

Oldham County Comprehensive Zoning Ordinance

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DIVISION 010 GENERAL PROVISIONS

Sec. 010-010 General Provisions: Intent

The intent of these regulations is to promote the public health, safety, and the general welfare; to prevent overcrowding of land and provide for planned and orderly growth; to protect land from premature or unsuitable development; to avoid undue concentration of the population; to protect and guide development of rural areas; to insure adequate provision for transportation, water supply, sewage disposal, schools, parks, open space, natural areas and other public requirements; to encourage the most appropriate use of land and structures throughout the county and its cities; to guide and accomplish a coordinated, adjusted, and harmonious development of all areas of the county and its cities; and to aid in the implementation of the Comprehensive Plan.

Sec. 010-020 Title

This ordinance-resolution is entitled “OLDHAM COUNTY COMPREHENSIVE ZONING ORDINANCE” and may be referred to as the “Zoning Ordinance” for all of Oldham County, Kentucky. The map herein referred to is identified by the title “Oldham County Zoning Map” and may be referred to as the “Official Zoning Map”. The official copy of this map is on file with the Administrator of Oldham County (“the Administrator”) in the office of the Oldham County Planning and Zoning Commission (“the Commission”) in LaGrange, Kentucky.

Sec. 010-030 Legislative Authority

Kentucky Revised Statute (KRS) 100.201 gives legislative bodies and fiscal courts the authority to enact permanent land use regulations, including zoning and growth management regulations.

Sec. 010-040 Roles and Authority

A. Planning & Zoning Administrator

1. This ordinance shall be administered and enforced by the Administrator. Unless specifically stated to the contrary, the term “Administrator” shall include his or her designee.
2. The Administrator may be designated to issue building permits or certificates of occupancy, or both, in accordance with the literal terms of the regulation, but may not have the power to permit any construction, or to permit any use or any change of use which does not conform to the literal terms of the zoning regulation.

B. Legislative Bodies of the Oldham County Planning Unit

1. Adopt, reject, or amend the Oldham County Comprehensive Plan, herein after referred to as the “Comprehensive Plan”, or Zoning Ordinance.
2. Unless specifically stated to the contrary, the term “Commission” shall mean the Oldham County Planning and Zoning Commission.

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3. Adopt, reject, or amend proposals to amend or partially repeal the text of the Comprehensive Plan, Zoning Ordinance, or Subdivision Regulations that has been submitted by the Commission.
4. Adopt, reject, or amend proposals to amend the Official Zoning Map submitted by the Commission.
5. Initiate amendments to the text of the Comprehensive Plan, Zoning Ordinance, or Subdivision Regulations.
6. Initiate amendments to the Official Zoning Map.
7. All powers as permitted by Kentucky Revised Statutes.

C. Oldham County Planning and Zoning Commission

1. Submit recommendations to the members of the Oldham County Planning Unit including new versions of and revisions to the Comprehensive Plan, Zoning Ordinance, Subdivision Regulations, and Official Zoning Map.
2. Adopt and maintain legislatively approved Comprehensive Plan, Zoning Ordinance, and Subdivision Regulations as authorized under Kentucky Revised Statutes.
3. Adopt and maintain rules and procedures for holding meetings, holding public hearings, and administering and enforcing the Comprehensive Plan, Zoning Ordinance, and Subdivision Regulations.
4. Maintain complete records of all meetings, hearings, correspondences, and affairs of the Commission.
5. Record and file bonds and contracts for development and land use functions.
6. Publish and make available to the public all plans, ordinances, and other related materials that are the responsibility of the Commission to the public and development community.
7. Adopt and maintain a permitting process to certify official or approved documents.
8. Review, hear, and approve or deny plats or replats of subdivisions.
9. Review, hear, and approve or deny all petitions for conditional use permits based on the provisions of this ordinance in the event that the applicant files for a conditional use permit concurrently with a zoning map amendment request.
10. Review, hear, and approve or deny all petitions for variances from development standards (such as height, width, length or location of structures) of this ordinance in the event that the applicant files for a variance concurrently with a subdivision approval and zoning map amendment requests.
11. Review, hear, and approve or deny site development plans and amendments to site development plans.
12. Enforce regulations and procedures of the Comprehensive Plan, Zoning Ordinance, and Subdivision Regulations to the extent of the local regulations, Ordinances, and Kentucky Revised Statutes.
13. Establish advisory committees as necessary which may include elected officials, appointed officials, and the general public.
14. Help seek funding assistance through grant programs as necessary.

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15. All powers as permitted by Kentucky Revised Statutes.

D. Board of Adjustments (Oldham County, LaGrange and Pewee Valley)

1. Hear and decide appeals where it is alleged by the applicant that there is error in any order, requirement, permit, decision, determination, or refusal made by the Administrator in the enforcement of any provision of this ordinance.
2. Review, hear, and approve or deny all applications for conditional use permits based on the provisions of this ordinance and Kentucky Revised Statutes.
3. Revoke conditional use permits or variances for noncompliance with the condition thereof.
4. Review, hear, and approve or deny all applications for variances from development standards (such as height, width, length, or location of structures) of this ordinance.
5. All powers as permitted by Kentucky Revised Statutes.
6. Unless specifically stated to the contrary, the term “Board of Adjustments” shall mean Board of Adjustments and Appeals.

E. Oldham County Technical Review Committee (TRC)

1. Unless specifically stated to the contrary, the term “The Committee” shall mean the Oldham County Technical Review Committee.
2. Review applications and make recommendations to appropriate approval authorities regarding approval, denial, and (where applicable) conditions and safeguards to be placed upon the approval of applications required by this ordinance including, but not limited to, the following:
 - a. Plats or replats of major subdivisions
 - b. Conditional Uses
 - c. Official Zoning Map Amendments
 - d. Site Development Plans and amendments to Site Development Plans
 - e. Street closings and street name changes
 - f. Other applications referred by the Commission or Board of Adjustments for review and resolution of technical issues
 - g. Other applications referred to the Committee by the Administrator

F. Code Enforcement Board

1. To adopt rules and regulations to govern its operations and the conduct of its hearings.
2. To conduct hearings to determine if there has been a violation of the Zoning Ordinance or Subdivision Regulations.
3. To subpoena alleged violators, witnesses, and evidence to its hearings.
4. To make findings of fact and issue orders necessary to remedy any violation of the Zoning Ordinance and/or Subdivision Regulations which the Code Enforcement Board is authorized to enforce.

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Sec. 010-050 Application of Regulations

Within the areas of all of Oldham County, Kentucky, no building or land shall hereafter be used and no building or part thereof shall be erected, moved, or altered unless for a use expressly permitted by, and in conformity with, the regulations for the districts in which it is located.

Sec. 010-060 Establishment of Districts and General Regulations

A. Official Zoning District

For the purpose of this ordinance, all of Oldham County, Kentucky is hereby designated on the Official Zoning Maps as being in one of the following districts:

- AG-1 Agricultural/Residential District
- AG-2 Agricultural Business District
- CO-1 Conservation/Residential District
- R-1A Residential District
- R-1 Residential District
- R-2 Residential District
- R-2A Residential District
- R-3 Residential District
- R-4A Residential District
- R-4 Residential District
- T Manufactured Home District
- O-1 Office District
- O-2 Office District
- C-N Commercial Neighborhood District
- C-1 Local Business District
- C-2 Community Business District
- C-3 General Business District
- C-4 Highway Service District
- I-1 Light Industrial District
- I-2 Heavy Industrial District
- IPD Industrial Park District
- SWF-1 Solid Waste Facilities District
- PRD Planned Residential Development District
- PUD Planned Unit Development District

B. General Regulations

1. No land may be used except for a purpose permitted in the district in which it is located.
2. No building shall be erected, converted, enlarged, reconstructed, moved or structurally altered, nor shall any building be used, designed, or intended to be used for any purpose except a use permitted in the district in which the building is located.
3. No building shall be erected, converted, enlarged, reconstructed, or structurally altered to exceed the height limit herein established for the district in which the building is located.

