

ARTICLE X
ZONE REGULATIONS

SECTION 10.0 RIVER RECREATION/CONSERVATION (R/CO) ZONE:

A. USES PERMITTED:

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 are regulated by Article XIII of this Ordinance.
3. Signs as regulated in 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 of by the Board of Adjustment.

1. Riding academies and stables;
2. The following uses are permitted in connection with streams, rivers, lakes, or other bodies of water, providing that the development of all permitted facilities 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, and 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 marines;

The following uses shall be permitted as accessory uses in connection with any boat harbor or marina and primarily intended to serve only persons using the boat harbor or marina:

- (1) Boat fueling, service and repairs.
- (2) Sale of boat supplies.
- (3) Grocery store.
- (4) Restaurant.
- (5) Club house and lockers, if afloat.
- (6) Single-Family dwelling units including cabins.

b. Public boat landing and launching facilities.

- c. Dockage facilities.
 - d. Off-street parking facilities and temporary parking of boat trailers including spaces large enough to accommodate automobiles pulling boats.
- 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. All "Uses Permitted and Conditional Uses" permitted in this zone shall require a certificate of approval from the County Engineer, certifying his approval of the type of and manner of construction to be built (insuring that such construction shall not cause flood hazards, soil erosion, adverse changes in the natural drainage courses or unnecessary destruction of natural features)'. It shall be submitted to the Planning and Zoning Commission along with the description and/or site plan or the proposed use, at time of request.
 - 2. 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, and not more than two units may occupy any lot at one time.
 - 3. 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 and not more than two (2) units may occupy any lot at one time.
 - 4. Off-street parking shall be provided for any use within this zone, according to the provisions of Section XI of this ordinance.
 - 5. No outdoor storage of any material (usable or waste) shall be permitted in this zone, except within enclosed containers.
 - 6. No motor vehicle which is inoperable, mobile home, or trailer which is usable or unusable, shall be stored or used for storage of any items therein on any lot or parcel in 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.

SECTION 10.1 A-1 AGRICULTURE ZONE:

A. USES PERMITTED:

1. Agricultural uses.
2. Single family dwellings (detached).
3. Mobile homes subject to the requirements of Section 9.28 of this ordinance and KRS 100.203 (4).
4. Stands for 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.
5. Greenhouses and nurseries, including both wholesale and retail sales of products grown on the premises.
6. Stables and riding academies both public and private.
7. Taxidermy and other related wildlife resources and service, with sales portion not to exceed 10% of the gross floor area of the operations.
8. Animal Hospitals and Veterinary Clinics.
9. Agritourism uses.
10. Butcher/meat processing in connection with other agricultural activities.

B. ACCESSORY USES:

1. Customary accessory buildings and uses.
2. Fences and walls as regulated by Article XIII of this ordinance.
3. Home-Based Businesses 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. The keeping of not more than four (4) roomers or boarders by a resident family.
6. Living quarters for persons employed on a farm.

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

1. Cemeteries.
2. Churches and other accessory buildings for the purpose of recognized religious worship providing they are located adjacent to an arterial or collector or local street.
3. Nursery school.
4. Police and fire stations provided they are located adjacent to an arterial street.
5. Public and parochial schools.

6. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries.
7. Recreational uses, other than those publicly owned and/or operated as follows:
 - a. golf courses
 - b. country clubs
 - c. semi-public swimming pools
 - d. tennis courts/clubs
 - e. fishing lakes
 - f. gun clubs and ranges
 - g. boat harbors and marinas
8. Hospitals for human care, clinics, sanitariums, homes for the aged, religious and charitable institutions, not including penal or correctional institutions; provided that any building for patients shall be distant at least two (200) hundred feet from every adjoining lot in any Residence Zone, and that the area of the parcel of land so occupied shall be no less than ten (10) acres.
9. Essential services and public utility stations.
10. Sanitary landfills as regulated by Section 9.25 of this ordinance.
11. Commercial confined animal feed operations provided that any lot or tract of land in such use shall be not less than ten (10) acres and that any building or enclosure in which animals are kept shall be distant at least four hundred (400) feet from any lot in any Residence Zone, or any lot occupied by a dwelling other than a farm dwelling, or by any school, church or any institution for human care.
12. Sawmills.
13. Plants for the processing and storage of agricultural products.
14. Boat harbors, and marinas, for the use and transport of products that are raised, produced, and processed on the premises.
15. Kennels.
16. Bed and breakfast establishments.
17. Event facilities.
18. Restaurants.
19. Accessory Dwelling Unit (ADU) with the following conditions:
 - a. The lot shall consist of a minimum of five (5) contiguous acres with a primary dwelling unit;
 - b. The ADU shall be limited to one unit and subordinate in area, extent, and purpose, to the primary dwelling unit;
 - c. The total living space of the ADU shall not exceed 1,000 square feet;
 - d. The primary dwelling unit and the ADU must share the same driveway encroachment.
 - e. Sufficient off-street parking must be provided for uses on the lot. A paved parking pad must be provided for the ADU;
 - f. The driveway apron must be paved for a minimum of 12 feet;

- g. The unit may not be used for a home-based business; and
- h. The unit may not be held out to the public or used as a short or long-term rental.

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

- 1. Minimum Lot Area - One (1) acre
- 2. Minimum Lot Width - One hundred (100) feet
- 3. Minimum Front Yard Depth - Fifty (50) feet
- 4. Minimum Side Yard Width
 - a. Total - Twenty five (25) feet
 - b. One Side - Ten (10) feet
- 5. Minimum Rear Yard Depth - Thirty-five (35) feet
- 6. Maximum Building Height - Thirty-five (35) feet

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

- 1. Minimum Lot Area - Three (3) acres
- 2. Minimum Lot Width - One hundred (100) feet
- 3. Minimum Front Yard Depth - Fifty (50) feet
- 4. Minimum Side Yard Width
 - a. Total - Twenty five (25) feet
 - b. One Side - Ten (10) feet
- 5. Minimum Rear Yard Depth - Thirty-five (35) feet
- 6. Maximum Building Height - Thirty-five (35) feet

F. 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 lighting shall be permitted which would glare from this zone into any street, road, highway, deeded right-of-way or into any residential zone.
- 3. Storage of manure shall not be permitted within one hundred (100) feet of a public or private street, or within fifty (50) feet of a side or rear lot line.
- 4. All permitted uses shall site a single-family dwelling which meets the applicable area and height regulations for all structures.

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SECTION 10.2 R-RE RESIDENTIAL RURAL ESTATE

A. USES PERMITTED:

1. Single family dwellings, detached.
2. Horse related uses, including riding and boarding stables for personal use with minimum lot area of 4 acres.
3. Greenhouse, nurseries or gazebo for personal use with minimum lot area of 4 acres.

B. ACCESSORY USES:

Accessory uses applicable to Permitted Use A. 1. only.

1. Customary accessory buildings and uses.
2. Home-Based Businesses subject to the restrictions and limitations established in Section 9.11 of this Ordinance.
3. Signs as regulated by Article XIV of this Ordinance.
4. The keeping of not more than two (2) roomers or boarders.

Accessory uses applicable to all permitted uses

1. Fences and walls as regulated by Article XIII of this ordinance

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

1. Cemeteries.
2. Churches and other accessory buildings for the purpose of recognized religious worship providing they are located adjacent to an arterial or collector or local street.
3. Institutions for higher education providing they are located adjacent an arterial street.
4. Nursery schools.
5. Public and parochial schools.
6. Publicly owner and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries.
7. Recreational uses, other than those publicly owned and/or operated as follows:
 - a. golf courses
 - b. country clubs
 - c. semi-public swimming pools
 - d. tennis courts/clubs
 - e. fishing lakes and clubs

- f. gun clubs and ranges
- g. riding stables and saddle clubs
- 8. Institutions for human medical care-hospitals, clinic sanitariums, convalescent homes, nursing homes, and homes for the aged providing they are located on arterial streets.
- 9. Police and fire stations provided they are located adjacent to an arterial street.
- 10. Essential services and public utility stations.
- 11. Noncommercial structure without a detached single-family dwelling provided that the location for a detached single-family has been sited meeting all applicable area and height regulations for all structures.
- 12. Accessory Dwelling Unit (ADU) with the following conditions:
 - a. The lot shall consist of a minimum of five (5) contiguous acres with a primary dwelling unit;
 - b. The ADU shall be limited to one unit and subordinate in area, extent, and purpose, to the primary dwelling unit;
 - c. The total living space of the ADU shall not exceed 1,000 square feet;
 - d. The primary dwelling unit and the ADU must share the same driveway encroachment.
 - e. Sufficient off-street parking must be provided for uses on the lot. A paved parking pad must be provided for the ADU;
 - f. The driveway apron must be paved for a minimum of 12 feet;
 - g. The unit may not be used for a home-based business; and
 - h. The unit may not be held out to the public or used as a short or long-term rental.

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED AND CONDITIONAL USES: No building 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 - One hundred (100) feet
- 3. Minimum Front Yard Depth - Fifty (50) feet
- 4. Minimum Side Yard Width
 - a. Total - Twenty five (25) feet
 - b. One Side - Ten (10) feet
- 5. Minimum Rear Yard Depth - Twenty-five (25) 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 lighting shall be permitted which would glare from this zone into any street, road, highway, deeded right-of-way or into any residential zone.
3. All buildings for the storage of animals and/or manure shall be located a minimum of two hundred (200) feet from all front, side, and rear property lines.
4. All permitted uses shall site a single-family dwelling which meets the applicable area and height regulations for all structures.

SECTION 10.3 R-1A RESIDENTIAL ONE-A ZONE:

A. USES PERMITTED:

1. Single 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.
4. Home occupations subject to the restrictions and limitations established in Section 9.11 of this Ordinance.
5. Police and Fire Stations
6. Public Utility Stations, after the approval of the Commission.

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

1. Cemeteries
2. Churches and other accessory buildings for the purpose of recognized religious worship providing they are located adjacent to an arterial or collector or local street.
3. 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.
4. Nursery schools
5. Public and parochial schools.
6. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries.
7. 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 - Seventy-five (75) feet
3. Minimum Front Yard Depth - Fifty (50) feet

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4. Minimum Side Yard Width - 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: No conditional building and/or 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 - One Hundred (100) feet
 3. Minimum Front Yard Depth - Fifty (50) feet
 4. Minimum Side Yard Width - Twenty-five (25) feet
 5. Minimum Rear Yard Depth - Twenty-five (25) feet
 6. Maximum Building Height - Thirty-five (35) feet
- F. 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 containers.
 3. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way or into any adjacent property.
 4. Where any yard of any conditional use permitted in this zone abuts property in a single family zone, a ten (10) foot wide screening area as regulated by Section 9.17 of this ordinance shall be required.

SECTION 10.4 R-IB RESIDENTIAL ONE-B ZONE:

A. USES PERMITTED:

1. Single family dwellings, with or without a central sewage system, in the county, or within the city limits

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. Home occupations subject to the restriction and limitations established in Section 9.11 of this Ordinance.
5. Public Utility Stations, after the approval of the Commission.

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

1. Cemeteries
2. Churches and other accessory buildings for the purpose of recognized religious worship providing they are located adjacent to an arterial or collector or local street.
3. 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.
4. Nursery school.
5. Public and parochial schools.
6. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries.
7. Recreational uses other than those publicly owned and/or operated as follows:
 - a. golf courses
 - b. country clubs
 - c. semi-public swimming pools
8. Police and Fire Stations.

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-half (1/2) acre or One (1) acre if central sewage is not adjacent to the lot
2. Minimum Lot Width - Seventy-five (75) feet
3. Minimum Front Yard Depth - Thirty (30) feet
4. Minimum Side Yard Width - 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: No conditional building and/or use shall be erected or structurally altered hereafter except in accordance with the following regulations:

1. Minimum Lot Area - One-half (1/2) acre or One (1) acre if central sewage is not adjacent to the lot
2. Minimum Lot Width - Seventy-five (75) feet
3. Minimum Front Yard Depth - Fifty (50) feet
4. Minimum Side Yard Width - Twenty-five (25) feet
5. Minimum Rear Yard Depth - Twenty-five (25) feet
6. Maximum Building Height - Thirty-five (35) feet

F. 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 containers.
3. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way or into any adjacent property.
4. Where any yard of any conditional use permitted in this zone abuts property in a single family zone, a ten (10) foot wide screening area as regulated by Section 9.17 of this Ordinance shall be required.

SECTION 10.5 R-IC RESIDENTIAL ONE-C ZONE:

A. USES PERMITTED:

1. Single family dwellings, with a central sewage system, in the county; or within the city limits.

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. Home occupations subject to the restrictions and limitations established in Section 9.11 of this Ordinance.
5. Public Utility Stations, after the approval of the Commission.

