SRC Approved Changes to the Land Development Code

<u>As of 2/16/2016</u>

Signs – (Banners) February 2014 & September 2015, (Private Sale/Special Event) May 2014, (Sign Lighting) May 2014, (Roof Sign Graphics) May 2014

Reserved Section Review – May 2014

Miscellaneous Regulation Corrections/Updates – May 2014 & July 2014

Accessory Structures – July 2014, (Breezeway) September 2014

Zoning District Corrections – October, November, December 2014

Auto Auctions, Permitted Use and Conditional Use – December 2014

Definition of Qualified Manufactured Home (KRS 100.348) – December 2014

Accessory Dwelling Units – March 2014 & April 2015

Setbacks – May 2015 (I-1, I-2) & July 2015 (R-2, R-2A, R-3, R-4A, R-4)

Development Plan Review Process – July 2015

Planned Residential Developments – September 2015

(Subdivision Regulations) Minor Plats – July 2015

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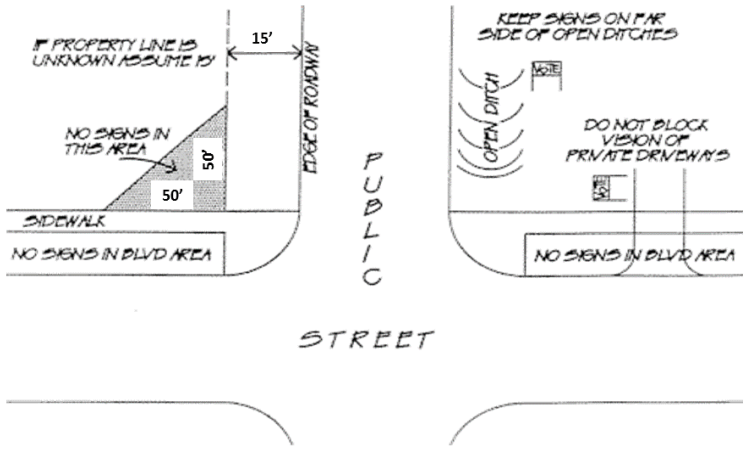
1. Signs

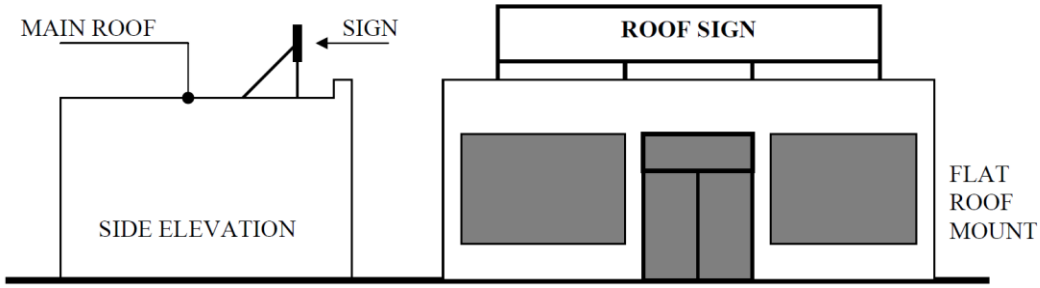
Sec. 290-030 Sign Definitions

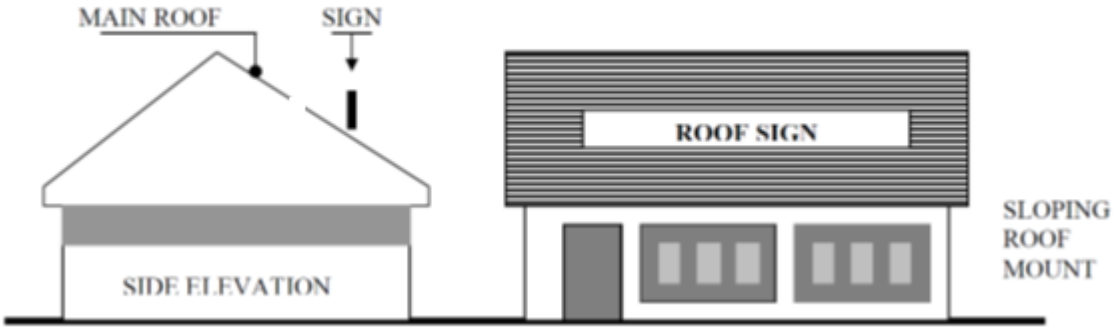
Right-of-way- a strip of land determined on a site-specific basis that is generally next to a roadway, sidewalk or railroad to accommodate traffic and safety requirements, utilities, environmental issues, and maintenance.



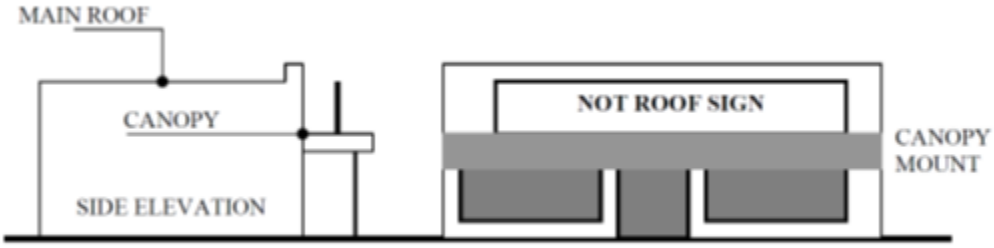
*For illustration purposes, "Public Street" is a 30 foot right of way.

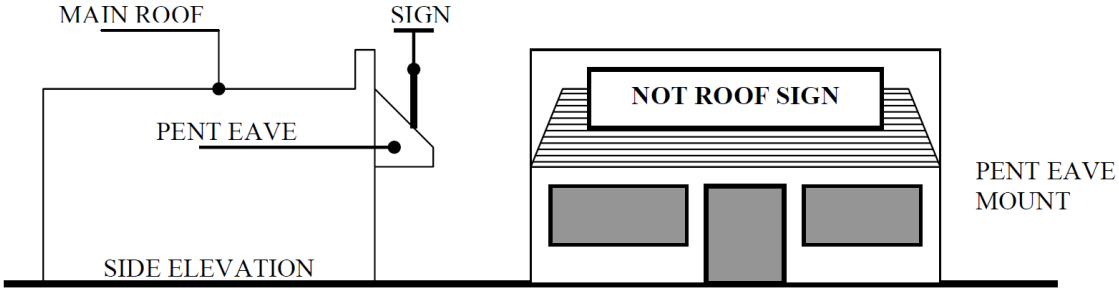
Examples of Roof Signs:





Examples of Wall Signs (Not Considered Roof Signs):





Sec. 290-060 Exempt Sign Standards:

1. Memorial signs – Must be characteristic with the surrounding area and must not be a public safety hazard.

2. Nameplate signs of two square feet or less – Must only contain the name or address, or both, of the owner or occupant of a building or premises.