Oldham County Comprehensive Zoning Ordinance
Division 010 General Provisions

4. No building shall be erected, converted, enlarged, reconstructed, or structurally altered except in conformity with the area regulations of the district in which the building is located.
5. The minimum yards and parking and open spaces, including minimum lot areas, required by these regulations, for each and every building existing at the time of the passage of these regulations or for any building hereafter erected, shall not be encroached upon nor considered as required yard, parking space, or open space for any other building, nor shall any lot area be reduced to less than the requirements of these regulations.
6. Every building hereafter erected or structurally altered shall be located on a lot, as herein defined. In no case shall there be more than one principal structure on one lot in the zoning districts of AG-1, CO-1, R-1, R-1A, and R-2, except as otherwise provided in these regulations.

Sec. 010-070 Boundaries of Districts

The boundaries of said districts are hereby established as shown upon the Official Zoning Map for all of Oldham County, Kentucky. The Official Zoning Map is hereby made a part of this ordinance. The Official Zoning Map and all notations, references, and other matters shown thereon shall be as much a part of this ordinance as if they were fully described herein.

The following rules shall be used to interpret the exact location of the zoning district boundaries shown on the Official Zoning Map:

1. When zoning district boundary lines are indicated as approximately following a street or railroad, the centerline of the street or railroad right-of-way is the boundary of the district.
2. Where a zoning district boundary approximately follows a lot or property line that is not adjacent to a street or railroad, that line is the boundary of the district.
3. Where zoning district boundary lines are indicated as approximately following a watercourse or the shore of a body of water, the centerline of the watercourse or body of water is the boundary of the district.
4. Where a zoning district boundary does not clearly follow any of the features mentioned above, its exact location on the ground shall be determined by measurement according to the map scale or by legal description of property in a previous zoning map amendment approved by the appropriate legislative body.
5. In any case where the exact location of a boundary is not clear, the Administrator shall use these rules to determine the exact location of a boundary. An appeal of the Administrator's zoning boundary determination may be filed with the appropriate Board of Adjustment and Appeals in accordance with Section 350-030 of this ordinance.

Sec. 010-080 Designation of Official Zoning Map

If, in accordance with the provisions of this ordinance and KRS 100, changes are made in district boundaries or other matter portrayed on the Official Zoning Map, such changes shall be entered on the Official Zoning Map promptly after the amendment has been approved by the legislative body.

Oldham County Comprehensive Zoning Ordinance
Division 010 General Provisions

No changes of any nature shall be made in the Official Zoning Map or matter shown thereon except in conformity with the procedures set forth in this ordinance. Any unauthorized change of whatever kind by any person or persons shall be considered void, a violation of this ordinance, and punishable as provided herein.

Regardless of the existence of purported copies of the Official Zoning Map, which may from time to time be made or published, the Official Zoning Map, located in the Planning and Zoning Office, shall be the final authority as to the current zoning status of the affected areas of Oldham County.

Sec. 010-090 Replacement of Official Zoning Map

In the event that an Official Zoning Map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and additions, the legislative body may, by resolution, adopt a new Official Zoning Map that shall supersede the prior Official Zoning Map. The new Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map, but no such corrections shall have the effect of amending the original Official Zoning Map or any subsequent amendment thereof.

Unless any prior Official Zoning Map has been lost or has been totally destroyed, the prior map, or any significant parts thereof remaining, shall be preserved together with all available records pertaining to its adoption or amendments.

Sec. 010-100 Conflict with Other Resolutions and Private Deeds

In the interpretation and application of the ordinance, the provisions contained herein shall be held to meet minimum requirements adopted for the promotion of public health, morals, safety, and general welfare.

Any existing resolution, ordinance, or part thereof that conflicts with the whole or any part of this ordinance is hereby repealed.

In the case of any conflict between this ordinance, or part thereof, and the whole or part of any existing or any future private covenants or deed, the more restrictive shall apply, but neither the zoning administrative staff, zoning commission, nor various boards of adjustments shall have any standing or authority to interpret or enforce the terms of any subdivision restrictions or covenants.

Sec. 010-110 Calculations

When the calculation of the number for any number for any requirements results in fractions, any fraction less than one-half shall be disregarded and any fraction of one-half or more shall be rounded up to the next whole number.

Sec. 010-120 Severability

If any article, section, clause, provision, or portion of this ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the full force and

Oldham County Comprehensive Zoning Ordinance
Division 010 General Provisions

effect of any other section, clause, provision, or portion for the ordinance which is not in itself invalid or unconstitutional.

Sec. 010-130 Effective Date

The date that this ordinance shall come into effect is :

Oldham County Fiscal Court: September 17, 2019

LaGrange City Council: December 2, 2019

Pewee Valley City Council: December 2, 2019

Crestwood City Council: December 2, 2019

Sec. 010-140 Joint Planning Units

Oldham County Fiscal Court

LaGrange City Council

Pewee Valley City Council

Crestwood City Council

DIVISION 020 AG-1 AGRICULTURAL/RESIDENTIAL DISTRICT

Sec. 020-010 AG-1 Agricultural/Residential District: Intent

The AG-1 Agricultural/Residential District is intended to: (1) support and encourage agriculture for the purpose of recognizing the cultural heritage of the community and the agricultural contribution to the economic base; and (2) minimize urban-type development in rural areas until urban-type services and utilities can be efficiently provided.

Sec. 020-020 AG-1 Agricultural/Residential District: Development Regulations

Minimum Lot Area:

43,560 square feet

Minimum Road Frontage:

150 feet for lots under 2.5 acres
 300 feet for lots 2.5 acres or more

Minimum Lot Width:

150 feet for lots under 2.5 acres
 300 feet for lots 2.5 acres or more

Minimum Lot Depth:

200 feet

Maximum Structure Height:

35 feet (agriculture structures are exempt)

Minimum Front Yard Setback:

50 feet

Minimum Side Yard Setback:

15 feet

Minimum Street Side Yard Setback:

50 feet; or
 75 feet when adjacent to an arterial roadway

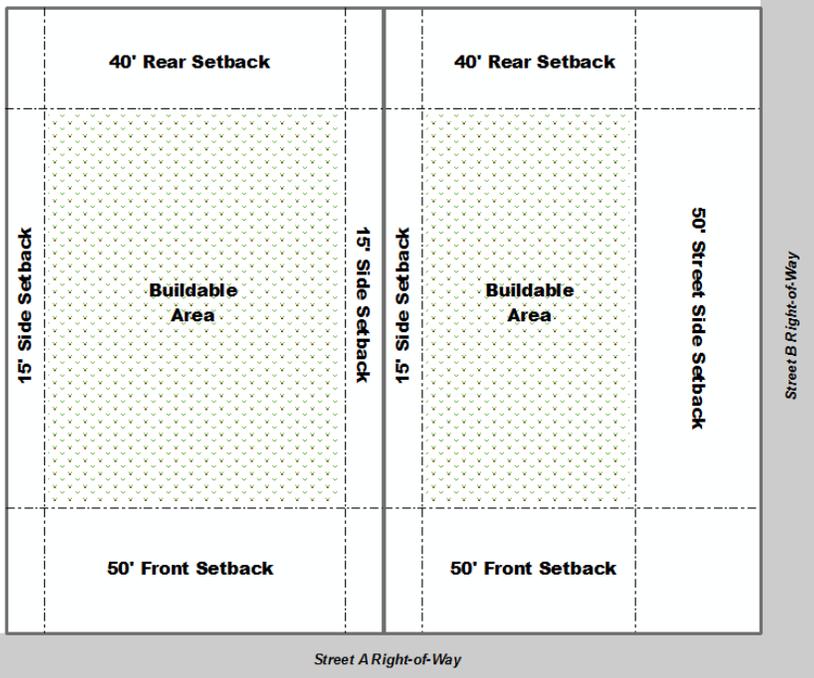
Minimum Rear Yard Setback:

40 feet

Maximum Lot Coverage for Structures:

20 percent of the lot area

Minimum Lot Width - 150'



Additional Standards that may Apply:

- Accessory Dwelling Units.....Sec 250-040
- Accessory Uses & Struc.....Sec 250-030
- Agritourism Buildings.....Sec 260-035
- Barrel Warehouses.....Sec 250-320
- Brew pubs.....Sec 250-310
- Distillery & Brewery.....Sec 250-300
- Height.....Sec 330-010
- Home Occupation.....Sec 260-230
- Fences & Walls.....Sec 250-090
- Capacity of Infrastructure...Division 270
- Highway 53 Overlay Dist.Division245
- Historic Preservation.....Division 240
- Landscaping.....Division 300
- Lighting.....Division 310
- Parking.....Division 280
- Signs.....Division 290