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

1. Cemeteries.
2. Churches and other accessory buildings for the purpose of recognized religious worship providing they are located adjacent to an arterial or collector or local street.
3. 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.
4. Nursery school.
5. Public and parochial schools.
6. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries.
7. Recreational uses other than those publicly owned and/or operated as follows:
 - a. golf courses
 - b. country clubs
 - c. semi-public swimming pools
8. Police and fire stations.

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 - Twelve thousand five hundred (12,500) square feet.

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2. Minimum Lot Width - Seventy (70) feet
 3. Minimum Front Yard Depth - Thirty-five (35) feet
 4. Minimum Side Yard Width
 - a. Total - 20 feet
 - b. One side - 7 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 - One hundred (100) feet
 3. Minimum Front Yard Depth - Fifty (50) feet
 4. Minimum Side Yard Width - Twenty-five (25) feet
 5. Minimum Rear Yard Depth - Twenty-five (25) feet
 6. Maximum Building Height - Thirty-five (35) feet
- F. 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 containers.

SECTION 10.6 R-1CC (RESIDENTIAL ONE-CC) ZONE:

A. PERMITTED USES:

1. Single-family residential dwellings (detached).
2. Two-Family residential 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.
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 Sections 9.14 and 18.7 of this ordinance:

1. Cemeteries
2. Churches and other accessory buildings for the purpose of recognized religious worship providing they are located adjacent to an arterial or collector or local 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

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- a. Single Family - Twelve thousand five hundred (12,500) square feet
 - b. Two-Family - Eighteen thousand seven hundred fifty (18,750) square feet
2. Minimum Lot Width at Building Setback Line
 - a. Single Family - Seventy (70) feet
 - b. Two-Family - Eighty (80) feet
 3. Minimum Front Yard Depth - Thirty-five (35) feet
 4. Minimum Side Yard Width
 - a. Total - 20 feet
 - b. One Side - 7 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 Yard Depths - 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. 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.

SECTION 10.7 R-ID RESIDENTIAL ONE-D ZONE:

A. USES PERMITTED

1. Single family dwellings with a central sewage system, in the county; or within the city limits

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. Home occupations subject to the restrictions and limitations established in Section 9.11 of this Ordinance.
5. Public Utility Stations, after the approval of the Commission.

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

1. Cemeteries.
2. Churches and other accessory buildings for the purpose of recognized religious worship providing they are located adjacent to an arterial or collector or local street.
3. 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.
4. Nursery school.
5. Public and parochial schools.
6. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries.
7. Recreational uses other than those publicly owned and/or operated as follows:
 - a. golf courses
 - b. country clubs
 - c. semi-public swimming pools
8. Police and Fire Stations.

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

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2. Minimum Lot Width - Seventy (70) feet
 3. Minimum Front Yard Depth - Thirty (30) feet
 4. Minimum Side Yard Width
 - a. Total - 18 feet
 - b. One side - 6 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 - One hundred (100) feet
 3. Minimum Front Yard Depth - Fifty (50) feet
 4. Minimum Side Yard Width - Twenty-five (25) feet
 5. Minimum Rear Yard Depth - Twenty-five (25) feet
 6. Maximum Building Height - Thirty-five (35) feet
- F. 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 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 property in a single family zone, a ten (10) foot wide screening area as regulated by Section 9.17 of this Ordinance shall be required.

SECTION 10.8 R-1DD (RESIDENTIAL ONE-DD) ZONE:

A. PERMITTED USES:

1. Single-family residential dwellings(detached).
2. Two-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. Signs, as regulated by Article XIV of this ordinance.
4. Home occupations, subject to the restrictions and limitations established in Section 9.11 of this ordinance.

C. CONDITIONAL USES: 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 accessory buildings for the purpose of recognized religious worship providing they are located adjacent to an arterial or collector or local 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. SPECIAL PERMITTED ACCESSORY USES: When authorized by the County Planning and Zoning Commission:

1. Clubs, fraternities, sororities, lodges, and meeting places for similar organizations of a non-commercial nature.
2. Sororities, fraternities and dormitories may be establish live-in quarters near an institution for higher education; providing the following requirements are complied with:
 - a. Each structure must have a counselor who will reside in the house with the students and assume control of the students.
 - b. No normal room shall contain more than two (2) students per room. Dormitory type rooms may contain additional students, but only after the plans, for such rooms, have been approved of by the Commission.
 - c. Prior to the issuance of a occupancy permit, by the zoning office, the institution responsible for the operation, management, and supervision of such facilities, shall submit any other pertinent information that my be deemed appropriate.

E. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES:

1. Minimum Lot Area
 - a. Single Family - Nine thousand (9,000) square feet
 - b. Two-Family - Thirteen thousand five hundred (13,500) square feet
2. Minimum Lot Width at Building Setback Line
 - a. Single Family - Seventy (70) feet
 - b. Two-Family - Eighty (80) feet
3. Minimum Front Yard Depth - Thirty (30) feet
4. Minimum Side Yard Width
 - a. Total - 18 feet
 - b. One Side - 6 feet
5. Minimum Rear Yard Depth - Twenty-five (25) feet
6. Maximum Building Height - Thirty-five (35) feet

F. 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 Yard Depths - Fifty (50) feet
4. Maximum Building Height - Thirty-five (35) feet

G. 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. 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.

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SECTION 10.9 R-IE RESIDENTIAL ONE-E ZONE:

A. USES PERMITTED:

1. Single family dwellings with a central sewage system, in the county; or within the city limits

B. ACCESSORY USES:

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

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

1. Cemeteries.
2. Churches and other accessory buildings for the purpose of recognized religious worship providing they are located adjacent to an arterial or collector or local street.
3. 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.
4. Nursery schools.
5. Public and parochial schools.
6. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries.
7. Recreational uses other than those publicly owned and/or operated as follows:
 - a. golf courses.
 - b. country clubs.
 - c. semi-public swimming pools.
8. Police and Fire Stations.

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 - Fifty (50) feet
 3. Minimum Front Yard Depth - Thirty (30) feet
 4. Minimum Side Yard Width
 - a. Total - 15 feet
 - b. One side - 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 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 - One hundred (100) feet
 3. Minimum Front Yard Depth - Fifty (50) feet
 4. Minimum Side Yard Width - Twenty-five (25) feet
 5. Minimum Rear Yard Depth - Twenty-five (25) 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 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 zone, a ten (10) foot wide screening area as regulated by Section 9.17 of this ordinance shall be required.

SECTION 10.10 RMHP RESIDENTIAL MOBILE HOME PARK ZONE:**A. USES PERMITTED:**

1. Mobile homes, only.

B. ACCESSORY USES:

1. Customary accessory buildings and uses.
2. Dwelling unit for the owner, operator or manager on a site 10,000 square feet in area.
3. Structures and uses related to and for the exclusive use of residents of the mobile home park as follows, but excluding any commercial operations:
 - a. Recreational facilities and areas;
 - b. Community center;
 - c. Laundry facilities;
 - d. Accessory use structures;
4. Fences and walls, as regulated by Article XIII of this Ordinance.
5. Signs, as regulated by Article XIV of this Ordinance.

C. 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 Site for a Mobile Home Park - Ten (10) acres
2. The width of said park - A minimum distance of three hundred (300) feet, as measured along a deeded right-of-way. The park shall be a platted subdivision with lots and streets in accordance with the provisions of this section and the Campbell County Subdivision Regulations, approved by the planning commission. The park may be phased to achieve completion of the ten acre minimum area through review of the phasing process by the planning commission.
3. Minimum Lot Area - Six thousand (6,000) square feet provided. In the case of this zone, only one principal building (mobile home) as defined herein may be permitted on one lot
4. Minimum Lot Width - Fifty (50) feet and shall abut a deeded right-of-way
5. Minimum Front Yard Depth - Twenty (20) feet
6. Minimum Side Yard Width - Fifteen (15) feet
7. Minimum Rear Yard Depth - Twenty (20) feet
8. Maximum Building Height - Twenty-five (25) feet
9. Minimum Setback of All Buildings and Structures within Mobile Home Parks at All Park Boundary Lines - Thirty (30) feet, except that the Planning and Zoning Commission may increase or reduce this distance where due to topography, street location, structures on adjacent properties, or shape of this lot, this distance should or may be revised

D. OTHER DEVELOPMENT CONTROLS:

1. In a mobile home park in which lots are to be platted the following conditions shall be used.
 - a. The minimum side yard on each side of the lot shall be fifteen feet.
 - b. The minimum rear yard depth shall be twenty (20) feet.
 - c. Not more than one (1) principal building shall be permitted on any lot.
 - d. The minimum lot width shall be fifty (50) feet.
 - e. Street-All streets within the mobile home park shall be within deeded and accepted public right-of-way and constructed according to the appropriate subdivision regulations, having a minimum width of twenty-eight (28) feet.
 - (1) Streets shall be provided and placed in the site where necessary to furnish principal traffic ways for convenient access to each mobile home and other important facilities in the area.
 - (2) Ingress and egress to the individual lots shall be only over an interior road developed as part of the mobile home park.
2. In a mobile home park in which lots will not be platted the following conditions shall be used.
 - a. The minimum side yard distances between mobile homes shall be at least fifteen (15) feet.
 - b. The minimum rear yard distance between mobile homes shall be At least twenty (20) feet.
 - c. More than one principal building may be permitted on a lot.
 - d. The minimum street frontage for each mobile home as measured along a line parallel to and twenty (20) feet from the street shall be fifty (50) feet, except that on cul-de-sacs or irregularly shaped lots. - the Planning and Zoning Commission may vary this required frontage.
 - e. All streets within a mobile home park shall be paved with concrete at least six (6) inches thick or the accepted equivalent of gravel and asphaltic concrete, (as set forth in the Subdivision Regulations) to a width of at least twenty-four (24) feet.
 - (1) Streets shall be provided and placed on the site where necessary to furnish principal traffic ways for convenient access to each mobile home and other important facilities in the area.
 - (2) Ingress and egress to the individual lots shall be only over an interior road developed as part of the mobile home park.

- (3) Turning radius on a street twenty-four (24) feet wide shall be a minimum of thirty-five (35) feet.
 - (4) In all other respects, the interior streets shall be built to County specifications regarding curbs, crowns, and drainage as set forth in the Subdivision Regulations.
 3. A mobile home; including accessory structures, decks or patios, shall not cover more than 50% of the mobile home site.
 4. A deck or patio slab of at least one hundred eighty (180) square feet shall be provided on each mobile home site and conveniently located at the entrance of each mobile home'
 5. Fire hydrant location and types shall be approved by the local fire department prior to construction.
 6. All proposed rules and regulations or deed restrictions shall be submitted with the plans prior to approval and shall be included as a condition to approval.
 7. Not less than five (5) percent of the gross area of the mobile home park shall be set aside, designed, constructed, and equipped as a recreational area. A minimum of one-half acre per recreation site shall be provided.
 8. 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.
 9. Where any yard in this zone abuts another zone, a ten (10) foot wide screening area, as regulated by Section 9.17 of this Ordinance shall be required.
 10. A site plan, as regulated by Section 9.1 of this Ordinance shall be required for any use in this zone.
- E. SALE OF MOBILE HOMES: Sale of new mobile homes for on or off site use may be permitted as a conditional use in this zone. The following conditions must be met before consideration of any application will be given:
1. The site must be in a mobile home park meeting all existing requirements in this zone.
 2. The number of mobile homes for sale or show shall not exceed ten (10) percent of the total number, rounded up to the nearest whole number, of available lots in the development.
 3. Each unit for sale must occupy a lot which is equal in size, landscaping and paving to average lot in the development.
 4. No additional outdoor lighting, flags, or pennants shall be permitted to define the units for sale.

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SECTION 10.11 R-2 RESIDENTIAL TWO ZONE:

A. USES PERMITTED:

1. Two family dwellings.
2. Single 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 said use shall have been applied for the approved of by the Board of Adjustment as set forth in Section 9.14 of this ordinance.

1. Cemeteries.
2. Churches and other accessory buildings for the purpose of recognized religious worship providing they are located adjacent to an arterial or collector or local street.
3. Police and Fire Stations.
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 school.
8. Public and parochial schools.
9. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools, and libraries.
10. Recreational uses other than those publicly owned and/or operated as follows:
 - a. golf courses.
 - b. country clubs
 - c. Swimming pools
11. Funeral homes, proved they are located adjacent to an arterial street.