3. No trespassing signs of six square feet in area or less.

4. On-Site Directional/Information Sign of six square feet or less – Must not be a public safety hazard.

5. Political signs – Signs shall be removed within ten days following the election. Signs for successful primary election candidates, eligible for the general election, may remain after the primary election. Permission must be granted by the property owner for a sign to be placed on their property and the sign may not be located in any road right-of-way.

6. Non-commercial private sale or special event sign of six square feet or less – May be placed seven days prior to the event and must be removed the day following the event. Signs may be placed on private property with consent from the property owner. Signs may not be located in any road right-of-way. These signs shall advertise events occurring in Oldham County and shall not be illuminated or contain any electrical component.

7. Real Estate signs of six square feet or less – Must be located on the property that is for sale, lease or rent and one may be placed at the entrance of the subdivision. Must be taken down within seven days after the sale is complete. May not be located in any road right-of-way.

8. Public signs, notices or traffic signs required by law, or any sign relating to an emergency.

9. Signs carried by a person – Must not be a public safety hazard.

10. Signs integrated into or on a coin-operated machine, vending machine, gasoline pump, or telephone booth.

11. Signs used to identify local Landmark/National Register of historic sites.

12. Sports signs within a ballpark, field or diamond which indicates sponsorship of the teams or activities that occur therein. These signs shall be oriented toward the field or diamond and shall not be higher than the fences.

13. Traffic signs-traffic control signs which contain no commercial message and that comply with the Manual of Uniform Traffic Control Devices for Streets and Highways.

14. Temporary window signs in commercial zoning districts – Total area of window signs shall not exceed 30% of the window area of the façade of the building.

15. Flags, symbolic in nature, for non-commercial, non-promotional purposes.

16. Electronic signs not exceeding four (4) square feet provided that there is no more than one such sign per business establishment (not applicable in LaGrange).

17. In the city of LaGrange signs stating that a business other than a home occupation is open, provided that there is no more than one such sign per business establishment inside the building, and that such sign does not exceed four (4) square feet in area. Neon signs are allowable in this case.

18. Snipe signs for commercial purposes of six square feet or less may be placed on premise. Only one per road frontage is permitted.

Sec. 290-070 Signs Prohibited:

1. Any sign or part of a sign that incorporates in any manner any continuous scrolling, flashing, blinking, oscillating or moving lights, or that changes physical position or light intensity by any movement or rotation that gives the appearance of such movement or rotation.

2. String lights or any unshielded light that is visible by the public from a public street or produces glare onto a residential structure, and is used in connection with commercial premises for commercial purposes, including attention-getting, other than season decorations.

3. Any sign which has any visible moving part, visible revolving parts or visible mechanical movement achieved by electronic or mechanical means or action of normal wind currents.

4. Any sign which obstructs or detracts from the visibility of any traffic or traffic control device on public streets and roads, by reason of the size, location, coloring, or illumination.

5. Any sign or sign structures which (a) is structurally unsafe, (b) constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidated or abandonment, (c) is not kept in good repair, or (d) is capable of causing electrical shocks to persons likely to come into contact with it.

6. Signs which make the words such as “STOP”, “LOOK”, “DANGER”, “YIELD”, or other similar words, phrases, symbols or characters in such a manner to imply the need or requirement of stopping or existence of danger.

7. Permanent use of portable signs, folding signs, “A” frame signs, or any other similar free-standing signs.

8. Free standing signs that extend or are built over public property and/or signs in the right-of-way.

9. Wall signs painted on a building, except as permitted under conditional use application by the appropriate Board of Adjustments and Appeals, after public hearing. Area requirements are same as for permitted wall signs in zoning district in which property is located.

10. Any sign erected or maintained upon trees or painted or drawn upon rocks or other natural features.

11. No marquee constructed over sidewalks in those districts where permitted shall extend closer than two feet to the curb line of any adjoining street.

12. Off-premise snipe signs advertising commercial services.

13. Above-roof signs.

14. Signs on vehicles or trailers which are parked or located for the primary purpose of displaying said sign.

15. Free-standing banner or banners not attached to a building wall. See banner section of this ordinance for proper display regulations.

16. Backlit awning signs.

Sec. 290-110 Off-Premise Signage

1. All permanent off-premise signs must receive approval as a conditional use from appropriate Board of Adjustments prior to the issuance of a sign permit from the Planning and Zoning Office.

2. In addition to any condition of approval which the Board applies to a permanent off-premise sign approval, the sign must also comply with the sign regulations for the zoning district in which it is located and shall be counted towards the total number of signs allowed.

3. Off-premises signs will not be allowed to be located within:

a. Fifty feet from street intersections as measured along the curb or edge of pavement;

b. The placement of one panel on top of another panel is prohibited.

c. The maximum height for all off-premises signs is 35 feet or the maximum height allowed for on-premises signs in the zoning district in which the sign is located, whichever is lesser.

d. Off-premises signs are not allowed in the city of LaGrange.

4. See Sign Lighting requirements under section 290-080.

5. Temporary off-premise signs are permitted with a temporary sign permit application that includes signed approval of the property owner. The sign must comply with the temporary sign standards, the sign regulations for the zoning district in which it is located and shall be counted towards the total number of signs allowed.

Section 290-120 Temporary Signage:

Types of Permits:

1. 30-day permit not to exceed 32 square feet.

Free-Standing Signs:

1. These signs must meet the front setback requirements and the height requirements for the zoning district in which they are located.