Oldham County Comprehensive Zoning Ordinance
Division 020 AG-1 Agricultural/Residential District

Sec. 020-030 AG-1 Agricultural/Residential District: Permitted Uses

Agricultural Uses

- Agricultural Uses
- Game Farms

Community Facilities and Services

- Colleges and Schools, Not for Profit
- Community Centers, Not for Profit
- Public and Government Buildings and Facilities
- Public Utility Buildings & Facilities

Public Parks and Recreation

- Boat Docks and Launching Areas
- Recreational Camps/Resorts
- Public Parks and Forest Preserves
- Public Picnic Grounds, Beaches, Bridle and Bicycle Paths

Religious Institutions

- Churches and Other Religious Institutions

Residential

- Accessory Dwelling Units (ADUs) – Attached
- Accessory Dwelling Units (ADUs) - Interior
- Dwellings – Single Family Detached
- Residential Care Facility

Special

- Lakes (man-made) non commercial

Sec. 020-040 AG-1 Agricultural/Residential District: Conditional Uses

Commercial

- Day Care Facilities for Four or More Children (Up to 12 Children)

- Veterinary Hospitals and Kennels

Community Facilities and Services

- Private Utility Building and Facilities
- Sewage Treatment Facilities

Light Industrial

- Farm Implement Repair

Recreation

- Aviaries and Zoos
- Circus and Carnival Grounds
- Commercial Rifle, Pistol and Skeet Ranges
- Drive-in Theaters
- Livestock Arenas
- Marinas and Boat Rental
- Private Clubs, Country Clubs and Golf Courses except Miniature Courses and Commercial Driving Ranges
- Recreational Vehicle Parks and Campgrounds
- Swimming Pools, Tennis Courts & Similar Enterprises

Residential

- Accessory Dwelling Units (ADUs) – Detached
- Manufactured Homes – Single Family Detached

Special

- Agritourism Buildings
- Airports, Heliports & Other Airship or Flying Machine, Take-off or Landing Facilities
- Bed and Breakfasts
- Borrow Pits, Quarry, Gravel Pit or Stone Mill
- Cemeteries, Mausoleums and Crematories
- Commercial Lakes
- Extraction and Development of Natural Resources
- Race Tracks

DIVISION 025 AG-2 AGRICULTURAL BUSINESS DISTRICT

Sec. 025-010 AG-2 Agricultural/Residential District: Intent

The AG-2 Agricultural Business District is intended to provide areas for agricultural development to allow the means of earning supplemental income that can sustain local farms and contribute to the economic base in Oldham County.

Sec. 025-020 AG-2 Agricultural/Residential District: Development Regulations

Minimum Lot Area:

5 Acres

Minimum Road Frontage:

300 feet

Minimum Lot Width:

300 feet

Minimum Lot Depth:

200 feet

Maximum Structure Height:

35 feet (agriculture structures are exempt)

Minimum Front Yard Setback:

50 feet

Minimum Side Yard Setback:

15 feet

Minimum Street Side Yard Setback:

50 feet; or

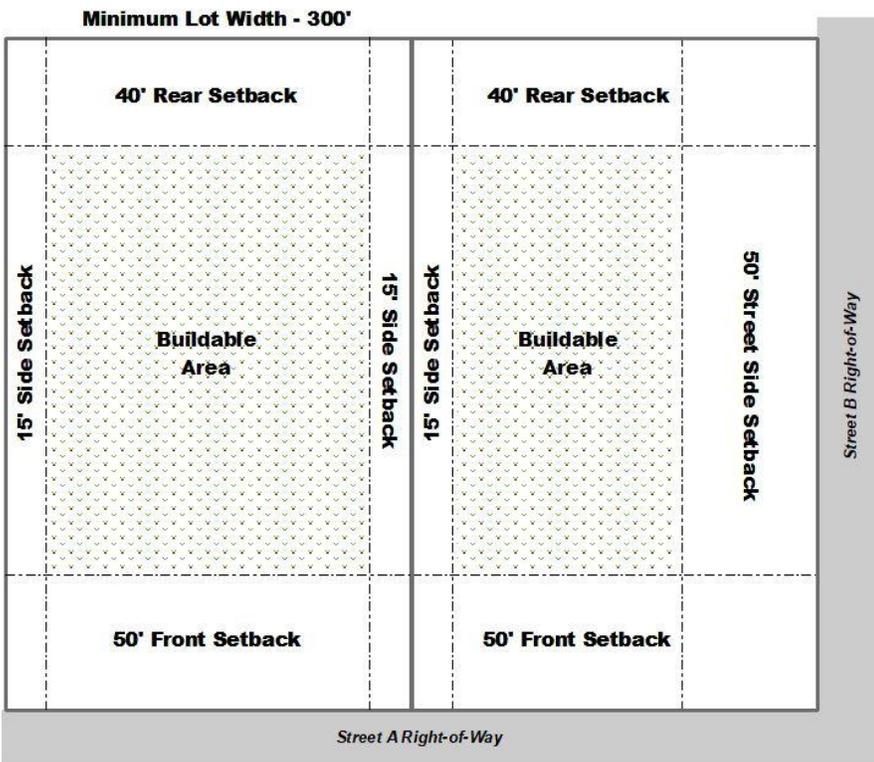
75 feet when adjacent to an arterial roadway

Minimum Rear Yard Setback:

40 feet

Maximum Lot Coverage for Structures:

20 percent of the lot area



Additional Standards that may Apply:

- Accessory Dwelling Units.....Sec 250-040
- Accessory Uses & Struc.....Sec 250-030
- Agritourism Buildings.....Sec 260-035
- Barrel Warehouses.....Sec 250-320
- Brew pubs.....Sec 250-310
- Distillery & Brewery.....Sec 250-300
- Height.....Sec 330-010
- Home Occupation.....Sec 260-230
- Fences & Walls.....Sec 250-090
- Capacity of Infrastructure...Division 270
- Highway 53 Overlay Dist.Division245
- Historic Preservation.....Division 240
- Landscaping.....Division 300
- Lighting.....Division 310
- Parking.....Division 280
- Signs.....Division 290

Oldham County Comprehensive Zoning Ordinance
Division 020 AG-2 Agricultural/Residential District

Sec. 020-030 AG-2 Agricultural/Residential District: Permitted Uses

Agricultural Uses

- Agricultural Uses
- Game Farms
- Riding Academies & Stables

Agricultural Business

- Distillery
- Craft Distillery
- Brewery
- Microbrewery
- Barrel Warehouses
- Farm Implement Repair

Community Facilities and Services

- Colleges and Schools, Not for Profit
- Community Centers, Not for Profit
- Public and Government Buildings and Facilities
- Public Utility Buildings & Facilities

Public Parks and Recreation

- Boat Docks and Launching Areas
- Recreational Camps/Resorts
- Public Parks and Forest Preserves
- Public Picnic Grounds, Beaches, Bridle and
Bicycle Paths

Religious Institutions

- Churches and Other Religious Institutions

Residential

- Accessory Dwelling Units (ADUs) – Attached
- Accessory Dwelling Units (ADUs) - Interior
- Dwellings – Single Family Detached
- Residential Care Facility

Special

- Agritourism Buildings
- Lakes (man-made) non commercial

Sec. 020-040 AG-1 Agricultural/Residential District: Conditional Uses

Commercial

- Day Care Facilities for Four or More Children
(Up to 12 Children)

- Veterinary Hospitals and Kennels

Community Facilities and Services

- Private Utility Building and Facilities
- Sewage Treatment Facilities

Light Industrial

- Farm Implement Repair

Recreation

- Aviaries and Zoos
- Circus and Carnival Grounds
- Commercial Rifle, Pistol and Skeet Ranges
- Drive-in Theaters
- Livestock Arenas
- Marinas and Boat Rental
- Private Clubs, Country Clubs and Golf Courses except
Miniature Courses and Commercial Driving Ranges
- Recreational Vehicle Parks and Campgrounds
- Swimming Pools, Tennis Courts and Similar Enterprises

Residential

- Accessory Dwelling Units (ADUs) – Detached
- Manufactured Homes – Single Family Detached

Special

- Airports, Heliports and Other Airship or Flying Machine
Take-off or Landing Facilities
- Bed and Breakfasts
- Borrow Pits, Quarry, Gravel Pit or Stone Mill
- Cemeteries, Mausoleums and Crematories
- Commercial Lakes
- Extraction and Development of Natural Resources
- Race Tracks

DIVISION 030 CO-1 CONSERVATION/RESIDENTIAL DISTRICT

Sec. 030-010 CO-1 Conservation/Residential District: Intent

The Conservation/Residential District is intended to promote and protect significant natural features, wooded areas, water courses, existing and potential lake sites, other recreational and conservation resources, wildlife habitat, present and future water supplies, and to minimize erosion of soil and the siltation and pollution of streams and lakes.