E. 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 - Twenty thousand (20,000) square feet for the first four (4) dwelling units or less; four thousand (4,000) square feet shall be provided for every dwelling unit thereafter. In the case of this zone, more than one principal building, as defined herein, may be permitted on one lot.
 2. Minimum Lot Width - One Hundred (100) feet
 3. Minimum Front Yard Depth - Forty (40) feet
 4. Minimum Side Yard Width - Fifteen (15) feet
 5. Minimum Rear Yard Depth - Thirty (30) feet
 6. Maximum Building Height - Forty (40) feet
- E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES: No buildings 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 - 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 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 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.

SECTION 10.12 R-3 RESIDENTIAL THREE ZONE:

A. USES PERMITTED:

1. Multi-family dwellings.
2. Two 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.
4. Public Utility Stations, after the approval of the Commission.

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

1. Cemeteries.
2. Churches and other accessory buildings for the purpose of recognized religious worship providing they are located adjacent to an arterial or collector or local street.
3. 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.
4. Nursery school.
5. Public and parochial schools.
6. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools, and libraries.
7. Recreational uses other than those publicly owned and/or operated as follows:
 - a. golf courses
 - b. country clubs
 - c. semi-public swimming pools
8. Police and Fire Stations.
9. Clubs, fraternities, and sororities.

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

- a. Two-Family - Twenty two thousand (22,000) square feet; two thousand (2,000) square feet for each additional dwelling unit
 - b. Multi-Family - Twenty two thousand five hundred (22,500) square feet for the first four (4) dwelling units; two thousand (2,000) square feet for each additional dwelling unit
2. Minimum Lot Width - One hundred (100) feet
 3. Minimum Front Yard Depth - Forty (40) feet
 4. Minimum Side Yard Width - Ten (10) feet
 5. Minimum Rear Yard Depth - Thirty (30) feet
 6. Maximum Building Height - Forty (40) feet
- E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES: No conditional building and/or use shall be erected or structurally altered hereafter except in accordance with the following regulations:
1. Minimum Lot Area - Twenty two thousand five hundred (22,500) square feet
 2. Minimum Lot Width - One hundred (100) feet
 3. Minimum Front Yard Depth - Fifty (50) feet
 4. Minimum Side Yard Width - Twenty-five (25) feet
 5. Minimum Rear Yard Depth - Twenty-five (25) feet
 6. Maximum Building Height - Same as for a conforming lot
- F. 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 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 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 as regulated by Section 9.19 of this Ordinance.

SECTION 10-13 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, t 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 Subsection D.
 - a. The Planning Commission shall hold a public hearing on the proposed application, in accordance with the requirements of KRS Chapter 424, and review said application with regard to its compliance with the stated purposes of the PUD Overlay Zone, the required elements of the Stage I Development Plan and other applicable requirements of this Section. Upon holding such hearing the Planning Commission shall 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 forty-five (45) days after receiving the recommendations of the Planning Commission, review said recommendations and take action to approve, or disapprove said PUD application. Such action may incorporate any conditions imposed by the legislative body. However, should the legislative body take action to impose different conditions than were reviewed

and considered by the Planning Commission, then said conditions shall be resubmitted to the Planning Commission, for further review and recommendation in accordance with Section 10.13.C, 1, a. Approval of the PUD Overlay Zone shall require that development be in conformance with the Stage I approval Development Plan.

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

Zoning Map Amendment - Upon approval of the 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 development plan.

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

Record Plats, the applicable requirements of the Subdivision Regulations, and its conformity with the Stage II approved development plan. Upon Planning Commission approval of the Record Plat, copies of said plat, certified by the Planning Commission, and suitable for recording, shall be forwarded by the Planning Commission to the office of the County Clerk to be recorded.

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

1. Plan(s) of the subject property drawn to a scale not smaller than one (1) inch equals two hundred (200) feet showing:
 - a. The total area in the project: by aerial photograph.
 - b. The present zoning of the subject property and all adjacent properties.
 - c. All public and private rights-of-way and easement lines located on or adjacent to the subject property which are proposed to be continued, created, enlarged, relocated, or abandoned;
 - d. Existing and proposed topography shown by contour with intervals not to exceed five (5) feet;
 - e. All existing and proposed housing units on the subject property;
 - (1) Detached housing - location, arrangement and number of all lots, including a typical section(s) identifying approximate lot sizes and dimensions, and setbacks and height of buildings.
 - (2) Attached housing - location, height, and arrangement of all buildings, number of units within each building and all lot lines with approximate dimensions where applicable.
 - f. Location, arrangement, height and identification of all existing and proposed nonresidential buildings and uses on the subject property;
 - g. The amount of area proposed for common open space, including the location and arrangement of recreational facilities, identification of unique natural features to be retained and a statement indicating the means of maintaining all common areas;
 - h. Location of proposed pedestrian walkways, identifying type of surfacing and approximate dimensions;
 - i. Location of proposed streets identifying approximate dimensions of pavement and right-of-way widths, type of surfacing and approximate grades;
 - j. Location of off-street parking, loading and/or unloading and driveway areas, identifying the number of off-street parking spaces to be provided, type of surfacing and approximate dimensions;
 - k. Location of all existing and proposed water, sanitary sewer and storm drainage lines, indicating approximate pipe sizes and grades. Indication should also be given regarding the provision of electric

and telephone service which shall be required to be installed underground;

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

1. Stage II Development Plan: The applicant shall submit a Stage II Development Plan, in conformance with the Stage I approved Development Plan, at a scale not smaller than one (1) inch equals Fifty (50) feet, that identifies and provides the following information:
 - a. The existing proposed finished topography of the subject property shown by contours with intervals not to exceed five (5) feet. Where conditions exist that may require more detailed information on the proposed topography, contours with intervals of less than five (5) feet may be required by the Planning Commission.
 - b. All housing units on the subject property:
 - (1) Detached housing - Location, arrangement and number of all lots, including exact lot dimensions and setbacks, and maximum height of buildings;
 - (2) Attached housing - Location, height, and arrangement of all buildings indicating the number of units in each building, and, where applicable, location and arrangement of all lots with exact lot dimensions.
 - c. Location, height, arrangement and identification of all nonresidential buildings and uses on the subject property and, where applicable, location and arrangement of all lots with exact lot dimensions.
 - d. All common open space areas, including accurate lot dimensions and the location and arrangement of all recreational facilities.
 - e. Landscaping features, including identification of planting areas and the location, type and height of walls and fences.
 - f. Location of signs indicating their orientation and size and height.
 - g. All utility lines and easements:
 - (1) Water distribution systems including line sizes, width of easements, type of pipe, location of hydrants and valves, and other appurtenances;
 - (2) Sanitary sewer system, including pipe sizes, width of easements gradients, type of pipes, invert elevations, location and type of manholes, the location,, type, size of all lift or pumping stations, capacity, and process of any necessary treatment facilities, and other appurtenances;
 - (3) Storm sewer and natural drainage system, including pipe and culvert sizes, gradients, location of open drainage courses,

- width of easements, location and size of inlets and catch basins, location and size of retention and/or sedimentation basins, and data indicating the quantity of storm water entering the subject property naturally from areas outside the property, the quantity of flow at each pickup point (inlet) the quantity of storm water generated by development of the subject area, and the quantity of storm water to be discharged at various points to areas outside the subject property.
- (4) Other utilities (e.g.; electric, telephone, etc.) including the type of service and the width of easements, revealing the underground installation of the wiring.
 - h. Location of all off-street parking, loading and/or unloading, and driveway areas, including typical cross sections, the type of surfacing, dimensions, and the number and arrangement of off-street parking, and loading and/or unloading spaces.
 - i. Circulation System:
 - (1) Pedestrian walkways, including alignment, grades, type of surfacing and width;
 - (2) Streets, including alignment, grades, type of surfacing, width of pavement and right-of-way, geometric details, and typical cross sections.
 - j. Provisions for control of erosion, hillside slippage and sedimentation, indicating the temporary and permanent control practices and measures which will be implemented during all phases of clearing, grading, and construction;
 - k. The schedule of development staging and phasing-in accordance with the requirement in Subsection D.3, and as approved in the Stage I Approved Development Plan.

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

- 2. Record Plat: The applicant shall submit a Record Plat, in conformance with the Stage II approved Development Plan, at a scale not smaller than one (1) inch equals fifty (50) feet. If the Record Plat is submitted in sections, an index shall be developed showing the entire PUD. The particular number of the section, and the relationship of each adjoining section shall be clearly shown by a small key map on each section submitted. The Record Plat shall conform to the applicable requirements of the subdivision regulations, unless specifically waived by the Planning Commission, and in addition thereto, the following.

- a. All areas reserved for common ownership with an indication of the properties the owners will share in common;
 - b. Such lot or parcel lines indicating tracts which are now in separate ownership or which may be transferred to other ownership during or after development. (Resubdivision of large lots containing several buildings may be accomplished at a later date upon application and approval of the Planning Commission)
 - c. Indication of areas to be developed for residential (by type of housing unit), commercial, public and semi-public uses.
- F. RESIDENTIAL USES AND DENSITIES: All types of residential housing units (attached or detached) may be permitted within a PUD Overlay zone, including 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). Not more than sixty (60) percent of the total acreage shall be utilized.
- G. COMMERCIAL USES: Commercial uses intended primarily for the service and convenience of residents of the PUD may be permitted within the project area provided a market analysis is made justifying the need for said uses.

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

1. 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
12. Theater

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

- H. PUBLIC AND SEMI-PUBLIC USES: Public and semi-public structures and uses may be permitted in the PUD. These uses shall be delineated on the Stage I development plan and shall be limited to one or more of the following uses;
1. 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
- 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, if the proposed development conforms to and extends the original development.
- J. HEIGHT, YARD AND SETBACK REGULATIONS: Requirements shall be as approved in the Stage I Development Plan.
- K. OFF-STREET PARKING AND LOADING AND/OR UNLOADING: Off-street parking and, when applicable, loading and/or unloading shall be provided in accordance with Articles 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 in the Stage I Development Plan.
- M. EROSION AND SEDIMENTATION CONTROL: Effective erosion and sedimentation controls shall be planned and applied in accordance with Section 9.7 of this Ordinance.
- N. COMMON OPEN SPACE - RECREATION AREA: At least twenty percent (20%) of the total acreage of the proposed PUD shall be retained as common open space and recreation area, and dedicated to a public and/or private entity for operation and maintenance. Such open space and recreation areas shall be physically situated so as to be readily accessible, available to, and 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 nonrecreational oriented facilities.
- O. 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.
- P. EXPIRATION: Any amendment to PUD Overlay Zone shall be subject to the time constraint, as noted below. Upon expiration of said time period and any extensions thereto, the legislative body may initiate a request for a public hearing

by the Planning Commission, in accordance with the requirements of KRS Chapter 100, for the purpose of determining whether said PUD Overlay Zone should revert to its original zoning designation. A public hearing may be initiated if either of the following conditions apply:

1. Stage II Development Plan has not been approved by the Planning Commission within a period of twelve (12) consecutive months from the date of the Stage I approved Development Plan on Overlay Zone Amendment by the legislative body; provided that an extension may be permitted upon approval of the legislative body or their duly authorized representative if sufficient proof can be demonstrated that prevailing conditions have not changed appreciable to render the Stage I approved Development 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 Development Plan obsolete. The amount of construction constituting initiating substantial construction shall be as approved in the Stage I approved Development Plan.

SECTION 10.14 RCD - RESIDENTIAL CLUSTER DEVELOPMENT OVERLAY ZONE

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

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

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

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

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

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

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

1. Plan(s) of the subject property drawn to a scale not smaller than one (1) inch equals two hundred (200) feet showing:
 - a. The total area in the project; by aerial photograph.
 - b. The present zoning of the subject property and all adjacent properties.
 - c. All public and private rights-of-way and easement lines located on or adjacent to the subject property which are proposed to be continued, created, enlarged, relocated, or abandoned;
 - d. Existing and proposed topography shown by contour with intervals not to exceed five (5) feet;
 - e. All existing and proposed housing units on the subject property:
 - (1) Detached housing - Location, arrangement and number of all lots, including a typical section(s) identifying approximate lot sizes and dimensions, and setbacks and height of buildings.
 - (2) Attached housing - Location, height, and arrangement of all buildings, number of units within each building and all lot lines with approximate dimensions where applicable.
 - f. Location, arrangement, height and identification of all existing and proposed nonresidential buildings & uses on the subject property;
 - g. The amount of area proposed for common open space, including the location and arrangement of recreational facilities, identification of unique natural features to be retained and a statement indicating the means of maintaining all common areas;
 - h. Location of proposed pedestrian walkways, identifying type of surfacing and approximate dimensions;
 - i. Location of proposed streets identifying approximate dimensions of pavement and right-of-way widths, type of surfacing and approximate grades;
 - j. Location of off-street parking, loading and/or unloading and driveway areas, identifying the number of off-street parking spaces to be provided, type of surfacing and approximate dimensions;
 - k. Location of all existing and proposed water, sanitary sewer and storm drainage lines, indicating approximate pipe sizes and grades. Indication should also be given regarding the provision of electric and telephone service which will be required to be installed underground.