2. More than one temporary sign may be permitted simultaneously as long as the total area of all temporary signs do not exceed the maximum sign area.

3. Various types of portable signs may be used on a temporary basis by permit (not allowed in the city of LaGrange).

4. Banners for commercial purposes are not allowed as temporary free-standing signs in LaGrange.

Wall Signs:

1. Apply the appropriate percentage to one square foot of area allowed for every one lineal foot of building frontage owned/leased by the applicant not to exceed 32 square feet.

Banners:

1. Business owners of commercially zoned properties may obtain a sign permit valid for 30 days to periodically display banners attached to the building. No more than one such permit may be issued per property per calendar quarter (Jan-March, Apr-June, July-Sept, Oct-Dec).

2. The area of the banner attached to a building may be equal but not greater than one square foot for every lineal foot of building frontage owned/leased by the applicant.

3. Free-standing banners must comply with the sign regulations for the zoning district in which it is located.

4. The Planning & Zoning Office may revoke this permit if the appearance of the banner becomes a safety hazard or is in disrepair.

5. Banners may also be used to announce community events (not to exceed 32 square feet). Said banners require a permit and if off-premise, the approval of the property owner.

6. Vertical banners for commercial purposes are permitted as temporary free-standing signs.

7. In the city of LaGrange banners may also be used to announce community events (not to exceed 32 square feet). Said banners may be free-standing.

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2. Reserved Section Review

Division 240 LaGrange Historic District

The LaGrange Historic Districts Commission was established by the LaGrange City Council to oversee the regulation of changes to property located in the Historic Districts and to designate future landmarks and Historic Districts within the city. The Mayor and City Council appoint the Commission members.

There are two designated historic districts in LaGrange: the Central LaGrange Historic District and the Russell Court Historic District. The Central LaGrange Historic District encompasses much of the historic portion of the City of LaGrange and provides an excellent picture of what the community was like at the height of its development in the early years of the twentieth century. Russell Court is significant as one of two early twentieth century subdivisions in LaGrange, platted and developed specifically in response to the arrival in the community of a commuter rail line from Louisville.

For additional information on the historic districts, what types of activities require review by the LaGrange Historic Districts Commission, and how you can submit an application for review please consult the LaGrange Historic District Guidelines document or contact LaGrange City Hall.

Sec. 250-090 Fences and Walls

1. Fences and walls in the R-1, R-1A. R-2, R-2A. R-3. R-4 and R-4A districts:
    a. Required front and street side yards may be occupied by an ornamental fence or wall not to exceed three-and-one-half feet (3 ½’) in height except as provided in Section 330-040 (Sight Triangle).
    b. Required side and rear yards may be occupied by an ornamental fence or wall not to exceed seven feet (7’) in height.
    c. In all other districts these requirements shall apply when the district abuts a residential district.

d. See Section 250-170 Swimming Pools, Hot Tubs and Hydro Spas, numbers two and three, for fencing and exterior access requirements.

Sec. 250-200 Scenic Corridors

Design Guidelines within the City Limits of Pewee Valley

I. Applicability

1. The following design guidelines shall apply to all property adjacent to KY 146 and KY 22, which lies within 150 feet from either side of the centerline of each roadway, within the City of Pewee Valley.

II. Architectural Guidelines

1. Respect and enhance the existing mix of historic design guides and encourage both restoration and adaptive re-use to maintain the character of the Pewee Valley Area.
2. Consider the incorporation of elements of nearby historic buildings in new construction, if appropriate.
3. Large featureless buildings should be discouraged.
4. Promote careful building materials selection that complement and enhance the rural character of the Pewee Valley Area.
5. Building color scheme of balanced, complementary colors should be emphasized where appropriate.
6. New residential developments are encouraged to have building façades facing the street.
7. Emphasize fences to be compatible with the Pewee Valley rural character such as “diamond” style fencing along the scenic corridors.
8. Use native stone and brick walls and columns rather than manufactured stone walls and columns for signature entrances and walls.
9. Use weathering steel guardrails and wooden posts as the design standard where guardrails are required or replaced in the Pewee Valley Area.
10. Low-profile signature entrances along the scenic corridors should complement the rural character of the corridor; lighting should be directed toward the sign.
11. For new developments, consider the use of incentives, to include density bonuses, to provide landscape buffers and/or screening exceeding existing county requirements, along scenic corridors.
12. Parking lots should be screened by a landscape buffer or natural features from view along the scenic corridor.
13. All new buildings should have prominent façades facing the corridor.
14. Provide a sense of enclosure along the building front to form street walls where appropriate through design elements including, but not limited to, street trees, site features such as lampposts and benches. Parking areas should be located in the rear.
15. Buildings and sites should be designed to emphasize pedestrian scale architecture and landscaping, while avoiding large expanses of paved areas, large featureless buildings, and monotonous or franchise-style architecture.
16. Circulation systems should be designed to efficiently facilitate traffic flow yet discourage speeds and volume that impede pedestrian activity and safety such as a grid pattern with short block links.

17. Common or shared access points are encouraged. To the maximum extent feasible, common or shared delivery and services access should be provided between adjacent parcels or buildings and to the rear of buildings. Future access easements may be required,
18. A coordinated pedestrian system should be provided throughout the Mix-Use Village Centers, including connections between uses on the site and between the site and adjacent properties and rights-of-way.
19. Continuous sidewalks or other pedestrian facilities should be provided between the primary entrances to buildings, all parking areas that serve the buildings, pedestrian facilities on adjacent properties that extend to the boundaries shared with the development, any public sidewalks along perimeter streets, or other community amenities or gathering spaces.
20. Adequate parking should be provided, but excessive parking is discouraged.
21. The visual impact of parking should be minimized through the use of interior landscape islands and through dividing parking spaces into groupings. The edge of parking lots should be screened through landscaping or other methods, such as decorative fences.
22. The design of streets, pedestrian ways, landscaping, lighting, signage, street furniture should be coordinated and integrated throughout the site.
23. Vehicular streets and driveways should be designed to be compatible with pedestrian ways to encourage a pedestrian-friendly environment. The width of streets should be sensitive to pedestrian scale and building height.
24. Service areas and mechanical equipment should be screened from public view.
25. Buildings should be designed to respect and enhance the existing mix of historical design styles.
26. All sides of a building open to view by the public should display a similar level of architectural quality and should be divided and proportioned using features such as arcades, awnings, entrances, windows or other such features.
27. Building façades should have highly visible customer-service entrances that feature arcades, arches, canopies, display window, distinctive roof forms, landscaped features or overhangs. Primary entrances should face streets on which they are located.
28. Buildings should have well-defined rooflines with attention to architectural detail.
29. Building materials that complement and enhance the rural character of the Pewee Valley area should be promoted. For the Pewee Valley area, exterior building materials should consist primarily of wood, brick and stone and should incorporate design features of traditional village character such as paned windows.
30. Building height should reflect small village scale.
31. All lighting must conform to the City of Pewee Valley lighting ordinance (as may be amended from time to time).