Sec. 030-020 CO-1 Agricultural/Residential District: Development Regulations

Minimum Lot Area:

43,560 square feet

Minimum Road Frontage:

150 feet for lots under 2.5 acres
 300 feet for lots 2.5 acres or more

Minimum Lot Width:

150 feet for lots under 2.5 acres
 300 feet for lots 2.5 acres or more

Minimum Lot Depth:

200 feet

Maximum Structure Height:

35 feet (agriculture structures are exempt)

Minimum Front Yard Setback:

50 feet; or
 75 feet when adjacent to an arterial roadway

Minimum Side Yard Setback:

15 feet

Minimum Street Side Yard Setback:

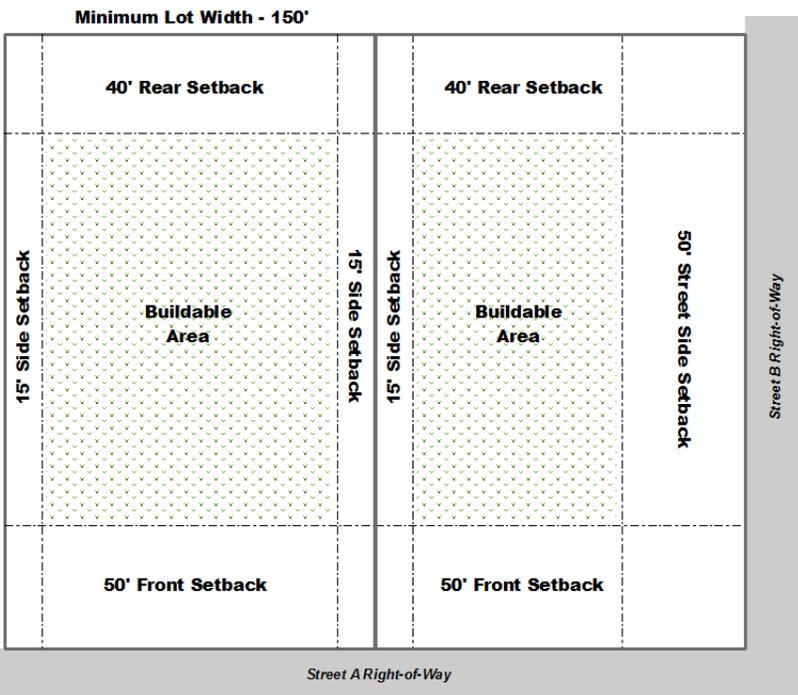
50 feet; or
 75 feet when adjacent to an arterial roadway

Minimum Rear Yard Setback:

40 feet

Maximum Lot Coverage for Structures:

20 percent of the lot area



Additional Standards that may Apply:

- Accessory Dwelling Units....Sec 250-040
- Accessory Uses & Struc.....Sec 250-030
- Agritourism Buildings.....Sec 260-035
- Barrel Warehouses.....Sec 250-320
- Brew pubs.....Sec 250-310
- Distillery & Brewery.....Sec 250-300
- Height.....Sec 330-010
- Home Occupation.....Sec 260-230
- Fences & Walls.....Sec 250-090
- Capacity of Infrastructure...Division 270
- Highway 53 Overlay Dist.Division245
- Historic Preservation.....Division 240
- Landscaping.....Division 300
- Lighting.....Division 310
- Parking.....Division 280
- Signs.....Division 290

Oldham County Comprehensive Zoning Ordinance
Division 030 CO-1 Conservation/Residential District

**Sec. 030-030 CO-1 Agricultural/Residential
District: Permitted Uses**

Agricultural Uses

- Agricultural Uses
- Game Farms

Community Facilities and Services

- Colleges and Schools, Not for Profit
- Community Centers, Not for Profit
- Public and Government Buildings and Facilities
- Public Utility Buildings & Facilities

Public Parks and Recreation

- Boat Docks and Launching Areas
- Recreational Camps/Resorts
- Public Parks and Forest Preserves
- Public Picnic Grounds, Beaches, Bridle and
Bicycle Paths

Religious Institutions

- Churches and Other Religious Institutions

Residential

- Accessory Dwelling Units (ADUs) – Attached
- Accessory Dwelling Units (ADUs) - Interior
- Dwellings – Single Family Detached
- Residential Care Facility

Special

- Lakes (man-made) non commercial

**Sec. 030-040 CO-1 Agricultural/Residential
District: Conditional Uses**

Commercial

- Veterinary Hospitals and Kennels

Community Facilities and Services

- Private Utility Building and Facilities
- Sewage Treatment Facilities

Residential

- Accessory Dwelling Units (ADUs) – Detached

Recreation

- Aviaries and Zoos
- Commercial Rifle, Pistol and Skeet Ranges
- Livestock Arenas
- Marinas and Boat Rental
- Private Clubs, Country Clubs and Golf Courses except
Miniature Courses and Commercial Driving Ranges
- Recreational Vehicle Parks and Campgrounds
- Swimming Pools, Tennis Courts and Similar Enterprises

Special

- Agritourism Buildings
- Bed and Breakfasts
- Borrow Pits, Quarry, Gravel Pit or Stone Mill
- Commercial Lakes
- Extraction and Development of Natural Resources

DIVISION 040 R-1A RESIDENTIAL DISTRICT

Sec. 040-010 R-1A Residential District: Intent

The purpose of the R-1A Residential District is to allow, preserve and protect the character of low density, detached single-family areas and neighborhoods at densities ranging from one (1) dwelling unit per acre up to 1.74 dwelling units per acre.

Sec. 040-020 R-1A Residential District: Development Regulations

Minimum Lot Area:

- 25,000 square feet with sanitary sewers
- 43,560 square feet without sanitary sewers
- 43,560 square feet within the city of Pewee Valley

Minimum Lot Width:

- 100 feet; or
- 150 feet for lots without sanitary sewers

Maximum Density/Intensity:

- 1.74 dwelling units per acre
- 0.25 Floor Area Ratio

Maximum Structure Height:

- 35 feet (agriculture structures are exempt)

Minimum Front Yard Setback:

35 feet

Minimum Side Yard Setback:

- 15 feet
- 30 feet total for both sides

Minimum Street Side Yard Setback:

35 feet

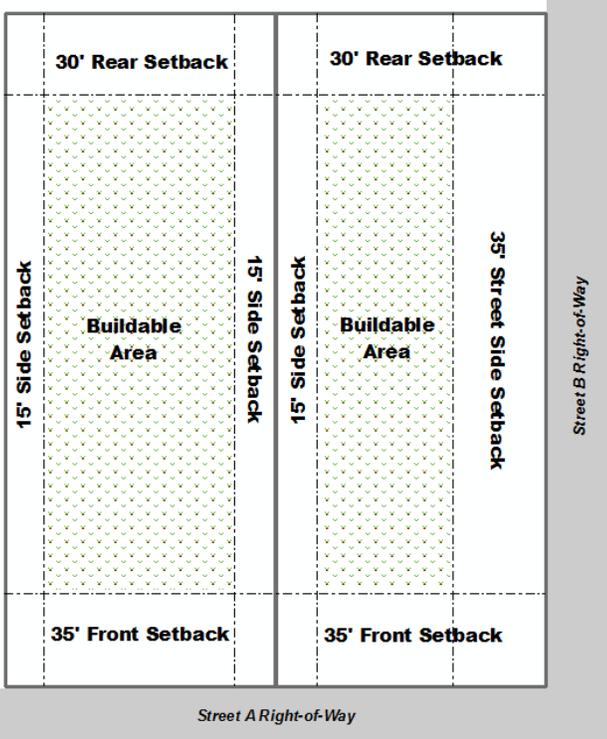
Minimum Rear Yard Setback:

30 feet

Maximum Lot Coverage for Structures:

30 percent of the lot area

Minimum Lot Width - 100'



Additional Standards that may Apply:

- Accessory Dwelling Units.....Sec 250-040
- Accessory Uses & Struc.....Sec 250-030
- Agritourism Buildings.....Sec 260-035
- Barrel Warehouses.....Sec 250-320
- Brew pubs.....Sec 250-310
- Distillery & Brewery.....Sec 250-300
- Height.....Sec 330-010
- Home Occupation.....Sec 260-230
- Fences & Walls.....Sec 250-090
- Capacity of Infrastructure...Division 270
- Highway 53 Overlay Dist.Division245
- Historic Preservation.....Division 240
- Landscaping.....Division 300
- Lighting.....Division 310
- Parking.....Division 280
- Signs.....Division 290

Oldham County Comprehensive Zoning Ordinance
Division 040 R-1A Residential District

**Sec. 040-030 R-1A Residential District:
Permitted Uses**

Agricultural Uses

Agricultural Uses

Community Facilities and Services

Colleges and Schools, Not for Profit

Community Centers, Not for Profit

Public and Government Buildings and Facilities

Public Utility Buildings & Facilities

Public Parks and Recreation

Boat Docks and Launching Areas

Recreational Camps/Resorts

Public Parks and Forest Preserves

Public Picnic Grounds, Beaches, Bridle and

Bicycle Paths

Religious Institutions

Churches and Other Religious Institutions

Residential

Accessory Dwelling Units (ADUs) – Attached

Accessory Dwelling Units (ADUs) - Interior

Dwellings – Single Family Detached

Residential Care Facility

Special

Lakes (man-made) non commercial

**Sec. 040-040 R-1A Residential District:
Conditional Uses**

Agricultural Uses

Riding Academies and Stables Less than 5 Acres

Commercial

Day Care Facilities for Four or More Children

(Up to 12 Children)

Veterinary Hospitals and Kennels

Community Facilities and Services

Private Utility Building and Facilities

Recreation

Marinas and Boat Rental

Private Clubs, Country Clubs and Golf Courses except

Miniature Courses and Commercial Driving Ranges

Recreational Vehicle Parks and Campgrounds

Swimming Pools, Tennis Courts and Similar Enterprises

Residential

Accessory Dwelling Units (ADUs) - Detached

Manufactured Homes – Single Family Detached

Nursing Homes

Special

Agritourism Buildings

Borrow Pits, Quarry, Gravel Pit or Stone Mill

Cemeteries, Mausoleums and Crematories

Commercial Lakes

Extraction and Development of Natural Resources

Heliports and Other Airship or Flying Machine Take-off
or Landing Facilities

DIVISION 050 R-1 RESIDENTIAL DISTRICT

Sec. 050-010 R-1 Residential District: Intent

The purpose of the R-1 Residential District is to allow, preserve and protect the character of low density, detached single-family areas and neighborhoods at densities ranging from one (1) dwelling unit per acre up to 2.17 dwelling units per acre.

Sec. 050-020 R-1 Residential District: Development Regulations

Minimum Lot Area:

- 20,000 square feet with sanitary sewers
- 43,560 square feet without sanitary sewers
- 43,560 square feet within the city of Pewee Valley

Minimum Lot Width:

- 100 feet; or
- 150 feet for lots without sanitary sewers

Maximum Density/Intensity:

- 2.17 dwelling units per acre
- 0.25 Floor Area Ratio

Maximum Structure Height:

- 35 feet (agriculture structures are exempt)

Minimum Front Yard Setback:

35 feet

Minimum Side Yard Setback:

15 feet
30 feet total for both sides

Minimum Street Side Yard Setback:

35 feet

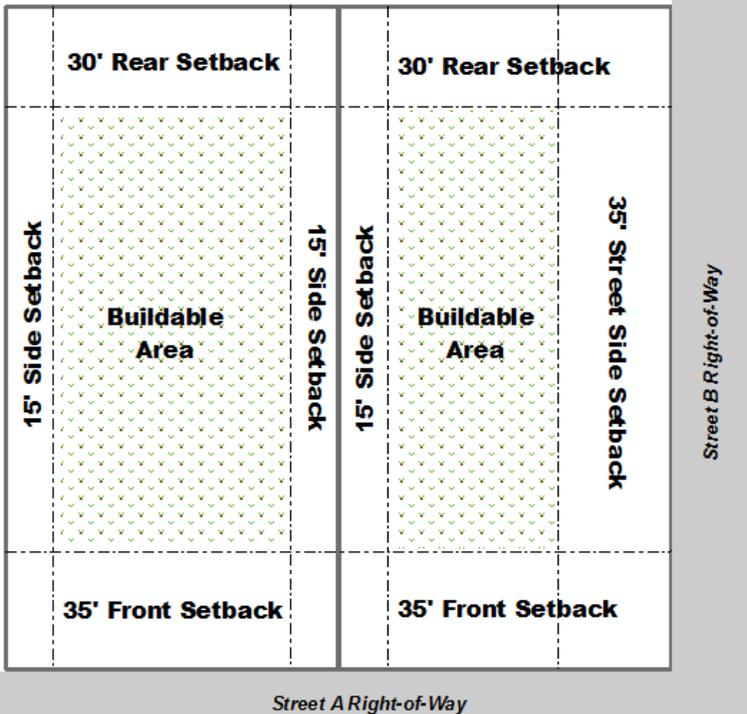
Minimum Rear Yard Setback:

30 feet

Maximum Lot Coverage for Structures:

30 percent of the lot area

Minimum Lot Width - 100'



Additional Standards that may Apply:

- Accessory Dwelling Units.....Sec 250-040
- Accessory Uses & Struc.....Sec 250-030
- Agritourism Buildings.....Sec 260-035
- Barrel Warehouses.....Sec 250-320
- Brew pubs.....Sec 250-310
- Distillery & Brewery.....Sec 250-300
- Height.....Sec 330-010
- Home Occupation.....Sec 260-230
- Fences & Walls.....Sec 250-090
- Capacity of Infrastructure...Division 270
- Highway 53 Overlay Dist.Division245
- Historic Preservation.....Division 240
- Landscaping.....Division 300
- Lighting.....Division 310
- Parking.....Division 280
- Signs.....Division 290

Oldham County Comprehensive Zoning Ordinance
Division 050 R-1 Residential District

**Sec. 050-030 R-1 Residential District:
Permitted Uses**

Agricultural Uses

Agricultural Uses

Community Facilities and Services

Colleges and Schools, Not for Profit

Community Centers, Not for Profit

Public and Government Buildings and Facilities

Public Utility Buildings & Facilities

Public Parks and Recreation

Boat Docks and Launching Areas

Recreational Camps/Resorts

Public Parks and Forest Preserves

Public Picnic Grounds, Beaches, Bridle and

Bicycle Paths

Religious Institutions

Churches and Other Religious Institutions

Residential

Accessory Dwelling Units (ADUs) – Attached

Accessory Dwelling Units (ADUs) - Interior

Dwellings – Single Family Detached

Residential Care Facility

Special

Lakes (man-made) non commercial

**Sec. 050-040 R-1 Residential District:
Conditional Uses**

Agricultural Uses

Riding Academies and Stables Less than 5 Acres

Commercial

Day Care Facilities for Four or More Children

(Up to 12 Children)

Veterinary Hospitals and Kennels

Community Facilities and Services

Private Utility Building and Facilities

Recreation

Marinas and Boat Rental

Private Clubs, Country Clubs and Golf Courses except

Miniature Courses and Commercial Driving Ranges

Swimming Pools, Tennis Courts and Similar Enterprises

Residential

Accessory Dwelling Units (ADUs) - Detached

Manufactured Homes – Single Family Detached

Nursing Homes

Special

Agritourism Buildings

Borrow Pits, Quarry, Gravel Pit or Stone Mill

Cemeteries, Mausoleums and Crematories

Commercial Lakes

Extraction and Development of Natural Resources

DIVISION 060 R-2 RESIDENTIAL DISTRICT

Sec. 060-010 R-2 Residential District: Intent

The purpose of the R-2 Residential District is to allow, preserve and protect the character of low density, detached single-family areas and neighborhoods at densities up to 3.63 dwelling units per acre.