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

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

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

- 1. Stage II Development Plan: The applicant shall submit a Stage II Development Plan, in conformance with the Stage I approved Development Plan, at a scale not smaller than one (1) inch equals fifty (50) feet, that identifies and provides the following information:
 - a. The existing proposed finished topography of the subject property shown by contours with intervals not to exceed five (5) feet. Where conditions exist that may require more detailed information on the proposed topography, contours with intervals of less than five(5) feet may be required by the Planning Commission.
 - b. All housing units on the subject property:
 - (1) Detached housing - Location, arrangement and number of all lots, including exact lot dimensions and setbacks, and maximum height of buildings;
 - (2) Attached housing - Location, height, and arrangement of all buildings indicating the number of units in each building and, where, applicable, location and arrangement of all lots with exact lot dimensions.

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

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

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

2. Record Plat: A Stage II development plan and record plat shall be developed in conformity with the Stage II approved Development Plan, at a scale not smaller than one inch equals fifty (50) feet. If the record plat is submitted in sections, an If the Record Plat is submitted in sections, an index shall be developed showing the entire RCD. The particular number of the section, and the relationship of each adjoining section shall be clearly shown by a small key map on each section submitted. The Record Plat shall conform to the applicable requirements of the subdivision regulations, unless specifically waived by the Planning Commission, and in addition thereto, the following.
 - a. All areas reserved for common ownership with an indication of the properties the owners will share in common;
 - b. Such lot or parcel lines indicating tracts which are now in separate ownership or which may be transferred to other ownership during or after development. (Resubdivision of large lots containing several buildings may be accomplished at a later date upon application and approval of the Planning Commission)
 - c. Indication of areas to be developed for residential (by type of housing unit), commercial, public and semi-public uses.
- F. RESIDENTIAL USES AND DENSITIES: All types of residential housing units (attached or detached) may be permitted within a 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).
- G. public and semi-public uses: Public and semi-public structures and uses may be permitted in the RCD. these structures 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 (parish houses included).
 3. Community centers, including day care facilities.
 4. Country Clubs.
 5. Libraries.
 6. Fire and Police stations.

- 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, 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 REGULATIONS: Requirements shall be as approved in the Stage I Development Plan.
- J. OFF-STREET PARKING AND LOADING AND/OR UNLOADING: Off-street parking and, when applicable, loading and/or unloading shall be provided in accordance with Articles 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 in the Stage I Development Plan.
- L. EROSION AND SEDIMENTATION CONTROL: Effective erosion and sediment controls shall be planned and applied in accordance with Section 9.7 of this ordinance.
- M. COMMON OPEN SPACE - RECREATION AREA: At least twenty percent (20%) of the total acreage of the proposed RCD shall be retained as common open space and recreation area, and dedicated to a public and/or private entity for operation and maintenance. Such open space and recreation areas shall be physically situated so as to be readily accessible, available to, and usable by all 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.
- N. 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.
- O. 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 twelve (12) consecutive months from the date of the Stage I approved Development Plan and RCD Overlay Zone Amendment by the legislative body; provided that an extension may be permitted upon approval of the legislative body or their duly authorized representative if sufficient proof can be demonstrated that prevailing

conditions have not changed appreciably to render the Stage I approved Development Plan obsolete.

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

SECTION 10.15 INST (INSTITUTIONAL ZONE):

A. PERMITTED USES:

1. Churches and other buildings for the purpose of religious worship.
2. Dormitories and fraternity and sorority houses, when associated with a permitted use located in this zone
3. Educational and medical related research facilities.
4. Institutions for higher education
5. Institutions for human medical care - hospitals, clinics, sanitariums, convalescent homes, nursing homes, and homes for the aged.
6. Libraries
7. Medical offices
8. Governmental buildings
9. Museums or art galleries
10. Nursery schools and day care centers
11. Publicly owned and/or operated parks, playgrounds, golf courses, community recreation centers and swimming pools
12. Recreational uses other than publicly owned and/or operated, as follows: golf courses, swimming pools, tennis courts.
13. Police and fire stations
14. Public and parochial schools
15. Vocational, trade schools, or other specialized educational 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 provided in conjunction with a permitted use, primarily as a convenience to its occupants, its customers, patients, and employees, and located within the same building as the permitted use:
 - a. Restaurant or Cafeteria
 - b. Book store
 - c. Gift Shop
 - d. Florist
 - e. Medical & educational supply store
 - f. Pharmacy

C. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES: Requirements shall be in accordance with the approved Site Plan, as provided for in Section D, 4, below and Section 9.19. In the case of this zone, more than one principal building, as defined herein, may be permitted on one lot.

D. OTHER DEVELOPMENT CONTROLS:

1. Off-street parking and loading and/or unloading facilities 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, or into any adjacent property.
4. No building shall be erected, or structurally altered, nor shall any grading take place on any lot or parcel in the Institutional Zone until a site plan layout has been submitted and approved in accordance with Section 9.19.
5. A minimum of 20% of the total acreage of each site for a permitted use shall be set aside for open space use, exclusive of streets, parking areas, and buildings.

SECTION 10.16 MLU (MIXED LAND USE) ZONE

- A. **PURPOSE:** The purpose of the Mixed Land Use (MLU) Zone is to provide for the combining of offices, hotels and motels and residential uses with secondary retail and service uses within a planned development. Such development is intended to be designed to provide for an internally oriented group of activities which are functionally integrated relative to land uses, vehicular and pedestrian circulation and the arrangement of structures. In addition, the intent of the zone is to promote flexibility in design and planned diversification in the relationships between location of and types of uses and structures; promote the advantages of modern large scale site planning for community development through the efficient use of land, facilitating a more economic arrangement of buildings, circulation systems, land uses, and utilities; preserve, to the greatest extent possible, the existing landscape features and amenities, and to utilize such features in a harmonious fashion; provide for more usable and suitably located open space facilities and common facilities than would otherwise be provided under conventional land development procedures, but always with the intention of furthering the public health, safety, and general welfare.
- B. **GENERAL:** A Mixed Land Use Zone may be permitted provided that all conditions or provisions of this section of the ordinance, the applicable requirements of the subdivision regulations, and any additional requirements as may be determined necessary to provide for the most efficient layout of the MLU Zone and its proper integration with the surrounding development are met and a public hearing is held on the MLU application.
- C. **APPLICATION AND PROCESSING:** Applications for Mixed Land Use Zone shall be processed as follows in two stages:
1. **Stage I:** Applications for a map amendment to zone an area for Mixed Land Use (MLU) shall be accompanied by a development plan, in accordance with the Stage I Plan requirements, provided for within paragraph (0) Development Plan Requirements, of this section. If an area, however, is zoned MLU at the time the original zoning for the area is established (through annexation) the submission of the Stage I development plan for review by the Planning and Zoning Commission and the legislative body, shall not be required until the area is proposed to be developed.
 - a. The Planning and Zoning Commission shall hold a public hearing on the proposed application (development plan Stage I and where applicable, the zoning map amendment), in accordance with the requirements of KRS Chapter 424. and review said application with regard to its compliance with the stated purposes of the MLU Zone, the required elements of the Stage I Plan and other applicable requirements of this section. Upon holding such hearing, the Planning and Zoning Commission shall make one of the following recommendations to the legislative body approval, approval with

conditions, or disapproval. The Planning and Zoning 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 45 days after receiving the recommendations of the Planning and Zoning Commission, review said recommendations and take action to approve, or disapprove said MLU application. Such action may incorporate any conditions imposed by the Planning and Zoning Commission. However, should the legislative body take action to impose different conditions than were reviewed and considered the Planning and Zoning Commission, then said conditions shall be resubmitted to the Planning and Zoning Commission for further review and recommendation, in accordance with Subsection C, 1. a, above. Approval of the MLU 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 and Zoning Commission for further processing, in accordance with the requirement for Stage II plan and record plat.

Zoning Map Amendment - Upon approval of the MLU Zone, the official zoning map shall be amended by designating the area as identified in the application or as shown on the Stage I approved plan as MLU.

- 2. Stage II Plan AND Record Plat: A Stage II plan and record plat shall be developed in conformance with the Stage I approved plan and in accordance with the requirements of Section 10.13, E, 1 & 2, and submitted to the Planning and Zoning 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 Section 9.20, B and C. shall be substituted therefore. Those requirements not specifically waived by the Planning and Zoning Commission shall conform with the subdivision regulations.
 - a. The Planning and Zoning Commission shall review the submitted Stage II 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 and other applicable regulations, and its conformity with the Stage I approved plan. Minor adjustments from the Stage I approved plan may be permitted, provided that the adjustments do not change land uses, increase overall density, significantly alter circulation patterns (vehicular and pedestrian) or decrease the amount and/or usability of open space or recreation areas, or conflict with other applicable requirements of this ordinance (e.g., parking requirements). The Planning and Zoning 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 and Zoning Commission shall submit along with their recommendations, a copy of the Stage II Plan and the bases for their recommendations.

- b. The legislative body shall, within 45 days after receiving the recommendations of the Planning and Zoning Commission, review said recommendations and take action to approve or disapprove the Stage II Plan. Such action may incorporate any conditions imposed by the Planning and Zoning Commission. However, should the legislative body take action to impose different conditions than were reviewed and considered by the Planning and Zoning Commission, then said conditions shall be resubmitted to the Planning and Zoning 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;
- (2) the Planning and Zoning Commission.

- c. Upon approval of the Stage II plan, the Planning and Zoning Commission shall review the submitted final plat, if applicable, with regard to its compliance with the required elements of Section 10.13, E, 2 for record plats, the applicable requirements of the subdivision regulations and its conformance with the Stage II approved plan.

Upon Planning and Zoning Commission approval of the final plat, copies of said plat, certified by the Planning and Zoning Commission, and suitable for recording shall be forwarded by the Planning and Zoning Commission to the office of the county clerk to be recorded.

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

- 1. Offices & research laboratories, excluding industrial laboratory facilities.
- 2. Hotels & motels
- 3. Restaurants sit down only
- 4. Residential including single family attached and detached, two family and multi-family
- 5. Learning for continuing education programs

E. ACCESSORY USES:

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

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

1. Schools (nursery, elementary and secondary)

2. Churches
 3. Community centers, including day care facilities
 4. Country clubs
 5. Libraries
 6. Fire or police stations
 7. Open space/recreation areas
 8. Governmental offices
- G. AREA REQUIREMENTS: No MLU Zone shall be permitted on less than 25 acres of land. However, development of a small tract adjacent to an existing MLU Zone may be permitted, if the proposed development conforms to and extends the original development as if the new area had been a part of the original development.
- H. Access shall be provided to the site via a major arterial or collector street, as identified within the locally adopted comprehensive plan.
- I. HEIGHT. YARD AND SETBACK REGULATIONS: Requirements shall be as approved in the plan.
- 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 in the plan.
- L. EROSION AND SEDIMENTATION CONTROL: Effective erosion and sedimentation controls shall be planned and applied in accordance with Section 9.7 of this ordinance.
- M. OPEN SPACE/RECREATION AREA: At least 20% of the total acreage of the proposed MLU development shall be retained as open space or recreation areas. Such open space/recreation areas shall be physically situated so as to be readily accessible, available to, and usable by all activities within the MLU development. Open space and recreation areas shall be that part of the total project exclusive of parking areas, access drives and streets.
- N. AMENDMENTS: Any amendments to plans, except for the minor adjustments which may be permitted by the Planning and Zoning Commission, shall be made in accordance with the procedure required by Subsection C of this section.
- O. EXPIRATION: Development plans within the MLU Zone shall be subject to the time constraints, as noted below. Upon expiration of said time period and any extensions thereto, the legislative body may initiate a request for a public hearing by the Planning and Zoning Commission, in accordance with the requirements of KRS Chapter 100, for the purpose of determining the appropriateness of the

approved development plan. A public hearing may be initiated if either of the following conditions apply:

1. Stage II Plan has not been approved by the Planning and Zoning Commission within a period of 24 consecutive months from the date of the Stage I approved plan, except as agreed upon for the phasing of development by the legislative body; provided that an extension may be permitted upon approval of the legislative body or their duly authorized representative if sufficient proof can be demonstrated that prevailing conditions have not changed appreciably to render the Stage I approved plan obsolete.
2. Substantial construction has not been initiated within a period of 12 consecutive months from the date of approval of the Stage II plan by the Planning and Zoning 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.