III. Sign Guidelines

1. Design unique to Pewee Valley signs that identify the entries to Pewee Valley.
2. Design signs to identify the stream or creek and its watershed at every bridge within the Pewee Valley Area.
3. All signage should integrated with building façade or supporting structures.
4. Signs attached to buildings are encouraged rather than free-standing signs.
5. Monument signs are preferred over post-mounted signs to avoid a temporary and fragile

appearance.

6. Landscaping should be planted around the base of free-standing signs.
7. For multi-tenant buildings, all signage on the façade should be consistent in color, size and elevation.
8. Back lighting only. No electronic reader signs.
9. All signage must conform to the Pewee Valley sign ordinance (as may be amended from time to time).

IV. Landscaping Guidelines

1. Perimeter landscaping that incorporate buffer-like improvements, such as berms and dense plantings are encouraged.
2. Parking lots that contain sufficient landscaping to visually soften view of buildings and parked automobiles are encouraged.
3. Open-space areas that incorporate dense or mature vegetation are encouraged.
4. Preserve existing trees and understory rather than new plantings and mounding as the preferred means of buffering.
5. Encourage the planting of three new trees at 3" caliper for each existing street at 8" caliper which is removed within the landscape buffer area.
6. Plant random clusters of trees and other planting materials.
7. Generally avoid a manicured or controlled appearance. Limit formal landscaping to small/tight areas.
8. Incorporate ground cover and/or bushes into landscaping.
9. Emphasize natural berms (with plantings throughout the entire contour of the berm).
10. Provide a complementary mix of deciduous and evergreen material, clustering varieties of species and sizes (canopies interspersed with understories, bushes and ground cover), and emphasize hardy native species.
11. Where additional screening is desired or required to buffer different land uses or to protect the scenic nature of an area, a predominance of evergreens may be required.

V. Environmental Guidelines

1. Encourage use of green-space and limit impervious surface through innovative materials such as pervious asphalt and concrete and other "green" type parking lot materials.
2. Promote water quality through innovative use of "green" technology, such as diverting rainwater through rain gardens (where possible), filtering drainage through plant material prior to entering the drainage systems.
3. Where practical, use of innovative design for drainage retention through the use of "bio-swale" and "bio-retention basins" rather than traditional drainage structures.
4. Evaluating the effectiveness (in terms of water quality) of any septic systems in place on the site and where applicable, upgrading those systems to better protect water quality.

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3. Miscellaneous Regulation Corrections/Updates

- Page 8: Add language under Minimum Front Yard Setback "75ft when adjacent to an arterial roadway"

- Page 17: Remove under Sec. 070-010 Intent “and attached two family areas”
- Page 31: Division 140 C-N Commercial Neighborhood District removed Private Clubs from Permitted Uses and add to Conditional Uses
- Page 33: Division 150 C-1 Local Business District
    - Add Adult Entertainment Establishments under Permitted Uses
    - Add Firework Sales(Permanent, Ancillary and Seasonal) under Permitted Uses
    - Remove Community Residences under Community Facilities and Services (duplicate)
- Page 35: Division 160 C-2 Community Business District
    - Add Adult Entertainment Establishments under Permitted Uses
    - Add Firework Sales(Permanent, Ancillary and Seasonal) under Permitted Uses
- Page 37: Division 170 C-3 General Business District
    - Add Adult Entertainment Establishments under Permitted Uses
    - Add Firework Sales(Permanent, Ancillary and Seasonal) under Permitted Uses
    - Add “Golf” to Miniature Courses or Commercial Driving Range
    - Remove from Conditional Uses and add to Permitted Uses “Public and Government Buildings and Facilities”
- Page 39: Division 180 C-4 Highway Service District
    - Add Adult Entertainment Establishments under Permitted Uses
    - Add Firework Sales(Permanent, Ancillary and Seasonal) under Permitted Uses
    - Add “Golf” to Miniature Courses or Commercial Driving Range
    - Add Public Picnic Grounds, Beaches, Bridle and Bicycle Paths under Permitted Uses
    - Remove Aqua-culture under Conditional Uses because is permitted by State as an agricultural use.
    - Moved Heavy Industrial, Freight Terminals and Similar Enterprises from Conditional Use under C-4 to Conditional Use under I-1 Light Industrial District and I-2 Heavy Industrial District.
- Page 41: Division 190 I-1 Light Industrial District
    - Add Adult Entertainment Establishments under Permitted Uses
    - Modify language to read “Bottlers, Breweries, Distilleries, and Wineries” under Permitted Uses
    - Remove Veterinary Hospitals and Kennels from Conditional Uses because already listed as Permitted Use
    - Add Freight Terminals/Similar Enterprises under Conditional Uses
    - Remove Salvage Yards (to be listed in SWF)
- Page 43: Division 200 I-2 Heavy Industrial District
    - Add Adult Entertainment Establishments under Permitted Uses
    - Modify language to read “Bottlers, Breweries, Distilleries, and Wineries” under Permitted Uses
    - Remove Metal, Glass and Paper Recycling Plant (to be listed in SWF)
    - Remove Brewery, Distillery (included in modified language above)
    - Remove Veterinary Hospitals an d Kennels from Conditional Uses because already listed as Permitted Use

- Add Freight Terminals/Similar Enterprises under Conditional Uses
- Remove Golf Courses except Miniature Courses or Commercial from Conditional Uses
- Remove Salvage Yards (to be listed in SWF)

- Page 170: Division 330 Exceptions and Modifications
  - Remove all of #9 (moved to reserved section 250-090)
  - Revise language of Section 330-020 #10 to add deck wording as follows: An open, unenclosed, unroofed porch, deck, or paved terrace may project into a required front yard or required rear yard a distance of not more than ten feet (10'). Roofed entry porches not exceeding fifty (50) square feet in coverage area and not projecting more than five (5) feet from the structure shall be allowed.