Sec. 060-020 R-2 Residential District: Development Regulations

Minimum Lot Area:

- 12,000 square feet with sanitary sewers
- 43,560 square feet without sanitary sewers
- 43,560 square feet within the city of Pewee Valley

Minimum Lot Width:

- 80 feet; or
- 150 feet for lots without sanitary sewers

Maximum Density/Intensity:

- 3.63 dwelling units per acre
- 0.35 Floor Area Ratio

Maximum Structure Height:

- 35 feet (agriculture structures are exempt)

Minimum Front Yard Setback:

35 feet

Minimum Side Yard Setback:

7 feet
 25 feet total for both sides

Minimum Street Side Yard Setback:

35 feet

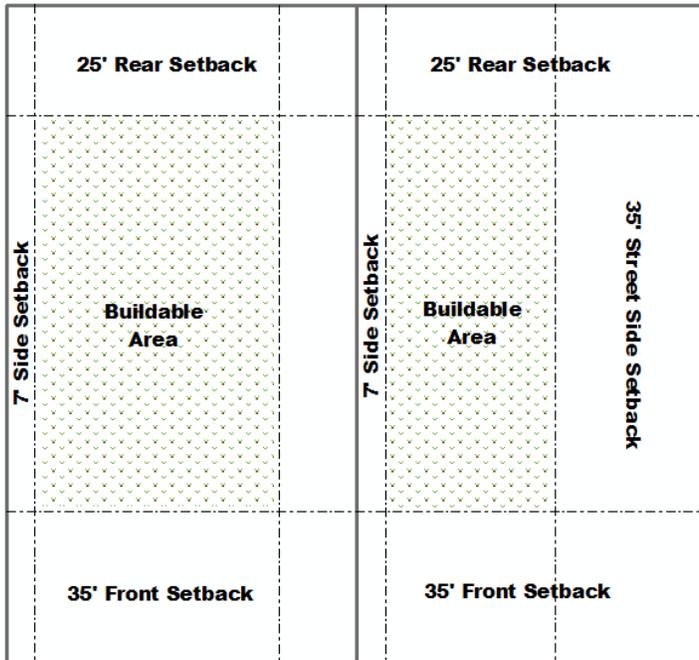
Minimum Rear Yard Setback:

25 feet

Maximum Lot Coverage for Structures:

30 percent of the lot area

Minimum Lot Width - 80'



Additional Standards that may Apply:

- Accessory Dwelling Units.....Sec 250-040
- Accessory Uses & Struc.....Sec 250-030
- Agritourism Buildings.....Sec 260-035
- Barrel Warehouses.....Sec 250-320
- Brew pubs.....Sec 250-310
- Distillery & Brewery.....Sec 250-300
- Height.....Sec 330-010
- Home Occupation.....Sec 260-230
- Fences & Walls.....Sec 250-090
- Capacity of Infrastructure...Division 270
- Highway 53 Overlay Dist.Division245
- Historic Preservation.....Division 240
- Landscaping.....Division 300
- Lighting.....Division 310
- Parking.....Division 280
- Signs.....Division 290

Oldham County Comprehensive Zoning Ordinance
Division 060 R-2 Residential District

**Sec. 060-030 R-2 Residential District:
Permitted Uses**

Agricultural Uses

Agricultural Uses

Community Facilities and Services

Colleges and Schools, Not for Profit

Community Centers, Not for Profit

Public and Government Buildings and Facilities

Public Utility Buildings & Facilities

Public Parks and Recreation

Boat Docks and Launching Areas

Public Parks and Forest Preserves

Public Picnic Grounds, Beaches, Bridle and

Bicycle Paths

Religious Institutions

Churches and Other Religious Institutions

Residential

Accessory Dwelling Units (ADUs) – Attached

Accessory Dwelling Units (ADUs) - Interior

Dwellings – Single Family Detached

Residential Care Facility

Special

Lakes (man-made) non commercial

**Sec. 060-040 R-2 Residential District:
Conditional Uses**

Agricultural Uses

Riding Academies and Stables Less than 5 Acres

Commercial

Day Care Facilities for Four or More Children

(Up to 12 Children)

Community Facilities and Services

Hospitals and Institutions

Private Utility Building and Facilities

Recreation

Marinas and Boat Rental

Private Clubs, Country Clubs and Golf Courses except

Miniature Courses and Commercial Driving Ranges

Recreational Camps/Resorts

Swimming Pools, Tennis Courts and Similar Enterprises

Residential

Accessory Dwelling Units (ADUs) - Detached

Manufactured Homes – Single Family Detached

Nursing Homes

Special

Agritourism Buildings

Borrow Pits, Quarry, Gravel Pit or Stone Mill

Cemeteries, Mausoleums and Crematories

Commercial Lakes

Extraction and Development of Natural Resources

DIVISION 070 R-2A RESIDENTIAL DISTRICT

Sec. 070-010 R-2A Residential District: Intent

The purpose of the R-2A Residential District is to allow, preserve and protect the character of low to medium density, detached single-family areas and neighborhoods at densities up to 5.81 dwelling units per acre.

Sec. 070-020 R-2A Residential District: Development Regulations

Minimum Lot Area:

- 7,500 square feet with sanitary sewers
- 43,560 square feet without sanitary sewers
- 43,560 square feet within the city of Pewee Valley

Minimum Lot Width:

- 50 feet; or
- 150 feet for lots without sanitary sewers

Maximum Density/Intensity:

- 5.81 dwelling units per acre
- 0.50 Floor Area Ratio

Maximum Structure Height:

- 35 feet (agriculture structures are exempt)

Minimum Front Yard Setback:

30 feet

Minimum Side Yard Setback:

7 feet
 16 feet total for both sides

Minimum Street Side Yard Setback:

30 feet

Minimum Rear Yard Setback:

25 feet

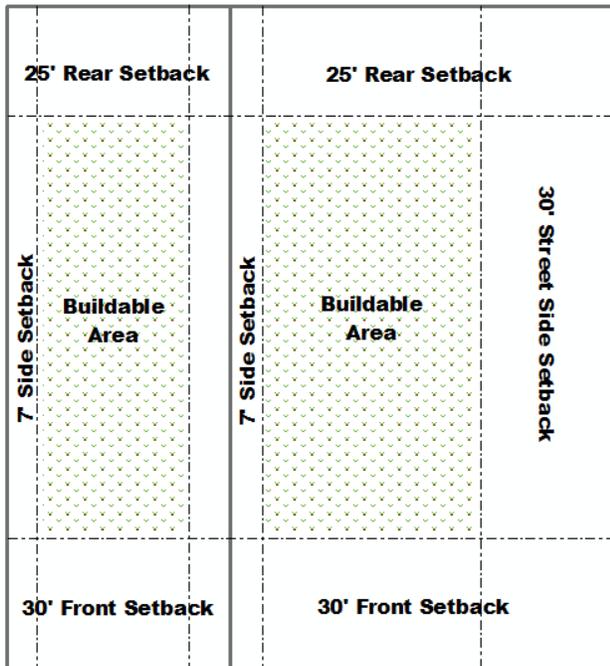
Maximum Lot Coverage for Structures:

30 percent of the lot area

Minimum Common Open Space:

250 square feet per dwelling unit

Minimum Lot Width - 50'



Additional Standards that may Apply:

- Accessory Dwelling Units....Sec 250-040
- Accessory Uses & Struc.....Sec 250-030
- Agritourism Buildings.....Sec 260-035
- Barrel Warehouses.....Sec 250-320
- Brew pubs.....Sec 250-310
- Distillery & Brewery.....Sec 250-300
- Height.....Sec 330-010
- Home Occupation.....Sec 260-230
- Fences & Walls.....Sec 250-090
- Capacity of Infrastructure...Division 270
- Highway 53 Overlay Dist.Division245
- Historic Preservation.....Division 240
- Landscaping.....Division 300
- Lighting.....Division 310
- Parking.....Division 280
- Signs.....Division 290

Oldham County Comprehensive Zoning Ordinance
Division 070 R-2A Residential District

**Sec. 070-030 R-2A Residential District:
Permitted Uses**

Agricultural Uses

Agricultural Uses

Community Facilities and Services

Colleges and Schools, Not for Profit

Community Centers, Not for Profit

Public and Government Buildings and Facilities

Public Utility Buildings & Facilities

Public Parks and Recreation

Public Parks and Forest Preserves

Public Picnic Grounds, Beaches, Bridle and

Bicycle Paths

Religious Institutions

Churches and Other Religious Institutions

Residential

Accessory Dwelling Units (ADUs) – Attached

Accessory Dwelling Units (ADUs) - Interior

Dwellings – Single Family Detached

Residential Care Facility

Special

Lakes (man-made) non commercial

**Sec. 070-040 R-2A Residential District:
Conditional Uses**

Agricultural Uses

Riding Academies and Stables Less than 5 Acres

Commercial

Day Care Facilities for Four or More Children

(Up to 12 Children)

Community Facilities and Services

Hospitals and Institutions

Private Utility Building and Facilities

Recreation

Marinas and Boat Rental

Private Clubs, Country Clubs and Golf Courses except

Miniature Courses and Commercial Driving Ranges

Swimming Pools, Tennis Courts and Similar Enterprises

Residential

Accessory Dwelling Units (ADUs) - Detached

Nursing Homes

Special

Agritourism Buildings

Borrow Pits, Quarry, Gravel Pit or Stone Mill

Cemeteries, Mausoleums and Crematories

Commercial Lakes

Extraction and Development of Natural Resources

DIVISION 080 R-3 RESIDENTIAL DISTRICT

Sec. 080-010 R-3 Residential District: Intent

The purpose of the R-3 Residential District is to allow, preserve and protect the character of low to medium density, detached single-family and two-family areas and neighborhoods at densities up to 5.81 dwelling units per acre.