P. DEVELOPMENT PLAN REQUIREMENTS: STAGE I -- PLAN REQUIREMENTS: The Stage I Plan shall identify and provide the following information, drawn to a scale not smaller than one (1) inch equals one hundred (100) feet:

1. General
 - 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. General description (text or map) of the proposed phasing of development;
 - f. General location of proposed streets;
 - g. A conceptual diagram (except for Phase I of the proposed project, which must meet the requirements as defined herein) indicating the anticipated location of the various proposed land uses within each phase of development (including open space as required by paragraph (L) of this section) and the approximate number of acres to be utilized by each type of land use.
2. Phase I: The Phase I portion of Submitted Stage I Plan shall provide at a minimum:

- a. Location of structures and the description of the proposed development (office, hotel, retail commercial, residential, etc.) to be located within the Phase I portion of the project;
 - b. The estimated gross floor area and/or number of rooms and/or the density of residential development of the various activities within the Phase I portion of the project;
 - c. Approximate height of the proposed structures within the Phase I portion of the project.
3. Subsequent phases of development shall be reviewed by the Planning and Zoning Commission and the legislative body to determine the conformance of such plans to the approved Stage I plan. Plans for subsequent development of the area may be submitted for initial review in the same form as was required for Phase I of the development, with subsequent review as a Stage II plan, or as a direct application for Stage II review with such detail as is required by such a submission.

STAGE II: The Stage II Plan shall be prepared in accordance with the requirements of Section 10.13, E of this ordinance.

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SECTION 10.17 NC NEIGHBORHOOD COMMERCIAL ZONE:

- A. USES PERMITTED: The following retail sales and services businesses supplying commodities and performing services for the residents of the surrounding neighborhood:
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, stationary 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. Flea Market.
 15. Florist Shop
 16. Food services 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 and 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. Offices
 33. Off-street parking lots and/or garages
 34. Opticians and optical goods
 35. Package liquor and wine store
 36. Paint and wallpaper store
 37. Pet shop, excluding boarding and outside runs
 38. Police and fire stations
 39. Post office
 40. Radio and television store (including repair)

41. Self-service gasoline station and self-serving car wash
 42. Shoe store and shoe repair
 43. Single- and two-family residential uses, provided that such uses occupy the second or third floor or attached to the rear of a commercial use
 44. Sporting goods
 45. Studios for professional work or teaching of any form of fine arts, photography, music, drama, or dance
 46. Tailor shop
 47. Toy store
 48. 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 any customary accessory buildings or uses be permitted until and unless the location of said use shall have been applied for and approved of by the Board of Adjustment as set forth in Section 9.14 of this Ordinance.
1. Service stations (including auto repairing, providing all repair except that of a minor nature (e.g. change of fan belt, minor carburetor adjustment, tire removal and/or replacement, windshield wiper replacement, etc.) is conducted wholly within a completely enclosed building and providing further that such service station is located adjacent to an arterial street as identified in the county 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 Lot Area - One (1) acre
 2. Minimum Lot Width - One hundred (100) feet
 3. Minimum Front Yard Depth - Fifty (50) feet; except when abutting a arterial street, then there shall be 100 feet
 4. Minimum Side Yard Width - Restrictions 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 county's building code, shall be required. A side yard is never to be less than fifteen (15) feet
 5. Minimum Rear Yard Depth - Fifty (50) 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 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 residential zone.
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 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 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 10.18 HC HIGHWAY COMMERCIAL ZONE:

- A. USES PERMITTED: The following retail sales and service businesses:
1. Automobile, motorcycle, and truck sales, new or used.
 2. Automotive service and repairs providing that all business activities shall be conducted within a completely enclosed building.
 3. Banks and other financial institutions including savings, loan, and finance companies, with drive-in windows.
 4. Boat and other marine equipment sales and service, new and used.
 5. Bowling alley.
 6. Eating and drinking places including drive-ins.
 7. Flea market.
 8. Hotels and motels.
 9. Mobile home and trailer sales, rental and service (new and used).
 10. Off-street parking lots and garages.
 11. Police and fire stations.
 12. Skating rinks, golf driving ranges, miniature and par-3 golf courses.
 13. Veterinary clinics and animal hospitals.
 14. Theater, drive-in.
 15. Service station.
 16. Single- and two-family residential uses, provided that such uses occupy the second or third floor or attached to the rear of a commercial use
 17. Kennel.
 18. Floor covering warehouse and retail sales.
 19. Food Stores.
 20. Barber shops and beauty shops.
 21. News and confectionery stands.
 22. Equipment sales and rental services.
- 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. Swimming pools, indoor and outdoor in connection with motel or hotel.
- 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 - One (1) acre
 2. Minimum Lot Width - One hundred (100) feet
 3. Minimum Front Yard Depth - Fifty (50) feet
 4. Minimum Side Yard Width - Restrictions 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, forewall construction, as required by the county's building code, shall be required. A side yard is never to be less than fifteen 15 feet

5. Minimum Rear Yard Depth - Twenty-five (25) feet
6. Maximum Building Height - Forty (40) feet

D. 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 fifty (50) feet for each side and/or rear yard which abuts said zone shall be provided, ten (10) feet of which shall be maintained by a screening area as regulated by Section 9.17 of this ordinance.
5. A 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. Off-street parking and loading and/or unloading areas may be located in front and side yard areas in this zone provided that no off-street parking areas shall be closer than fifteen (15) feet to the street, road, highway or right-of-way line or the boundary line of any adjacent district. This fifteen (15) foot area shall remain open and unobstructed except by items specifically permitted in yard areas in this Ordinance.

SECTION 10.19 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. Off-street parking lots and/or garages
5. Police and fire stations
6. Post office
7. Medical and dental laboratory

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. a prescription pharmacy
 - b. barber shop
 - c. beauty shop
 - d. coffee shop or refreshment stand
 - e. news and Confectionery. stands
 - f. eating and drinking places

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 - One (1) acre
2. Minimum Lot Width - One hundred (100) feet
3. Minimum Front Yard Depth - Fifty (50) feet
4. Minimum Side Yard Width - Fifteen (15) feet
5. Minimum Rear Yard Depth - Twenty-five (25) feet
6. Maximum Building Height - Forty (40) feet

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. 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.

SECTION 10.20 NSC NEIGHBORHOOD SHOPPING CENTER ZONE:**A. USES PERMITTED:** The following retail sales or service businesses:

1. Apparel shop
2. Art supplies
3. Bakery and bakery goods store, provided the products are sold exclusively on the premises.
4. Banks and other financial institutions including savings, loan, 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, soda fountain, and ice cream stores, except drive-ins
11. Delicatessen
12. Drug Store
13. Dry cleaning and laundry pickup stations
14. Eating and drinking places except drive-ins
15. Florist shop
16. Food store and supermarket
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 store, including incidental repair
32. Offices
33. Off-street parking lots and garages
34. Opticians and optical goods
35. Package liquor and wine store
36. Paint and wallpaper store
37. Pet shops excluding boarding and outside runs
38. Police and fire stations
39. Post Offices
40. Radio and television stores 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
 47. Car wash.
 48. Service station.
 49. Electro-mechanical game center.
- 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. AREA AND HEIGHT REGULATIONS: No building shall be erected or structurally altered except in accordance with the following regulations:
1. Minimum Lot 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 County's adopted Comprehensive Plan then there shall be a minimum yard requirement of one hundred (100) feet.
 3. Maximum Building Height - Forty (40) 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 any yard of any use permitted in this zone abuts land in and residential zone a ten (10) foot wide screening area as regulated by Section 9.17 of this ordinance shall be provided.
 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.

SECTION 10.21 SC SHOPPING CENTER ZONE:**A. USES PERMITTED:** The following retail and service businesses:

1. Advertising agencies
2. Antique shops
3. Apparel shops
4. Art supplies
5. Car wash.
6. Automotive parts and accessories store, new
7. Automotive service and repair
8. Bakery and bakery goods store, provided the products are sold exclusively on the premises.
9. Banks and other financial institutions including savings, loan, and finance companies, with drive-in windows.
10. Barber shops
11. Beauty shops
12. Billiard or pool hall
13. Book, stationery or gift shops
14. Bowling alley
15. Business or professional college
16. Bus station
17. Camera and photographic supplies
18. Candy store, soda fountain, ice cream store, excluding drive-ins
19. Carpet and rug store
20. Clinics - medical or dental
21. Clubs (including businessmen's, YMCA -YWCA)
22. Delicatessen store
23. Department store
24. Drug store
25. Dry cleaning and laundry pickup station
26. Eating and drinking places, excluding drive-ins
27. Employment agencies
28. Florist shop
29. Food store and supermarket
30. Furniture store
31. Garden supplies
32. Glass, china, or pottery store
33. Haberdashery
34. Hardware store
35. Health clinics and health spas
36. Hobby shop
37. Household and electrical appliance store including incidental repair
38. Interior decorating store
39. Jewelry store including repair
40. Laboratories, medical and dental
41. Laundromats, self service washing and drying
42. Leather goods and luggage store

43. Library
44. Locksmith shop
45. Music, musical instruments and record stores including repair
46. Office appliances and supplies
47. Offices
48. Off-street parking lots and/or garages
49. Opticians and optical goods
50. Package liquor and wine store
51. Paint and wallpaper store
52. Pet shops excluding boarding and outside runs
53. Police and fire stations
54. Post Office
55. Radio and television store including repair
56. Shoe store and shoe repair
57. Sporting goods
58. Studios for professional work on teaching of any form of fine arts,, photography, music, drama, or dance
59. Tailor shop
60. Theaters, excluding drive-ins
61. Toy store
62. Travel bureau
63. Variety stores including notions and "Five and Ten" stores
64. Service station.
65. Electro-mechanical game center.

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

1. Minimum Lot Area - Fifteen (15) acres. (In the case of this zone (SC) more than one principal building, as defined herein, may be permitted to be constructed within the minimum building site area).
2. Minimum Yard Requirements - Fifty (50) feet for each front, side (on each side of the building site) and rear yards.
3. Maximum Building Height - Forty (40) feet

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 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 residential zone.
4. Where any yard of any use permitted in this zone abuts a residential zone, a ten (10) foot wide screening area, as regulated by Section of this ordinance shall be provided.
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 offstreet 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 10.22 RURAL COMMERCIAL

A. USES PERMITTED:

1. Auto repair shops
2. Bakery
3. Bank
4. Barber and beauty shops
5. Drug store
6. Restaurants and taverns excluding drive-ins
7. Farm Equipment- sales and service
8. Food stores
9. Grain, Feed and Seed stores, including sales of fertilizers, garden supplies, etc.
10. Hardware store
11. Lumber companies
12. Offices
13. Paint and wallpaper store
14. Plumber's office and sales of fixtures
15. Police and fire station
16. Post office
17. Tobacco warehouses
18. Contractor's offices and storage areas
19. Service stations
20. Veterinarian offices including small and large animal clinics.
21. Flea market.
22. Single- and two-family residential uses, provided that such uses occupy the second or third floor or attached to the rear of a commercial use
23. Automotive repair and sale of new parts.
24. Mini Warehousing.

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. AREA AND HEIGHT REGULATIONS: No building 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 - One hundred (100) feet
3. Minimum Front Yard Depth - Fifty (50) feet
4. Minimum Side Yard Width - Restrictions when adjacent to a street 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 County's Building Code, shall be required. A side yard is never to be less than fifteen (15) feet.

5. Minimum Rear Yard Depth - Forty (40) feet
6. Maximum Building Height - Forty (40) feet

D. **CONDITIONAL USES** - No building or zoning permit nor certificate of occupancy shall be issued for any of the following uses, nor shall any of the following uses or any customary accessory buildings or uses in connection therewith be permitted until and unless the location of said uses, as determined and set forth in a Development Plan conforming with the requirements for site plans established by Section 9.19 of this ordinance shall have been reviewed and approved by the Board of Adjustment, and a conditional use permit in accordance with Section 9.14 of this ordinance issued therefore:

1. Automobile Sales, New and Used.
2. Self Service Car Wash

Further, no such conditional use shall be permitted until and unless the following performance criteria are fully met:

1. Any lot containing such conditional use shall contain a minimum of one (1) acre of land.
2. Each such conditional use shall be separated from any residential zone by a landscaped side yard in accordance with Section 10.22 of this ordinance.
3. In addition to the front yard requirements established by Section (C) of this ordinance, each such conditional use shall have a landscaped area extending from the minimum set-back line of the property a minimum of fifty (50) feet to the start of the paved area intended or used for display of vehicles for sale.
4. No flashing lights, streamers, or lights strung on overhead wires or lines shall be permitted. All signs shall be in conformance with the requirements of Article XIV of this ordinance.
5. Vehicles offered for sale in or upon such conditional use shall be limited to standard passenger automobiles and light trucks having a gross vehicle weight rating (G.V.W.R.) of one (1) ton or less. Sale of motorcycles, either new or used, shall not be permitted.