Roofed entry porch which would be allowed to project up to five feet.	*Full covered front porch, all of which must be behind required setback.*

  - Remove all of #14: A private family swimming pool may be constructed in required rear yard in excess of the maximum coverage of thirty percent (30%) by accessory buildings, provided that such pool shall be no closer than five feet (5') to any property line, and also is enclosed by a fence or other protection device at least four feet (4') in height prior to its use. Any buildings or structures in conjunction with a pool shall be classified as accessory buildings unless they are part of the main building.

- Division 260 Conditional Use Standards: **Section 260-200 Freight Terminals/Similar Enterprises**: Take out of C-4 and put in I-1 or I-2.
- Division 260 Conditional Use Standards**: Section 260-320 Private/Utility Buildings/Facilities**—Remove.
- Page 199: Division 420 Definitions
  - Modify and add to definition of Agricultural Uses to reflect State definition:

<u>Agricultural Uses</u> – "Agricultural use" means the use of:

(a) A tract of at least five (5) contiguous acres for the production of agricultural or horticultural crops, including but not limited to livestock, livestock products, poultry, poultry products, grain, hay, pastures, soybeans, tobacco, timber, orchard fruits, vegetables, flowers, or ornamental plants, including provision for dwellings for persons and their families who are engaged in the agricultural use on the tract, but not including residential building development for sale or lease to the public,

(b) regardless of the size of the tract of land used, small wineries licensed under KRS 243.155,

(c) A tract of at least five (5) contiguous acres used for the following activities involving horses:
   1. Riding lessons;
   2. Rides;
   3. Training;
   4. Projects for educational purposes;
   5. Boarding and related care; or
   6. Shows, competitions, sporting events, and similar activities that are associated with youth and amateur programs, none of which are regulated by KRS Chapter 230, involving seventy (70) or less participants. Shows, competitions, sporting events, and similar activities that are associated with youth and amateur programs, none of which are regulated by KRS Chapter 230, involving more than seventy (70) participants shall be subject to local applicable zoning regulations; or

(d) A tract of land used for the following activities involving horses:
   1. Riding lessons;
   2. Rides;
   3. Training;
   4. Projects for educational purposes;
   5. Boarding and related care; or
   6. Shows, competitions, sporting events, and similar activities that are associated with youth and amateur programs, none of which are regulated by KRS Chapter 230, involving seventy (70) or less participants. Shows, competitions, sporting events, and similar activities that are associated with youth and amateur programs, none of which are regulated by KRS Chapter 230, involving more than seventy (70) participants shall be subject to local applicable zoning regulations.

      This paragraph shall only apply to acreage that was being used for these activities before July 13, 2004

- Page 212: Division 240 Definitions
  - Add definition of Yard Sales: The sale or offering for sale to the general public of items of property on any portion of a lot in a residentially used or zoned district, whether within or outside any building.
- Page 208: Division 240 Definitions
  - Remove Planning Commission Staff.
- Page 202:Division 240 Definitions
  - Remove the definition of (Common) Open Space.
- Page 203: Division 420 Definitions
  - Remove the definition of Family.
- Page 204: Division 420 Definitions
  - Remove non-residential from the definition of Floor Area Ratio (FAR)

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4. Accessory Structures

Sec. 250-030 Accessory Uses and Structures (without dwelling units)

A. Agricultural Uses and Related Accessory Structure

1. Accessory structures for agricultural uses shall comply with the setback requirement for the principal structures of the zoning district in which it is located.
2. No other sections below apply to agricultural uses or related accessory structures (e.g. barns, stables).

B. Number of Accessory Structures

1. The number of allowed accessory structures over 120 square feet and the total maximum floor area shall be as follows:

Size of Parcel	Total Maximum Floor Area of Accessory Structures Allowed	Maximum Number of Accessory Structures Allowed
Less than 20,000 sq. ft.	800 sq. ft.	2
20,001 sq. ft. to 0.99 acres	1,200 sq. ft.	2
1.0 acre to 2.99 acres	1,800 sq. ft.	2
3.0 acres to 5.0 acres	2,700 sq. ft.	2
5.01 acres or larger	No restriction on size	2, 3 allowed with Conditional Use Permit

2. Conditional use permits for additional accessory structures over two (2) shall not be allowed on parcels less than 5.0 acres.

C. Shall Follow Principle Use

No accessory use or structure may be developed until after the start of the construction of the principal use on the building site, and no accessory use or structure may be used unless the principal use or structure has been developed except after review and approval as a Conditional Use. Accessory units shall comply with the applicable density standards of the zoning district in which it is located.

D. Same Parcel

Except as otherwise specifically permitted elsewhere in the Zoning Ordinance, accessory uses and structures shall be located on the same parcel as the associated principal use.

E. Relationships to Street Setbacks

No accessory use or structure shall be located in between the principal building and the front yard property line. Accessory structures shall adhere to street-side yard setbacks.

F. Breezeway

When an accessory structure is attached to a principal building by a breezeway, roofed passage or similar structure, it shall be deemed to be part of the principal building and shall maintain the yard requirements of the principal building. A breezeway shall not be considered if the accessory structure contains an accessory dwelling unit.

G. Minimum Distance Between Buildings

The minimum distance between buildings shall be five feet (5’).

H. Rear Yard Rules for Accessory Structures

1. All accessory structures shall be set back from the rear and side property lines a minimum of five feet (5').
2. Accessory structures shall not occupy more than thirty-five percent (35%) of the area between the rear property line and the principal structure.

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5. Zoning District Corrections

Added Setback Graphics: See LDC Reformat

Added "Swimming Pools, Tennis Courts and Similar Enterprises" as a Conditional Use in **Sec. 070-030 R2-A** and **Sec. 090-030 R4-A zoning districts.**

Section 210-020 Industrial Park District Permitted Uses: Remove numbers 12(Vehicle Wholesaling), 13(Vehicular Sales and Display) and 14 (Vehicular Service & Repair…).
Section 180-020 C-4 Highway Service District Permitted Uses: Add "Vehicle Sales & Display" as permitted use.

