicts with any applicable section of this ordinance or with the approved Stage I Plan, shall be approved or approved with condition only if the following factors are established to the satisfaction of the legislative body:
 - a. That the proposed adjustment promotes the purpose of the PRCU Overlay Zone and satisfies the applicable criteria of the paragraph F of this section.

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- b. That the approval of the proposed adjustment will not confer upon the applicant any privilege that is not conferred by this Section to other parcels in other PRCU Overlay Zones.
 3. The approval of the stage I Plan by the legislative body recognizes the aesthetic, efficient, economic and compatible elements of a unified development plan which encompasses several integrated land uses Accordingly, only in the most extraordinary instances will an adjustment be permitted to the Stage I Plan which alters the type of land use embodied in the original Stage I Plan.
- N. EXPIRATION: Development plans within the PRCU Overlay Zone shall be subject to the time constraints, as noted below. Upon expiration of said time period and any extensions thereto, the legislative body may initiate a request for a public hearing by the planning commission, in accordance with the requirements of KRS Chapter 100, for the purpose of determining whether the appropriateness of the approved development plan. A public hearing may be initiated if either of the following conditions apply:
1. A Stage II Plan has not been approved by the planning commission and the legislative body within a period of 24 consecutive months from the date of the Stage I approved plan, except as agreed upon for the phasing of development by the legislative body or their duly authorized representative if sufficient proof can be demonstrated that prevailing conditions have not changed appreciable to render the Stage I approved plan obsolete.
 2. Substantial construction has not been initiated within a period of 12 consecutive months from the date of approval of the Stage II plan by the planning commission; provided that an extension may be permitted upon approval of the legislative body or its duly authorized representative, if sufficient proof can be demonstrated that the construction was delayed due to circumstances beyond the applicant's control, and that prevailing conditions have not changed appreciably to render the Stage I approved plan obsolete. The amount of construction constituting initiating substantial construction shall be as approved in the Stage II approved plan.

SECTION 10.12 LIGHT INDUSTRIAL PARK - RESEARCH ZONE:

- A. **USES PERMITTED:** The following uses are permitted providing all uses are in compliance with the performance standards as set forth in Article Xi of this ordinance.
1. Except for those that decompose by detonation, the manufacturing, compounding, processing, packing, or assembling of the following uses:
 - a. Cosmetics, pharmaceuticals and toiletries
 - b. Electric appliances, television sets, phonographs, household appliances.
 - c. Electrical machinery, equipment and supplies
 - d. Fountain and beverage dispensing equipment
 - e. Furniture
 - f. Instruments for professional, scientific, photographic and optical use.
 - g. Metal products and metal finishing, excluding the use of blast furnaces or drop forges
 - h. Musical instruments, toys, novelties, jewelry, rubber or metal stamps
 - i. Office equipment
 - j. Pottery and figurines, using only previously pulverized materials in kilns fired only was gas or electricity
 - k. Products from the previously prepared materials: Paper, glass, cellophane, leather, feathers, fur, precious or semi- precious metals, hair, horn, shell, tin steel, wood, plastics, rubber, bone, cork, felt, fibers, yarn, wool, tobacco, and cleaning compounds.
 2. Crating services
 3. Industrial engineering consultant offices.
 4. Laboratories, offices, and other facilities for research, both basic and applied, conducted by or for and industrial organization or concern, whether public or private.
 5. Machine shops.
 6. Printing, engraving, and related reproduction processes.
 7. Publishing and distribution of books, newspapers, and other printed materials.
 8. Schools for industrial or business training.
 9. Medicinal cannabis cultivators, processors, producers, and safety compliance facilities.
- B. **ACCESSORY USES:** The following accessory uses shall be permitted:
1. Customary accessory buildings and uses including operations required to maintain or support any use permitted in this zone on the same lot-as the permitted use, such as maintenance shops, power plants, and machine shops.

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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, including within and entered from within any use permitted in this zone as a convenience to the occupants thereof, and their customers providing such accessory uses shall not exceed ten (10) percent of the gross floor area of the permitted uses in the building and no exterior advertising displays shall be visible from outside the building.
 - a. Cafeterias
 - b. Coffee shops or refreshment stands
 - c. Soda or dairy bars
- C. AREA AND HEIGHT REGULATIONS: No building shall be erected or structurally altered hereafter except in accordance with the following regulations:
1. Minimum site for an industrial park zone - Twelve (12) acres
 2. Minimum lot area – Twenty one thousand seven hundred eighty (21,780) square feet
 2. Minimum lot width at building setback line - One hundred (100) feet
 3. Minimum front yard depth - Seventy-five (75) feet
 4. Minimum side yard width - Twenty-five (25) feet
 5. Minimum rear yard depth - Fifty (50) feet
 6. Maximum building height - Forty (40) feet or three(3) stories
- D. OTHER DEVELOPMENT CONTROLS
1. Off-street parking and loading or unloading shall be provided in accordance with Articles XIII and XIV of this ordinance.
 2. No outdoor storage of any material, except waste, shall be permitted in this zone and then only within enclosed metal containers or approved equal.
 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 property.
 4. Where any yard of any use permitted in this zone abuts a residential zone, a minimum yard requirement of fifty (50) feet for each rear yard which abuts said zone shall be provided, a screening area as regulated by Section 9.17 of this ordinance.
 5. A site plan as regulated by Section 9.19 of this ordinance shall be required for any use in this zone.

SECTION 10.13 PO PROFESSIONAL OFFICE BUILDING ZONE:**A. USES PERMITTED:**

1. Banks and other financial institution including loan, savings and finance companies with drive-in windows
2. Clinics - medical or dental
3. Offices
4. Business Schools and colleges
5. Racquetball, tennis, and health club facilities

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 providing that the 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 for any of the accessory uses shall be visible from outside the building:
 - a. Prescription pharmacy
 - b. Barber shop
 - c. Beauty shop
 - d. Coffee shop or refreshment stand
 - e. Medical or dental laboratories
 - f. News and Confectionery. Stands

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

1. Minimum lot area – Ten thousand (10,000) square feet
2. Minimum lot width at building setback line - One hundred (100) feet
3. Minimum front yard depth - Thirty (30) feet
4. Minimum side yard width - Fifteen (15) feet
5. Minimum rear yard depth - Twenty-five (25) feet
6. Maximum building height – Six (6) stories (the planning commission shall have the right to waive the maximum number of stories regulation)

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 street, road, highway, deeded right-of-way, or into any adjacent property.
4. Where any yard or any use permitted in this zone abuts a residential zone, a minimum yard requirement of fifty (50) feet for each side and/or rear yard which abuts said zone shall be provided, ten (10) feet of which shall be maintained by a screening area as regulated by Section 9.17 of this Ordinance.
5. 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 development plan, as required by Section 9.20 of this ordinance, shall be required for any use permitted in this zone.