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 with the 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 residential zone.
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 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, loading, 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 10.23 I-1 INDUSTRIAL ONE ZONE:

- A. **USES PERMITTED:** 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. Except for those that decompose by detonation, the manufacturing, compounding, processing, packing, or assembling of the following uses:
 - a. Candy and confectionery products, food and beverage products except the rendering or refining of fats and oils and excluding poultry and animal slaughtering and-dressing.
 - b. Cigars and cigarettes.
 - c. Cosmetics, pharmaceuticals and toiletries, compounding only.
 - d. Animated and/or illuminated billboards and other commercial advertising structures.
 - e. Electric appliances, television sets, phonographs, household appliances.
 - f. Electrical machinery, equipment and supplies.
 - g. Fountain and beverage dispensing equipment.
 - h. Furniture
 - i. Instruments for professional, scientific, photographic and optical use.
 - j. Metal products, and metal finishing excluding the use of blast furnaces or drop forges.
 - k. Musical instruments, toys, novelties, jewelry, rubber or metal stamps, sporting and athletic equipment.
 - l. Office Equipment.
 - m. Pottery and figurines, using only previously pulverized clay and kilns fired only with gas or electricity.
 - n. Textile products including asbestos products, canvas and burlap, clothing,, cotton products. hosiery and knitting mills, rope, and twine.
 - o. Dairy products and related items.
 - p. Glass products, made of purchased glass.
 - q. Jewelry, silverware and plated wire, kitchen ware.
 - r. Leather products, excluding tanning and finishing.
 - s. Craftsman and artisan shapes, taxidermy blacksmith, welding shops.
 - t. Marine warehousing, sales and service.
 - u. Nurseries.
 2. Brewing or distilling of liquors and bottling the product.
 3. Building materials, sales yards, excluding mixing and blending operations.
 4. Crating services.
 5. Freight terminals.
 6. Governmentally owned and/or operated city, county, and state garages.
 7. Industrial engineering consultant offices.

8. Laboratories, offices, and other facilities for research, both basic and applied, conducted by or for and industrial organization or concern, whether public or private.
9. Machine shops.
10. Printing, engraving, and related reproduction processes.
11. Public utilities right-of-way and pertinent structures.
12. Publishing and distribution of books, newspapers, and other printed materials.
13. Railroad facilities exclusive of marshaling yards, maintenance, and fueling facilities.
14. Schools for industrial or business training.
15. Truck terminals.
16. Warehousing or wholesaling.
17. Marine warehousing, sales and service and nurseries.

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.
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 Lot Area - Two (2) acres
2. Minimum Lot Width - One Hundred fifty (150) feet
3. Minimum Front Yard Depth - Seventy-five (75) feet
4. Minimum Side Yard Width - Twenty-five (25) feet
5. Minimum Rear Yard Depth - Twenty-five (25) feet
6. Maximum Building Height - Fifty (50) feet

D. 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 lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way or into any adjacent property.
3. Where any yard of any use permitted in this zone abuts a residential zone, a minimum yard requirement of fifty (50) feet for each rear yard which abuts said zone shall be provided, ten (10) feet of which shall be maintained by a screening area as regulated by Section 9.17 of this ordinance.
4. A 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 10.24 I-2 INDUSTRIAL TWO ZONE:

- A. **USES PERMITTED:** The following uses are permitted providing all uses are in compliance with the performance standards as regulated in Article XV of this ordinance.
1. Except for those that decompose by detonation, the manufacturing, compounding, processing, packing or assembling of the following uses:
 - a. Acetylene, butane and bottled gas including bulk storage.
 - b. Asphalt and asphalt products.
 - c. Brewing and distilling of liquors.
 - d. Brick, tile or terra cotta, manufacture and storage.
 - e. Candy and confectionery products, food and beverage products, including the rendering or refining of fats and oils.
 - f. Cement, concrete and concrete products.
 - g. Chemicals including ammonia, bleach, bluing, calcimine, chlorine, corrosive acid or alkali, dyes.
 - h. Cigars and cigarettes.
 - i. Cosmetics, pharmaceuticals, and toiletries.
 - j. Animated and/or illuminated billboards and other commercial advertising structures.
 - k. Electric appliances, television sets.
 - l. Electrical and non-electrical machinery, equipment and supplies.
 - m. Fertilizer, gypsum, lime or plaster of paris.
 - n. Fountain and beverage dispensing equipment.
 - o. Furniture.
 - p. Instruments of professional, scientific, photographic, and optical use.
 - q. Iron, steel, aluminum foundry or forge works and heavy weight casting.
 - r. Lumber mills and storage and storage yards.
 - s. Lampblack.
 - t. Metal, metal finishing and metal products including the use of blast furnaces or drop forges.
 - u. Musical instruments, toys, novelties, jewelry, rubber, or metal stamps.
 - v. Office equipment.
 - w. Oil cloth or linoleum.
 - x. Paint, oil, shellac, turpentine, lacquer, varnish, gasoline.
 - y. Paper, paperboard, pulp.
 - z. Petroleum refining and products including bulk storage.
 - aa. Plastic and plastic products.
 - bb. Pottery and figurines.
 - cc. Products from the following previously prepared materials: paper, glass, cellophane, leather, feathers, fur, precious, or semiprecious metals, hair, horn, shell, tin, steel, wood, plastics rubber, bone, cork, felt, fibers, yarn, wool, tobacco.

- dd. Rolling mills.
 - ee. Rubber and rubber products.
 - ff. Soap and soap products.
 - gg. Stone and monument works employing power driven tools.
 - hh. Vinegar and yeast, production.
 - ii. Gravel, including storage
- 2. Bag, carpet and rug cleaning.
 - 3. Bottling and canning works.
 - 4. Bulk storage stations.
 - 5. Busline shops and storage.
 - 6. Carting express, hauling or storage yards.
 - 7. Coal, coke, or wood yards.
 - 8. Contractors offices and accessory storage yards including storage of general construction equipment and vehicles.
 - 9. Crating services.
 - 10. Flour mills.
 - 11. Forge plants.
 - 12. Foundries.
 - 13. Governmentally owned and/or operated city, county or state garages.
 - 14. Laundries and dry cleaning plants involving laundering and dry cleaning of articles delivered to the premises by commercial vehicles.
 - 15. Machine shops, heavy type industries.
 - 16. Plating plants.
 - 17. Processing of junk, waste, discarded, or salvaged materials, machinery, or equipment, including automobile wrecking or dismantling.
 - 18. Public utilities rights-of-way and pertinent structures.
 - 19. Railroad facilities exclusive of marshaling yards, maintenance and fueling facilities.
 - 20. Trucking terminals.
 - 21. Schools for industrial or business training.
 - 22. Warehousing or wholesaling.

B. ACCESSORY USES:

- 1. Customary accessory buildings and uses including operations required to maintain or support any use permitted in this zone on the same lot as the permitted use, such as maintenance shops, power plants, and machine shops.
- 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 Tract Size - Ten (10) acres
- 2. Minimum Lot Area Within Tract - Two (2) acres
- 3. Minimum Lot Width - One Hundred fifty (150) feet
- 4. Minimum Front Yard Depth - Seventy-five (75) feet
- 5. Minimum Side Yard Width - Twenty-five (25) feet; fifty (50) feet is required where a side yard abuts a street, road, highway, or deeded right-of-way
- 6. Minimum Rear Yard Depth - Fifty (50) feet
- 7. Maximum Building Height - Fifty (50) feet

D. 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 lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way or into any adjacent property.
- 3. Where any yard of any use permitted in this zone abuts a residential zone, a minimum yard requirement of fifty (50) feet for each rear yard which abuts said zone shall be provided, ten (10) feet of which shall be maintained by a screening area as regulated by Section 9.17 of this ordinance.
- 4. A 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 10.25 INDUSTRIAL MINING (IM.) OVERLAY ZONE:

- A. **PURPOSE:** The purposes of the Industrial Mining (IM) overlay Zone are to: permit mining, excavation or extraction operations of existing natural resources located within the rural areas of the county (designated with the Non-Urban Service Area on the Comprehensive Plan); permit the treatment, processing and manufacturing of such natural resources; and provide adequate regulation and control of such activity to ensure that it does not adversely impact the environment and/or surrounding uses, with the intention of furthering the public health, safety, and general welfare.
- B. **GENERAL:** An Industrial Mining (IM) Overlay zone is a district of special interest (KRS 100.203, e) to the proper development of the county. In accordance with the recommendations of the comprehensive plan, this overlay zone may be permitted to be superimposed over the Agricultural-One (A-1) Zone, only. Further, the IM Overlay Zone may not be superimposed on the A-1 Zone unless all conditions and provisions of this section of the ordinance are met; and, a public hearing is held on the IM application.
- C. **APPLICATION AND PROCESSING:** Application for an Industrial Mining Overlay Zone shall be processed in two stages, as follows:
1. **STAGE I:** Application for amendment to an IM Overlay Zone shall include a development plan, in accordance with the requirements of a Stage I Plan established in Subsection I, and the criteria established in Subsection D. The application shall then be processed as follows:
 - a. The Planning and Zoning 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 purpose of the IM Overlay Zone, the required elements of the Stage I Plan established in Subsection I, the criteria for evaluation of an IM Overlay Zone in Subsection D, and other applicable requirements of this section. Upon holding such hearing, the Planning and Zoning Commission shall make one of the following recommendations to the legislative body: approval, approval with conditions, or disapproval. The Planning and Zoning 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 forty-five (45) days after receiving the recommendations of the Planning and Zoning Commission, review said recommendations and take action to approve or disapprove, said IM application. Such action may incorporate any conditions imposed by the Planning and Zoning Commission. However, should the legislative body take action to impose different conditions then were reviewed and considered by the Planning and Zoning Commission, then said conditions shall be resubmitted to

the Planning and Zoning Commission for further review and recommendation in accordance with Subsection C, 1, a, above. Approval of the IM 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 and Zoning Commission for further processing in accordance with the requirements for Stage II Plan.

Zoning Map Amendment - Upon approval of the IM Overlay Zone, the official zoning map shall be amended by adding the prefix "IM" to the existing agricultural zone (e.g., IM-A-1) for the area as shown on the Stage I approved plan.

2. STAGE II: A Stage II plan shall be developed in conformance with the Stage I approved plan and in accordance with the requirements of Subsection J, and submitted to the Planning and Zoning Commission for its review and approval as follows:

- a. The Planning and Zoning Commission shall review the submitted Stage II plan with regard to its compliance with the required elements of Subsection J, the criteria in Subsection E, other applicable elements of this ordinance and other applicable regulations, and its conformity with the Stage I Plan. The Planning and Zoning Commission, in approving the Stage II Plan, may authorize minor adjustments from the Stage I approved plan.

Upon Planning and Zoning Commission approval of the Stage II 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 plan and other regulations as may be required by this ordinance.

- D. CRITERIA FOR EVALUATION OF AN IM OVERLAY ZONE: The criteria established in this section are to be used as a basis in reviewing any application for amendment to an IM 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 area proposed for the IM Overlay zone consists of a minimum size of 100 acres. However, development of a smaller tract adjacent to an existing IM Overlay Zone may be permitted if the proposed development conforms to and extends the original development.
 - c. Sufficient research, testing and other data to establish the actual existence of the natural resource for the property in question and

that it is feasible to mine/extract said resource according to modern technical methods.

2. Consideration shall also be given to the following factors:
 - a. Compatibility of the proposed operation with the surrounding area. Compatibility shall be reviewed in terms of impact on the environment (e.g., visual, noise, or air pollution, dust, etc.), the intensity of the use in relation to the general character of the surrounding area, and the ability to maximize comparability and protect adjacent property owners by proposed design features (e.g., provision of screening and/or earth berms, utilization of existing natural features, etc.).
 - b. The proposed operation would not require the provision of urban services (e.g., centralized water and sanitary sewers, etc.) in an area that is not planned for such services.
 - c. The amount of traffic that would be generated by the proposed operation, including trucks, employees, etc., which highways would be utilized, 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. Also, utilization of other means of transportation, e.g., air, water, and rail, and its effect on surrounding areas should be considered.