Added Development Regulations for single family homes in **Sec. 110-020, B. T Manufactured Home District**:

- Minimum Lot Size: 5,000 sq. ft.
- Minimum Lot Width: 40 feet
- Minimum Front Yard: 20 feet
- Minimum Side Yard: 5 feet
- Minimum Total Side Yard: 10 feet
- Minimum Street Side Yard: 20 feet
- Minimum Rear Yard: 20 feet

Added "minimum lot width of 150 feet when there are no sanitary sewers" to R-4A **(Section 090-040),** O-1 **(Section 120-040),** O-2 **(Section 130-040),** C-N **(Section 140-040),** C-1 **(150-040),** I-1 **(Section 190-040)** and I-2 **(Section 200-040)** zoning classifications.

Changed Minimum Lot Width in I-1 **(Section 190-040)** and I-2 **(Section 200-040)** Districts from 50 feet to 150 feet.

Added Industrial Park District (IPD) **(Section 210-020)** Maximum Impervious Surface Percentage: 80%
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6. Auto Auctions

Add Auto Auctions as a Conditional Use in C-3 (**Section 170-040**), C-4 (**Section 180-040**) and IPD (**Section 210-050**) zoning districts.

Add **Definition**---Auto Auction: A facility for the sale of automobiles to the highest bidder.

Section 260 Conditional Use Standards---Auto Auction

1. Minimum lot size required shall be one (1) acre.
2. All outdoor storage area shall be screened from view and not be visible from public right-of-way and adjacent properties by solid fences, walls, landscaping, or

buildings, or a combination thereof, not less than 6 feet in height. Vehicles greater than 6 feet in height are prohibited within 15 feet of the required screening.

3. All parking surfaces, including driveway entrances and outside storage areas, shall be paved with asphalt, concrete, or paver blocks.
4. Parking surfaces shall be installed within ninety (90) days of the completion of the construction of the building. Parking surfaces shall be continuously maintained in a state of good condition and repair.
5. All parking areas shall be landscaped in accordance with applicable regulations. Parking areas shall provide interior landscape areas of at least 5 percent (5%) of the total parking/vehicle use area. One tree for every two hundred fifty square feet (250) should be provided in the interior parking area.
6. All parking areas shall be prohibited from the required front yard setback of thirty-five feet (35') and the required side yard setback of fifteen feet (15'). Driveway entrances may encroach in the front yard as provided in Section 210-120.

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7. Qualified Manufactured Homes

Added:

Sec. 250-080 Qualified Manufactured Homes

Qualified Manufactured Homes may be placed on a lot zoned for residential use in accordance with applicable zoning district requirements and provided that the standards of this section are met.

A Qualified Manufactured Home means a manufactured home meets all of the following criteria:

1. Is manufactured on or after July 15, 2002.
2. Is affixed to a permanent foundation and is connected to the appropriate facilities and is installed in compliance with KRS 227.570.
3. Has a width of at least twenty feet (20') at its smallest width measurement or is two (2) stories in height and oriented on the lot or parcel so that its main entrance door faces the street.
4. Has a minimum total living area of nine hundred (900) square feet (Qualified manufactured homes less than 900 square feet living area are subject to a conditional use permit).
5. Is not located in a manufactured home land-lease community.

The following additional standards shall also be applicable to all Qualified Manufactured Homes:

1. Exterior material shall be material customarily used on-site built dwellings, such as board siding, plywood or pressed wood siding, non-glossy vinyl siding, stucco, brick, or non-reflective aluminum.
2. Roofing material shall be wood, tile, composition shings or sheet metal, and must have an eave projection of no less than six inches (6'). Roof pitch must be at least a four-to-twelve ratio (4:12).
3. Exterior covering material extending from the roofline to the ground or to the top of the foundation shall be used. Masonry type skirting shall be constructed from the ground to the bottom of the exterior wall.
4. Structural additions or alterations shall be subject to the same building code regulations as apply to

additions or alterations to a conventionally built house. Any other alteration or conversion of a Qualified Manufactured Home must be performed in accordance with KRS 227.550 et seq., 815 KAR 25:050, Section 2 and 42 USC Chapter 70.

5. If located in a preservation district, additional standards may apply.

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8. Accessory Dwelling Units

Sec. 250-040 Accessory Dwelling Units

A. Definitions:

Accessory Dwelling Unit – A living unit located on a residential lot with a primary unit/structure subordinate in scale and use to the primary unit/structure.

Interior Accessory Dwelling Unit – An accessory dwelling unit created and contained within the footprint of an existing or new house.

Attached Accessory Dwelling Unit – An accessory dwelling unit which is added to the floor area of an existing house.

Detached Accessory Dwelling Unit – An accessory dwelling unit that is separate from the primary dwelling unit.

Breezeway - A covered walkway open on all sides from the eaves of the roof to the ground, connecting a main structure with an accessory structure on the same building site, which is designed to minimally maintain the architectural design, style, appearance and character of the primary structure and does not exceed a length of twenty (20) feet.

B. General Provisions:

1. Only one accessory dwelling unit is allowed per parcel.
2. The property owners must reside in either the primary structure or the accessory dwelling unit. At the time of application for a building permit, the property owner will be required to complete and sign an accessory dwelling unit affidavit.
3. Interior Accessory Dwelling Units and Attached Accessory Dwelling Units will not count toward density calculations (0.0) and Detached Accessory Dwelling Units will count as a whole unit (1.0) toward density calculations.
4. Off-street parking must be provided for the accessory dwelling unit.
5. Accessory dwelling units must be designed to maintain the architectural design, style, appearance and character of the primary structure.
6. Accessory dwelling units shall not have separate utility services from that of the primary structure unless necessary to meet building or electrical codes; or required by service provider.
7. Accessory dwelling units shall not be allowed on non-conforming parcels or structures.
8. Accessory dwelling units should not violate any deed restrictions or covenants, conditions and restrictions associated with the property.
9. Accessory dwelling units shall comply with all applicable building codes, health department regulations and all other necessary permitting.