E. CRITERIA FOR EVALUATION OF A STAGE II PLAN: The following criteria shall be used as a basis for reviewing a Stage II Plan:

1. The Plan shall comply with the requirements of the Stage II Plan and with other applicable sections of this ordinance (e.g., off-street parking requirements, Industrial Performance Standards, etc.).
2. The location of all above-ground operations shall be a minimum of two hundred (200) feet from any property boundary of the IM Zone and two hundred (200) feet from any existing residence (an existing residence includes any structure being occupied for ordinary living purposes; it does not include a residential structure that has been permanently abandoned);
3. Sub-surface activities may not be permitted where they would endanger above-ground uses permitted in the A-1 Zone, e.g., residential or agricultural uses.
4. Internal access roads should be located in accordance with the following:
 - a. Access roads for trucks and/or employees (if the number of employees is substantial) should be via major arterial streets, to discourage the generation of large volumes of traffic on rural roads that are not designed for such purposes; and

- b. Access to potentially dangerous operations (e.g., blasting, open excavated pit, etc.) should be designed to prevent access by the innocent and/or curious traveler.
- F. PERMITTED USES: The following uses are permitted in the IM Overlay Zone, in accordance with an approved Stage II Plan:
- 1. Sand, gravel, rock, clay, shale, stone, and other mineral excavation, excluding coal, oil, gas, and other similar minerals that have potential fire or other safety hazards.
 - 2. Treatment, processing, and manufacturing of products from the raw natural resource permitted in Item #1, above, including washing and screening plants, cement and lime manufacturing, dryers, rock crushers, asphalt and/or concrete batching and mixing plants, warehousing operations and facilities necessary for rail and river barging operations.
 - 3. Fire and police stations.
 - 4. Any permitted use in the underlying zone (A-1).
 - 5. Transportation facilities developed in conjunction with another permitted use in this overlay zone, as listed below:
 - a. Landing fields for light aircraft.
 - b. Barge docking facilities.
 - c. Rail facilities.
 - d. Trucking terminals, related to exchange or distribution with other modes of transportation.
- G. ACCESSORY USES: Customary accessory buildings and uses are permitted in conjunction with any permitted or conditional use in this zone (e.g., maintenance shops, offices, power plants, cafeterias, etc.).
- H. HEIGHT, YARD AND SETBACK REGULATIONS: Requirements as to height of structures, size of yards and setbacks, on the peripheral of the IM Overlay zone and between various proposed uses and structures, shall be as approved in the Stage II Plan, but in no event shall any above-ground operations be located closer than two hundred (200) feet from any property boundary of the IM Zone. In determining maximum height requirements, the Planning and Zoning Commission shall consider the type of operation and process proposed, and alternative methods of operation and processing that are available, to establish a reasonable requirement in each specific situation.
- In determining size of yards and setback requirements, the Planning and Zoning Commission shall consider the distance necessary to ensure safety (e.g., adequate space for vehicular access fire protection, etc.) and to minimize any adverse impacts on the environment.

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- I. STAGE I PLAN REQUIREMENTS: The Stage I Plan shall include the following information:
1. A map of the subject property, drawn to scale, indicating the extent of the property to be rezoned for the IM Overlay Zone. The scale of the map shall be at the largest scale reasonable, in light of the total amount of property involved, but in no case shall the scale be smaller than one (1) inch equals one thousand (1,000) feet (e.g., a smaller scale would be 1" = 1200'; a larger scale would be 1" = 600'). Property to be rezoned may include property owned in fee simple or property for which mineral rights have been obtained.
 2. A statement identifying the type(s) of mining to be conducted on the property. Said statement shall be supported by sufficient research indicating the actual existence of the natural resources) and the feasibility to mine/extract said resource according to modern technical methods.
 3. The general identification of areas to be used for surface, and for subsurface mining including a statement, if applicable, of any conditions or contingencies which could affect a change in these general locations.
 4. The general location of all above-ground activities that exist and will be continued (e.g., a single-family residence) or proposed activities (e.g., processing operations, transportation facilities, etc.), including approximate heights and locations of proposed buildings and structures.
 5. A statement indicating which modes of transportation will be used to provide access to the operations, and to ship/deliver incoming and outgoing goods and products.
 6. A statement as to the type and timing of reclamation program(s) that will be used in surface-mined areas.
 7. An indication of natural resource reserves and estimates as to the number of years the natural resource will last.
- J. STAGE II PLAN REQUIREMENTS: The Stage II Plan is the detailed plan which, when approved, authorizes the issuance of zoning and building permits. This plan may be submitted in phases, as development is to occur, or it may be submitted for the entire development at one time. The Stage II Plan shall include the following information:
1. A map of the entire property zoned IM, indicating which portion(s) of the area is to be developed.

2. Plan(s) of the subject property drawn to a scale not smaller than one inch equals one hundred (100) feet that identifies and provides the following information:
 - a. The specific location, and description of, all proposed surface mining areas and above-ground activities.
 - b. The location, height, arrangement and identification of all buildings, structures, and surface uses of land (including off-street parking and loading/unloading areas). The existing and proposed topography, shown by contour intervals not to exceed five (5) feet, shall be included for these areas.
 - c. Location of signs indicating their orientation, size, and height.
 - d. All existing utility lines and easements to be utilized by the proposed development and the location, line sizes, width of easement of any proposed new lines or extensions.
 - e. Location and type(s) of all transportation facilities including the location of all new streets, rail lines, aircraft landing fields, barge docking facilities or other facility. This information shall include grades, right-of-way, dimensions, type of surfacing, alignment, typical cross-sections, etc.
 - f. Provision for control of erosion, hillside slippage and sedimentation, indicating the temporary and permanent control practices and measures which will be implemented during all phases of clearing, grading, and construction.
3. A map of the subject property drawn to a scale not smaller than one (1) inch equals six hundred (600) feet, indicating areas where subsurface mining will occur.

Other requirements of this ordinance (for example, Article XI and XII governing number of spaces, type of surfacing, etc. for off-street parking and loading/unloading areas) should be included on the Stage II Plan as applicable.

- K. **OFF-STREET PARKING AND LOADING AND/OR UNLOADING:** off-street parking and 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 in the plan.
- M. **EROSION AND SEDIMENTATION CONTROL:** Effective erosion and sedimentation controls shall be planned and applied in accordance with Section 9.7 of this ordinance.
- N. **RECLAMATION:** All reclamation plans shall be subject to the regulations of the Department for Natural Resources and Environmental Protection, where applicable. In addition, plans for reclamation shall provide for the following:

1. All earthen banks shall be left with a slope no greater than two feet horizontal to one (1) foot vertical.
2. The type and number per acre of trees, shrubs, ground cover, or legumes to be planted shall be approved by the Planning and Zoning Commission in consultation with the County Agricultural Extension Agent and according to the following guidelines:
 - a. The objective in revegetation is to stabilize the area as quickly as possible after it has been disturbed. Plants that will give a quick, protective cover and enrich the soil shall be given priority. These plants should be considered only as a tool in obtaining productive land use and not the end result.
 - b. Appropriate revegetation shall be seeded and/or planted as soon after grading as possible, provided that seeding and/or planting shall be performed in the proper season in accordance with accepted agricultural and reforestation practices.
 - c. When planting is completed, the operator shall file a copy of the planting report with the Commission on a form to be furnished by the Division of Reclamation.
 - d. The Planning and Zoning Commission finding that some flexibility is required in the administration of regulations, where special conditions warrant, may provide for exceptions to the regulation, consistent with the requirements of the Division of Reclamation. All such exceptions shall be presented to the Planning and Zoning Commission for its approval or rejection.
 - e. On all lands disturbed during the course of operation, the entire disturbed area shall be fertilized, seeded and planted to legumes, perennial grasses, and trees, except as hereinafter provided.
 - (1) Roads shall be seeded to legumes and perennial grasses only - no trees being required. This vegetative requirement for roads may be modified if, in the opinion of the Planning and Zoning Commission, the roadway will not contribute serious off-site damage to the public or to adjacent property owners.
 - (2) On very stony areas that cannot be hand planted without difficulty, direct seeding of trees will be permitted by the Planning and Zoning Commission.
 - (3) Shrubs for wildlife may be planted to include border plantings, clump planting and intervening strips, at a six (6) foot by six (6) foot spacing. These plantings shall not exceed twenty percent (20%) of the total area planted.
 - (4) Where a seam or stratum of solid rock makes vegetation impractical, none shall be required.
 - f. Inspection and evaluation for vegetative cover shall be made as soon as it is possible to determine if a satisfactory stand has been

- established. In no instance shall this vegetative cover check be made until just prior to or after the completion of the first growing season.
- g. Annual grasses and small grains shall be considered only as a tool in establishing temporary vegetative cover for restoration. These types of annuals shall not be evaluated in the determination of vegetative cover.
 - h. Standards for legumes and perennial grasses - there shall be established at least a seventy percent (70%) ground cover. Bare areas shall not exceed one-fourth (1/4) acre (100 feet by 100 feet) in size nor total more than thirty percent (30%) of the area seeded.
- 3. The location of all future public improvements shall be determined in consultation with the county engineer and the Planning and Zoning Commission.
 - 4. Restoration of areas shall begin as soon as possible and except for areas in constant use, within one year after they have been disturbed. All required restoration shall be completed within one year of final extraction.
- O. POLLUTION, BLASTING, AND SOLID WASTE DISPOSAL: All operations permitted within the IM Overlay Zone must comply with the Performance Standards for Industrial zones in Article XV of this ordinance. In addition, all operations must comply with all regulations of each applicable division of the Kentucky Department for Natural Resources and Environmental Protection.
- P. AMENDMENTS: Any amendments to the Stage I Plan, except for the minor adjustments which may be permitted by the Planning and Zoning Commission, shall be made in accordance with the procedure required by this ordinance, subject to the same limitations and requirements as those under which such plan was originally approved.
- Q. APPEALS: Any decision made by the Planning and Zoning Commission with respect to the Stage II Plan that is considered a question of interpretation of the zoning ordinance may be appealed, as an administrative review, to the board of adjustments. Such appeal shall be taken within sixty (60) days of the date of the decision.
- All other decisions made by the Planning and Zoning Commission, with respect to the Stage II Plan or otherwise, shall be appealed to the county circuit court, in accordance with KRS 100.347.
- R. ESTABLISHMENT OF NONCONFORMING USE: In the event that an amendments) to this zoning ordinance, or a new zoning ordinance, is subsequently adopted which would make any mining operations approved under this zone a nonconforming use, the "scope and area" of said mining operations shall be defined as the area and extent of operations approved in the Stage I Plan.

- S. NONCOMPLIANCE: Failure to comply with reclamation plans, solid waste disposal plans, other performance standards, or other terms of the Stage II Plan establishes the basis for the zoning administrator and/or Planning and Zoning Commission to initiate a procedure to revoke existing permits and/or prevent the issuance of new permits until compliance is achieved. Said procedure shall be as follows:
1. The zoning administrator or Planning and Zoning Commission shall notify the property owner/developer of the activity(s) that is not in compliance, including a general statement of what is necessary to bring the activity(s) into compliance. The property owner/developer shall have ten (10) days to respond to the notification and to indicate what steps he intends to take to bring the activity(s) into compliance.
 2. If immediate compliance is achieved, or if the steps to achieve compliance are approved by the zoning administrator (or Planning and Zoning Commission if it initiated this action), then no further action will be taken, provided the approved steps are complied with (if applicable).
 3. If compliance is not achieved in accordance with subsection 2, then the zoning administrator or Planning and Zoning Commission shall initiate a public hearing in accordance with the requirements of KRS 424, and, written notice of the meeting shall be sent to the property owner/developer, by certified mail at least seven (7) days prior to the hearing.
 4. At the public hearing, the property owner/developer shall have the opportunity to present his reasons for noncompliance. Based on the information presented, the Planning and Zoning Commission may modify the requirements that are being violated, or, the Planning and Zoning Commission may continue the effect of said requirements and revoke any existing permits or bar the issuance of any new permits, until compliance is achieved.
- T. EXPIRATION: Any zoning map amendment to the IM Overlay zone shall not be subject to expiration for failure to comply with reclamation plans, solid waste disposal plans, other performance standards, or other terms of the Stage II Plan.

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SECTION 10.26 I-4 INDUSTRIAL RIVER ZONE:

- A. **USES PERMITTED:** It is the purpose of this zone to provide for industrial activities that orient towards the use of its river, the railroad and the highway as a transportation point of exchange and distribution and do not require extensive urban services. The following uses are permitted providing that a primary function of the use requires use of the adjacent river, and that 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. Grain Elevators.
 5. Transportation facilities, including railroad right-of-way, marshaling yards, maintenance and fueling facilities.
 6. Warehousing.
 7. Barge, shipping, and docking facilities.
- B. **ACCESSORY USES:**
1. Customary accessory buildings and uses including operations required to maintain or support any use permitted in this zone on the same lot as the permitted use, such as maintenance shops and power plants.
 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 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 stand
 - c. Soda or dairy bars
- C. **CONDITIONAL USES:** No buildings or occupancy permit shall be issued for any of the following, nor shall any of the following uses or any customary accessory buildings and uses be permitted until and unless the location of said use shall have been applied for and approved of by the Board of Adjustment as set forth in Section 9.14.
1. Bulk storage and/or transfer stations for materials that are of a flammable or explosive nature.
 2. Self-service car wash.

D. 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 River Zone - Twenty-five (25) acres
2. Minimum Lot Area - Five (5) acres
3. Minimum Lot Width - Three hundred (300) feet
4. Minimum Front Yard Depth - Fifty (50) feet
5. Minimum Side Yard Width - Fifty (50) feet.
6. Minimum Rear Yard Depth - Fifty (50) feet, unless abutting the river front.
7. Maximum Building Height - Fifty (50) feet, or more if approved by the Planning Commission

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 lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way or into any adjacent property.
3. Where any yard of any use permitted in this zone abuts a residential zone, a minimum yard requirement of seventy-five (75) feet for each side and/or rear yard which abuts said zone shall be provided, ten feet of which shall be maintained by a screening area as regulated by Section 9.17 of this ordinance.
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 flood-plain) must be in accordance with the regulations set forth in Section 9.24 of this ordinance.
6. All outdoor storage of any material (usable or waste) shall be screened or enclosed from view at the site according to Sections 9.17 and XIII of this ordinance.

SECTION 10.27 I-5 INDUSTRIAL RIVER ZONE

- A. **USES PERMITTED:** The intent of the I-5 Zone is to provide for industrial uses in areas of urban service which depend on the use of the adjacent river as a primary function of their process, such as its use for cooling purposes, or access to barge traffic as part of a transportation node of exchange and/or distribution. The following uses are permitted providing all uses are in compliance with both the performance standards as set forth in Article XV of this ordinance, and all appropriate local, state, and federal regulations, and that the use complies with the above stated intent of the I-5 Zone.
1. Except for those that decompose by detonation, the manufacturing, compounding, processing, packing, or assembling of the following uses:
 - a. Acetylene, butane, and bottled gas, including bulk storage.
 - b. Asphalt and asphalt products.
 - c. Brick, tile, or terra cotta.
 - d. Cement, concrete, and concrete products.
 - e. Chemicals, including ammonia, bleach bluing, calcimine, chlorine, corrosive acid or alkali, dyes.
 - f. Electrical and nonelectrical machinery, equipment and supplies.
 - g. Fertilizer, gypsum, lime, or plaster of paris.
 - h. Iron, steel, aluminum foundry or forge works and heavy weight casting.
 - i. Lumber mills and storage yards.
 - j. Lampblack.
 - k. Metal, metal finishing and metal products, including the use of blast furnaces, or drop forges.
 - l. Paint, oil, shellac, turpentine, lacquer, varnish, gasoline.
 - m. Paper, paperboard, pulp.
 - n. Petroleum refining and products including bulk storage.
 - o. Plastic and plastic products.
 - p. Rolling mills.
 - q. Rubber and rubber products.
 - r. Stone and monument works employing power driven tools.
 - s. Sand and gravel, including storage.
 2. Barge, shipping and docking facilities.
 3. Bulk storage stations and/or transfer stations for materials.
 4. Carting express, hauling, or storage yards.
 5. Contractors' offices including storage of general construction equipment and vehicles.
 6. Crating services.
 7. Flour mills.
 8. Forge plants.
 9. Foundries.
 10. Freight terminals.
 11. Machine shops.

12. Plating plants.
13. Public utilities rights-of-way and pertinent structures.
14. Railroad facilities, including passengers and freight terminals, marshaling yards, maintenance shops, and round house.
15. Trucking terminals, related to exchange or distribution with barge traffic.
16. Warehousing or wholesaling, as secondary part of a river oriented function.

B. ACCESSORY USES:

1. Customary accessory buildings and uses including operations required to maintain or support any use permitted in this zone on the same lot as the permitted use, such as maintenance shops, power plants, laboratories, offices, and machine shops.
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 River Zone - Twenty-five (25) acres
2. Minimum Lot Area - Five (5) acres
3. Minimum Lot Width - Three hundred (300) feet
4. Minimum Front Yard Depth - Fifty (50) feet
5. Minimum Side Yard Width - Fifty (50) feet.
6. Minimum Rear Yard Depth - Fifty (50) feet, unless abutting the river front.
7. Maximum Building Height - Fifty (50) feet, or more if approved by the Planning Commission

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 lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way, or into any adjacent property.
3. Where any yard of any use permitted in this zone abuts a residential zone, a minimum requirement of seventy-five (75) feet for each side and/or rear yard which abuts said zone shall be provided, ten (10) feet of which shall

be maintained by a screening area as regulated by Section 9.17 of this ordinance.

4. A site plan, as regulated by Section 9.19 of this ordinance shall be required for any use in this zone, with an indication of the proposed method of sewage disposal and waste handling.
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.
6. All outdoor storage of any material (usable or waste) shall be screened or enclosed from view at the periphery of the site according to Sections 9.17 and XIII of this ordinance.

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SECTION 10.28 ACD - AGRICULTURAL CLUSTER DEVELOPMENT OVERLAY ZONE

- A. **PURPOSE:** The purpose of the Agricultural Cluster Development (ACD) Overlay Zone is to preserve land used for agriculture through a method of land planning and design that allows for the clustering of a limited amount of detached, single-family residential units along with the creation of a conservation easement to retain a significant portion of the land for agricultural production and use.
- B. **GENERAL:** An Agricultural Cluster Development Overlay Zone may be permitted only to be superimposed over the A-1 Zone provided that all conditions and 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 proper integration of the ACD Overlay Zone with the surrounding area are met, and a public hearing is held.
- C. **APPLICATION AND PROCESSING:** Applications for ACD Overlay Zone shall be processed in two stages:
1. **STAGE I Development Plan and Zoning Map Amendment.** Applications for amendment to ACD Overlay Zone shall include a development plan in accordance with the requirements of Subsection D. This application will be processed according to the zone map amendment process per Article XVII of the zoning ordinance.
 2. **STAGE II DEVELOPMENT PLAN, RECORD PLAT, AND CONSERVATION EASEMENT:** A Stage II development plan and Record Plat shall be developed in conformity with the Stage I approved development plan and in accordance with the requirements of Subsection E, and submitted to the Planning Commission for its review and approval. The submission shall also include the Conservation Easement which will be submitted to the Planning Commission's duly authorized representative for review and approval.
- D. **STAGE I DEVELOPMENT PLAN REQUIREMENTS:** The development plan shall identify and provide the following information:
1. Plan(s) of the subject property drawn to a scale not smaller than one (1) inch equals two hundred (200) feet showing:
 - a. The total area in the project; by aerial photograph.
 - b. The present zoning of the subject property and all adjacent properties.
 - c. All public and private rights-of-way and easement lines located on or adjacent to the subject property which are proposed to be continued, created, enlarged, relocated, or abandoned;
 - d. Existing and proposed topography shown by contour with intervals not to exceed five (5) feet.

- e. All existing and proposed housing units on the subject property which identifies: Location, arrangement and number of all lots, including a typical section(s) identifying approximate lot sizes and dimensions, and setbacks and height of buildings, including a notation that all residential units shall be subject to all applicable zoning and building permit regulations
- f. Location, arrangement, height and identification of all existing and proposed nonresidential buildings and uses on the subject property;
- g. A tabular listing of the total area of the tract, conservation easement area, total area which the proposed lots occupy, and access easement area (for private street).
- h. Location of proposed street identifying approximate dimensions of pavement and right-of-way widths, type of surfacing and approximate grades;
- i. Location of all existing and proposed water, sanitary sewer and storm drainage lines, indicating approximate pipe sizes and grades. Indication should also be given regarding the provision of electric and telephone service which will be required to be installed underground.
- j. Certification from appropriate water and sewer agencies that services will be available.

2. A metes and bounds description of the Conservation Easement Area.

The information required in items 1a through k, and 2, may be combined in any suitable and convenient manner so long as the data required is clearly indicated. A separate plan or drawing for each element is not necessary, but may be provided at the option of the applicant.

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

1. Stage II Development Plan: The applicant shall submit a Stage II Development Plan, in conformance with the Stage I approved Development Plan, drawn to a scale not smaller than one (1) inch equals one hundred (100) feet showing:
 - a. Existing and proposed topography shown by contour with intervals not to exceed five (5) feet.
 - b. All existing and proposed housing units on the subject property which identifies: Location, arrangement and number of all lots, including a typical section(s) identifying approximate lot sizes and dimensions, and setbacks and height of buildings, including a notation that all residential units shall be subject to all applicable zoning and building permit regulations.
 - c. Location, arrangement, height and identification of all existing and proposed nonresidential buildings & uses on the subject property

- d. A tabular listing of the total area of the tract, conservation easement area, total area which the proposed lots occupy, and access easement area (for private street).
 - e. All utility lines and easements:
 - (1) Water distribution systems including line sizes, width of easements, type of pipe, location of hydrants and valves, and other appurtenances;
 - (2) Sanitary sewer system, including pipe sizes, width of easements, gradients, type of pipes, invert elevations, location and type of manholes, the location, type, size of all lift or pumping stations, capacity, and process of any necessary treatment facilities, and other appurtenances;
 - (3) Storm sewer and natural drainage system, including pipe sizes, gradients, location of open drainage courses, width of easements, location and size of inlets and catch basins, location and size of retention and/or sedimentation basins, and data indicating the quantity of storm water entering the property, the quantity of flow at each pickup point (inlet), the quantity of storm water generated by development of the subject area, and the quantity of stormwater to be discharged at various points to areas outside the subject property.
 - (4) Other utilities (e.g. electric, telephone, etc.) including the type of service and the width of easements revealing the underground installation of the wiring.
 - f. Location of proposed streets identifying approximate dimensions of pavement and right-of-way widths, type of surfacing and approximate grades.
 - g. Provisions for control of erosion, hillside slippage and sedimentation, indicating the temporary and permanent control practices and measures which will be implemented during all phases of clearing, grading, and construction;
2. A metes and bounds description of the Conservation Easement Area.

The information required in items 1a through h and 2, 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.

3. Record Plat: A record plat shall be developed in conformity with the Stage II approved Development Plan. The Record Plat shall conform to the applicable requirements of the subdivision regulations, unless specifically waived by the Planning Commission, and in addition thereto, the following:
- a. All areas reserved for the conservation easement area with a metes and bounds description as specified in item E.2 above, a notation of general terms and conditions of the conservation easement, and

designation of the grantee of said conservation easement per item G. below.

- b. Notation concerning residential units as specified under item E.1.b above.

F. AREA REQUIREMENTS:

Minimum Tract Size	40 acres
Minimum Lot Size within Tract	1 acre
Maximum Lot Size within Tract	5 acres
Maximum Number of Lots within Tract	6
Minimum Lot Width	Per the requirements of the A-1 Zone
Minimum Front Yard Depth	Per the requirements of the A-1 Zone
Minimum Side Yard Depth	Per the requirements of the A-1 Zone
Minimum Rear Yard Depth	Per the requirements of the A-1 Zone
Maximum Building Height	Per the requirements of the A-1 Zone

G. CONSERVATION EASEMENT AND AREA: At least seventy-five percent (75%) of the total acreage (i.e. tract) of the proposed ACD Overlay Zone shall be retained for agricultural use under a conservation easement. The area placed within the easement shall not include any of the area of the new lots created within the tract or the access easement area for any private street. The Campbell County Conservancy shall be named as the grantee of the conservation easement.

H. EXPIRATION: Any amendment to ACD 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 ACD Overlay Zone should revert to its original zoning designation. A public hearing may be initiated if either of the following conditions applies:

1. A Stage II Development Plan has not been approved by the Planning Commission within a period of twelve (12) consecutive months from the date of the Stage I approved Development Plan and ACD Overlay Zone Amendment by the legislative body; provided that an extension may be permitted upon approval of the legislative body or their duly authorized representative if sufficient proof can be demonstrated that prevailing conditions have not changed appreciably to render the Stage I approved Development Plan obsolete.
2. Substantial construction has not been initiated within a period of twelve (12) consecutive months from the date of approval of the Stage II Development Plan by the Planning Commission; provided than an extension may be permitted upon approval of the legislative body or their duly authorized representative if sufficient proof can be demonstrated that

the construction was delayed due to circumstances beyond the applicant's control, and that prevailing conditions have not changed appreciably to render the Stage I approved Development Plan obsolete. The amount of construction constituting initiating substantial construction shall be as approved in the Stage I approved Development Plan.

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