C. Interior Accessory Dwelling Units

1. Interior Accessory Dwelling Units shall be allowed by right in the AG-1, CO-1, R-1, R-1A, R-

2, and R-2A zoning districts with an approved building permit if all conditions are met.
2. Interior Accessory Dwelling Units must have a permanent interior connection to the primary living area of the primary structure.

D. Attached Accessory Dwelling Units

1. Attached Accessory Dwelling Units shall be allowed by right in the AG-1, CO-1, R-1, R-1A, R-2, and R-2A zoning districts with an approved building permit if all conditions are met.
2. Attached Accessory Dwelling Units shall meet the minimum setbacks for primary structures.
3. Attached Accessory Dwelling Units shall not exceed 30 percent of the primary structure's finished square footage.
4. Attached Accessory Dwelling Units shall not exceed the height of the primary structure.
5. Attached Accessory Dwelling Units shall have a permanent interior connection through a common wall to the primary structure (breezeways are not considered a connection).

E. Detached Accessory Dwelling Units:

1. Detached Accessory Dwelling Units shall be allowed only after approval of a Conditional Use Permit.
2. Detached Accessory Dwelling Units shall be allowed in the AG-1, CO-1, R-1, R-1A, R-2, and R-2A zoning districts only upon granting of a Conditional Use Permit.
3. Detached Accessory Dwelling Units will count as a whole unit (1.0) toward density calculations.
4. Detached Accessory Dwelling Units shall meet the minimum setbacks for primary structures.
5. Detached Accessory Dwelling Units shall not exceed 25 percent of the primary structure's square footage.
6. Detached Accessory Dwelling Units must be at least five (5) feet from the primary structure.
7. Detached Accessory Dwelling Units shall not exceed the height of the primary structure.
8. Detached Accessory Dwelling Units shall not be located in front of the primary structure.

F. Variances:

1. Upon application, the Board of Adjustments may grant variances from these regulations.

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9. Setbacks

I-1 Minimum Front Yard Setback: 50 feet

I-2 Minimum Front Yard Setback: 50 feet

R-2, R-2A, R-3, R-4 Minimum Side Yard Setback: 5 feet

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10. Development Review Process:

Sec. 390-040: Site Plan Review Procedure

All site plans shall be submitted to the Planning and Zoning Administrator, accompanied by filing fees, prior to the issuance of building permits. Planning and Design staff and the County Engineer will review all site plan applications.

For purposes of review procedure, developments are divided into three distinct categories based upon a traffic review completed by the Oldham County Traffic Consultant. The categories are:

A. Category 1 – Development proposal does not trigger impacts on the road network and shall undergo review by the Zoning Administrator and Planning staff.
B. Category 2 – Development proposal that generates more than 20 peak-hour trips and will have an entrance on a road with greater than 1,500 Average Daily Trips (ADT) shall require a traffic assessment and shall undergo review by the Technical Review Committee.
C. Category 3 – Development proposal that generates more than 100 peak-hour trips and will have an entrance on a road with greater than 2,000 ADT shall require a traffic impact study and shall require approval by the Planning Commission.

The review process for each category of development is outlined below. Initial or revised submissions shall follow the procedure determined by the new or additional development proposed unless a higher level of review is required by another section of this ordinance. Requested waivers, variances and other items are not appropriate for Administrative approval or Technical Review Committee approval and shall be reviewed by the Planning Commission.

A. Category 1 Review Procedure - Zoning Administrator Approval

Prior to issuance of building permits, the Zoning Administrator shall assure the plan is in compliance with the applicable requirements of this ordinance and all binding elements and conditions of approval. These requirements include but are not limited to: allowable uses; setbacks; impervious surfaces; height; landscaping; parking; and environmental assessment. The Zoning Administrator shall approve the proposed development if it complies with the requirements of this ordinance, associated binding elements, and other applicable law. In cases in which the Zoning Administrator has reason to question the site plan's compliance, the Administrator may forward the development plan to the Technical Review Committee for review and action.

B. Category 2 Review Procedure – Technical Review Committee Review

The Technical Review Committee shall assure the plan is in compliance with the applicable requirements of this ordinance including capacity standards; all binding elements and conditions of approval; and other applicable law. In addition to the site plan application, the Category 2 development requires a Technical Review Committee application which includes the following:

1. Complete Oldham County Planning and Zoning Technical Review Committee Application.
2. Required TRC Fee of $300, and Notice fees equal to $5.00 per adjoining property owner.
3. Mailing Labels for all adjoining property owners, including name and address of all 1st tier adjoining parcels. 1st tier adjoining parcels include all those that border the property, including those across streets and streams.
4. Property information for the project location as listed by the Property Valuation Administration (PVA).
5. A copy of the current recorded deed along with any applicable easement deeds or maintenance agreement. Include any surveys of the property, if available.
6. Twenty copies of the Site Plan, including required components listed in the attached plan checklist (Maximum size of 30" x 42").
7. Reduced copies of the plan to an 8 ½" x 11" size, one for each adjoining property owner.
8. Photos and other supporting documents (10 copies).
9. Traffic Assessment. See **Division 270-040 Road Capacity Standards** for guidance.

10. Review comments from the appropriate agencies (Agency contact list is attached to TRC application). *Note: Only the Conservation District letter is required at time of application.*
11. Information from neighborhood meeting with TRC application.

All documents shall be submitted in person by the last Wednesday of the month; failure to submit all required material may result in the delay of the application review. In cases in which the Technical Review Committee has reason to question the site plan's compliance, the Committee may forward the development plan to the Planning Commission for review and action.

C. Category 3 Review Procedure – Planning Commission Review

The Planning Commission shall assure the plan is in compliance with the applicable requirements of this ordinance including capacity standards; all binding elements and conditions of approval; and other applicable law. In addition to the site plan application and the TRC application and review, the Category 3 development requires a Planning Commission application which includes the following:

1. Complete Oldham County Planning and Zoning Planning Commission Application.
2. Required Preliminary Plan fee of $500 plus $5.00 per adjoining property owner.
3. Mailing labels for all adjoining property owners including name and address of all 1st tier adjoining parcels. 1st tier adjoining parcels include all those that border the property, including those across streets and streams, and 2nd tier parcels within five hundred feet of subject site.
4. Property information for the project location as listed by the Property Valuation Administration (PVA).
5. A copy of the current recorded deed along with any applicable easement deeds or maintenance agreements. Include any surveys of the property, if available.
6. Twenty tri-folded copies of a Preliminary Plan including the required components listed in the attached Preliminary Plan Checklist (maximum size of 30" x 42').
7. One reduced copy of the plan to an 8 ½" x 11" size.
8. Written explanation of the provisions of reservations and arrangement for maintenance of common areas and open spaces.
9. Review comments from the appropriate agencies. Agency contact list is provided by Planning and Development Services.
10. Traffic Impact Study (see **Division 270-040 Road Capacity Standards** for guidance) and 20 copies of the summary section.
11. If applicable, a general statement describing the nature of environmentally sensitive areas, and the manner in which any such area is to be handled during development of the property, as well as any special design measures taken by the developer to minimize the development's impact on the environmentally sensitive areas.
12. Photos and other supporting documents (20 copies).
13. Wastewater Treatment and Capacity Form (for developments served by sanitary sewers).

All documents shall be submitted in person by the last Wednesday of the month; failure to submit all required material may result in the delay of the application review. Additional requests, such as variances, waivers or zoning map amendments may be reviewed at the time of site plan review.

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11. Planned Residential Developments (PRD)

Sec. PRD Planned Residential Development District

Intent

A Planned Residential Development is defined as an area with a specified minimum contiguous acreage controlled by landowners, to be developed as a comprehensively planned entity for a number of dwelling units. The plan does not necessarily correspond in lot size, bulk or type of housing, lot coverage or required open space to the regulations in any one residential district established by any other standards in the current zoning ordinance.

The purpose of this district is to provide flexibility in design in order to support shifting market preferences and implement the goals and objectives of the Oldham County Comprehensive Plan. This can be achieved by affording development standards and requirements resulting in broader housing choices that serve the needs of people of different ages and incomes along with providing more desirable amenities, infrastructure improvements, compact development, and accommodation of environmental and scenic attributes.

A Planned Residential Development shall be a design alternative which can enable greater density without dramatic changes to the scale and height of a neighborhood. Each PRD shall be planned and designed to include features that further, and are in compliance with, the following objectives:

- To promote design creativity and excellence that will result in high-quality development;
- To allow a mixture of land uses and building types not otherwise allowed in a conventional zoning district by careful planning that establishes compatible relationships between uses within the site and adjacent to the site;
- To combine and coordinate architectural styles, building forms and heights, and structural/visual relationships within an environment that allows mixing of different land uses and building types in an innovative and functionally efficient manner;
- To encourage creative site design that seeks to preserve natural resources and unique environmental and cultural features, and to ensure that development occurs on land physically suited to proposed construction away from environmentally sensitive areas;
- To provide for abundant, accessible and properly-located open and recreational space, schools and other public and private facilities;
- To promote the efficient use of land resulting in networks of utilities, streets and other infrastructure features that maximize the allocation of fiscal and natural resources;
- To conserve energy through efficient building design and clustering, efficient use of the land and increased efficiency of public service delivery;
- To incorporate planning, design and construction techniques that minimize negative impacts on the environment and on human quality of life; and,
- To create a development pattern consistent with the adopted Comprehensive Plan.

Permitted Uses

a. Dwellings units in detached, semi-detached, or attached buildings and garden apartments, or any combination thereof, when approved by the Commission.
b. Nonresidential uses of a recreational, commercial and institutional character to the extent they are designed and intended primarily to serve the residents of the PRD. Additionally, the location and designed type of commercial uses shall be included in the Development Plan and shall be approved upon recommendation of the Planning Commission.
    i. Agricultural Uses: Agricultural Uses, Riding Academies and Stables.

ii. Community Facilities and Services: Schools, not for profit Community Centers, Libraries, Child and Adult Day Care Facilities.
iii. Public Parks and Recreation: Public Parks and Forest Reserves, Public Picnic Grounds, Bridle and Bicycle Paths, Private Clubs, Country Clubs, Golf Courses except Miniature Courses or Commercial Driving Ranges, Swimming Pools, Tennis Courts and other similar enterprises.
iv. Religious Institutions
v. Special: non-commercial Lakes (man-made)

Conditional Uses
Certain uses may be permitted in this district upon the granting of a Conditional Use Permit by the appropriate Board of Zoning Adjustments.

Property Development Regulations
The Commission, upon recommendation of the Planning and Zoning office, shall determine the appropriate standards and limitations on an individual development basis after considering the character of the surrounding area, the character of the proposed development, and the goals for the community as stated in the Comprehensive Plan.

Minimum size of PRD: five contiguous acres of land unless the Planning and Zoning Office and the Commission find that a tract which contains less than five acres is suitable by virtue of some unusual conditions; in which case, the minimum may be waived by the Commission.
Maximum Floor Area Ratio: 2.0
Maximum Density: 6 dwellings per acre

Special Requirements
The development shall be constructed in accordance with an approved development plan.
The development shall also conform to the following requirements:

1. Applicable articles of the Subdivision Regulations.
2. Parking requirements
    a. See Division 280.
    b. Additional parking should be provided to accommodate public or guest-parking in the case that dwelling unit parking is not sufficient.
3. Circulation
   Public and private roadways and related facilities shall be provided in accordance with Article VII of the Subdivision Regulations.
4. Open Space
    a. Common open space may include complementary structures and improvements.
    b. Open space and detention basins shall be landscaped and buffered. The amount of type of landscaping and/or buffering will be approved by the Planning Department based on the location, intended use, and the necessity to protect private areas within the development.
    c. Isolated or awkward parcels should not be used as open space, but should be incorporated into adjacent lots in a manner that encourages its maintenance by the lot owner.

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12. Minor Plats

Oldham County Subdivision Regulations – Article II, Section 2.2 Definitions of Terms

Minor Subdivision – A subdivision of land into not more than three lots within a five-year time period and not involving a new public street or private road in zoning districts AG-1, CO-1, T, R-1, R-1A, R-2, R-2A, R-3, R-4, R-4A, C-N, O-1 and O-2.