Sec. 080-020 R-3 Residential District: Development Regulations

Minimum Lot Area:

- 7,500 square feet with sanitary sewers
- 43,560 square feet without sanitary sewers
- 43,560 square feet within the city of Pewee Valley

Minimum Lot Width:

- 50 feet; or
- 150 feet for lots without sanitary sewers

Maximum Density/Intensity:

- 5.81 dwelling units per acre
- 0.50 Floor Area Ratio

Maximum Structure Height:

- 35 feet (agriculture structures are exempt)

Minimum Front Yard Setback:

30 feet

Minimum Side Yard Setback:

7 feet

16 feet total for both sides

Minimum Street Side Yard Setback:

30 feet

Minimum Rear Yard Setback:

25 feet

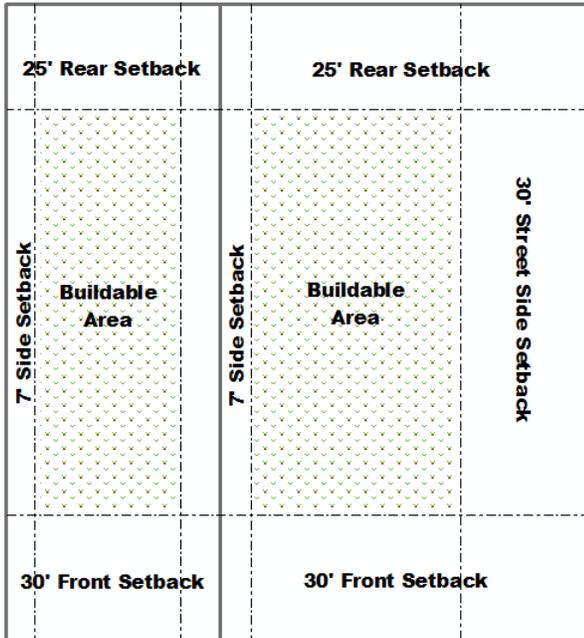
Maximum Lot Coverage for Structures:

30 percent of the lot area

Minimum Common Open Space:

250 square feet per dwelling unit

Minimum Lot Width - 50'



Additional Standards that may Apply:

- Accessory Dwelling Units.....Sec 250-040
- Accessory Uses & Struc.....Sec 250-030
- Agritourism Buildings.....Sec 260-035
- Barrel Warehouses.....Sec 250-320
- Brew pubs.....Sec 250-310
- Distillery & Brewery.....Sec 250-300
- Height.....Sec 330-010
- Home Occupation.....Sec 260-230
- Fences & Walls.....Sec 250-090
- Capacity of Infrastructure...Division 270
- Highway 53 Overlay Dist.Division 245
- Historic Preservation.....Division 240
- Landscaping.....Division 300
- Lighting.....Division 310
- Parking.....Division 280
- Signs.....Division 290

Oldham County Comprehensive Zoning Ordinance
Division 080 R-3 Residential District

**Sec. 080-030 R-3 Residential District:
Permitted Uses**

Agricultural Uses

Agricultural Uses

Community Facilities and Services

Colleges and Schools, Not for Profit

Community Centers, Not for Profit

Public and Government Buildings and Facilities

Public Utility Buildings & Facilities

Public Parks and Recreation

Public Parks and Forest Preserves

Public Picnic Grounds, Beaches, Bridle and

Bicycle Paths

Religious Institutions

Churches and Other Religious Institutions

Residential

Dwellings – Single Family Detached

Dwellings – Two Family

Residential Care Facility

Special

Lakes (man-made) non commercial

**Sec. 080-040 R-3 Residential District:
Conditional Uses**

Agricultural Uses

Riding Academies and Stables Less than 5 Acres

Commercial

Day Care Facilities for Four or More Children

(Up to 12 Children)

Community Facilities and Services

Hospitals and Institutions

Private Utility Building and Facilities

Recreation

Marinas and Boat Rental

Private Clubs, Country Clubs and Golf Courses except

Miniature Courses and Commercial Driving Ranges

Recreational Vehicle Parks and Campgrounds

Swimming Pools, Tennis Courts and Similar Enterprises

Residential

Nursing Homes

Special

Agritourism Buildings

Borrow Pits, Quarry, Gravel Pit or Stone Mill

Cemeteries, Mausoleums and Crematories

Commercial Lakes

Extraction and Development of Natural Resources

DIVISION 090 R-4 RESIDENTIAL DISTRICT

Sec. 090-010 R-4 Residential District: Intent

The purpose of the R-4 Residential District is to allow higher density residential uses and low intensity non-residential uses which are served by adequate infrastructure, while maintaining the unique character of neighborhoods at densities up to 16 units per acre. This district is used to encourage a variety of residential opportunities.

Sec. 090-020 R-4 Residential District: Development Regulations

Minimum Lot Area:

- 6,000 square feet with sanitary sewers
- 43,560 square feet without sanitary sewers
- 43,560 square feet within the city of Pewee Valley

Minimum Lot Width:

- 50 feet; or
- 150 feet for lots without sanitary sewers

Maximum Density/Intensity:

- 16 dwelling units per acre
- 4 dwelling units per acre without sanitary sewers
- 0.50 Floor Area Ratio

Maximum Structure Height:

- 45 feet (agriculture structures are exempt)

Minimum Front Yard Setback:

25 feet

Minimum Side Yard Setback:

- 7.5 feet plus 3 feet for each story over three
- 15 feet plus 6 feet for each story over three total

Minimum Street Side Yard Setback:

25 feet

Minimum Rear Yard Setback:

25 feet

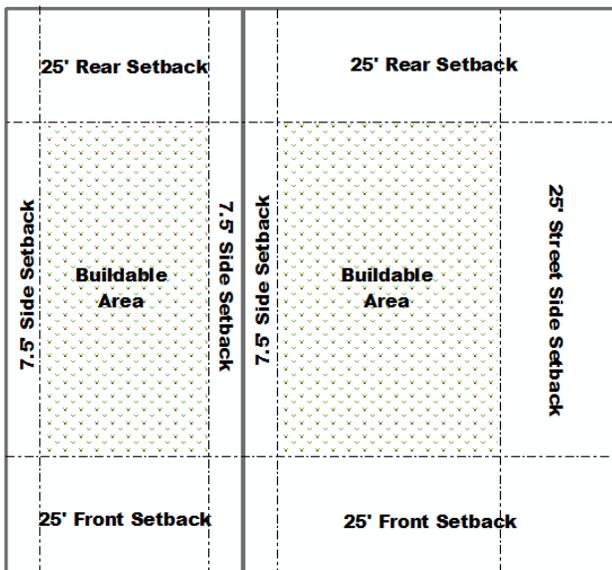
Maximum Lot Coverage for Structures:

50 percent of the lot area

Minimum Common Open Space:

250 square feet per dwelling unit

Minimum Lot Width - 50'



Additional Standards that may Apply:

- Accessory Dwelling Units.....Sec 250-040
- Accessory Uses & Struc.....Sec 250-030
- Agritourism Buildings.....Sec 260-035
- Barrel Warehouses.....Sec 250-320
- Brew pubs.....Sec 250-310
- Distillery & Brewery.....Sec 250-300
- Height.....Sec 330-010
- Home Occupation.....Sec 260-230
- Fences & Walls.....Sec 250-090
- Capacity of Infrastructure...Division 270
- Highway 53 Overlay Dist.Division245
- Historic Preservation.....Division 240
- Landscaping.....Division 300
- Lighting.....Division 310
- Parking.....Division 280
- Signs.....Division 290

Oldham County Comprehensive Zoning Ordinance
Division 090 R-4 Residential District

**Sec. 090-030 R-4 Residential District:
Permitted Uses**

Agricultural Uses

Agricultural Uses

Community Facilities and Services

Colleges and Schools, Not for Profit

Community Centers, Not for Profit

Public and Government Buildings and Facilities

Public Utility Buildings & Facilities

Office

Professional Offices

Public Parks and Recreation

Public Parks and Forest Preserves

Public Picnic Grounds, Beaches, Bridle and
Bicycle Paths

Religious Institutions

Churches and Other Religious Institutions

Residential

Dwellings – Single Family Detached

Dwellings – Multi Family

Dwellings – Two Family

Residential Care Facility

Special

Lakes (man-made) non commercial

**Sec. 090-040 R-4 Residential District:
Conditional Uses**

Agricultural Uses

Riding Academies and Stables Less than 5 Acres

Commercial

Day Care Facilities for Four or More Children
(Up to 12 Children)

Community Facilities and Services

Hospitals and Institutions

Private Utility Building and Facilities

Recreation

Boat Docks and Launching Areas

Marinas and Boat Rental

Private Clubs, Country Clubs and Golf Courses except
Miniature Courses and Commercial Driving Ranges

Recreational Camps/Resorts

Swimming Pools, Tennis Courts and Similar Enterprises

Residential

Nursing Homes

Special

Agritourism Buildings

Borrow Pits, Quarry, Gravel Pit or Stone Mill

Cemeteries, Mausoleums and Crematories

Commercial Lakes

Extraction and Development of Natural Resources

DIVISION 100 R-4A RESIDENTIAL DISTRICT

Sec. 100-010 R-4A Residential District: Intent

The purpose of the R-4A Residential District is to allow, preserve and protect the character of medium density, attached single-family and two-family areas and neighborhoods at densities up to 8 dwelling units per acre, and to permit a fee simple option (lot standards) to Conventional Condominium Development.

Sec. 100-020 R-4A Residential District: Development Regulations

Minimum Lot Area:

- 3,000 square feet for detached structures
- 2,000 square feet per dwelling unit for attached structures
- 43,560 square feet without sanitary sewers
- 43,560 square feet within the city of Pewee Valley

Minimum Lot Width:

- 30 feet for detached structures
- 18 feet for attached structures
- 150 feet for lots without sanitary sewers

Maximum Density/Intensity:

- 8 dwelling units per acre
- 2.0 Floor Area Ratio

Maximum Structure Height:

- 35 feet (agriculture structures are exempt)

Minimum Front Yard Setback:

15 feet

Minimum Side Yard Setback:

- 5 feet for detached structures
- 0 feet for attached structures
- 3 feet for end unit of attached structures

Minimum Street Side Yard Setback:

5 feet

Minimum Rear Yard Setback:

- 10 feet; or
- 5 feet if alleys are used with detached garages

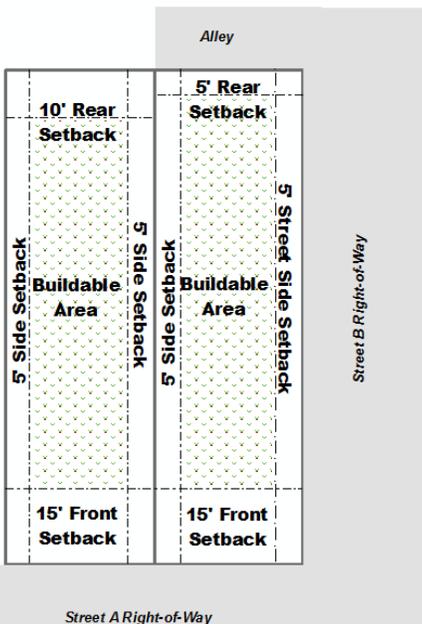
Maximum Lot Coverage for Structures:

85 percent of the lot area

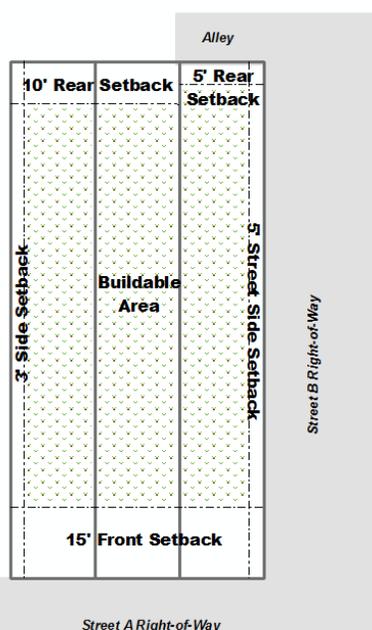
Minimum Common Open Space:

500 square feet per dwelling unit

R-4A Detached



R-4A Attached



Additional Standards that may Apply:

- Accessory Dwelling Units.....Sec 250-040
- Accessory Uses & Struc.....Sec 250-030
- Agritourism Buildings.....Sec 260-035
- Barrel Warehouses.....Sec 250-320
- Brew pubs.....Sec 250-310
- Distillery & Brewery.....Sec 250-300
- Height.....Sec 330-010
- Home Occupation.....Sec 260-230
- Fences & Walls.....Sec 250-090
- Capacity of Infrastructure...Division 270
- Highway 53 Overlay Dist.Division245
- Historic Preservation.....Division 240
- Landscaping.....Division 300
- Lighting.....Division 310
- Parking.....Division 280
- Signs.....Division 290

Oldham County Comprehensive Zoning Ordinance
Division 100 R-4A Residential District

**Sec. 100-030 R-4A Residential District:
Permitted Uses**

Agricultural Uses

Agricultural Uses

Community Facilities and Services

Colleges and Schools, Not for Profit

Community Centers, Not for Profit

Public and Government Buildings and Facilities

Public Utility Buildings & Facilities

Public Parks and Recreation

Public Parks and Forest Preserves

Public Picnic Grounds, Beaches, Bridle and

Bicycle Paths

Religious Institutions

Churches and Other Religious Institutions

Residential

Dwellings – Single Family Detached

Dwellings – Multi Family (a maximum of four attached
units per structure)

Residential Care Facility

Special

Lakes (man-made) non commercial

**Sec. 100-040 R-4A Residential District:
Conditional Uses**

Agricultural Uses

Riding Academies and Stables Less than 5 Acres

Commercial

Day Care Facilities for Four or More Children

(Up to 12 Children)

Community Facilities and Services

Hospitals and Institutions

Private Utility Building and Facilities

Recreation

Boat Docks and Launching Areas

Marinas and Boat Rental

Private Clubs, Country Clubs and Golf Courses except

Miniature Courses and Commercial Driving Ranges

Recreational Camps/Resorts

Swimming Pools, Tennis Courts and Similar Enterprises

Residential

Nursing Homes

Special

Agritourism Buildings

Borrow Pits, Quarry, Gravel Pit or Stone Mill

Cemeteries, Mausoleums and Crematories

Commercial Lakes

Extraction and Development of Natural Resources

DIVISION 110 T MANUFACTURED HOME DISTRICT

Sec. 110-010 T Manufactured Home District: Intent

It is the intent of this district to permit the establishment of manufactured home parks in areas in the county, or in areas within the municipalities, that best provide the proper facilities and setting for a manufactured home park development. This district should be provided with access to major traffic arterial streets and the necessary community facilities. Manufactured home parks themselves required special consideration as to the circumstances and conditions under which each such use may be permitted in order to provide adequate protection for, and consideration of, both the community and the manufactured home dweller.

Sec. 110-020, A. T Manufactured Home District: Development Regulations for Manufactured Homes

Minimum Lot Area:

5,000 square feet for each manufactured home space or lot

Minimum Lot Width:

40 feet of frontage on an improved access road

Maximum Density/Intensity:

8 dwelling units per acre
 0.5 Floor Area Ratio

Maximum Structure Height:

25 feet

Minimum Front Yard Setback:

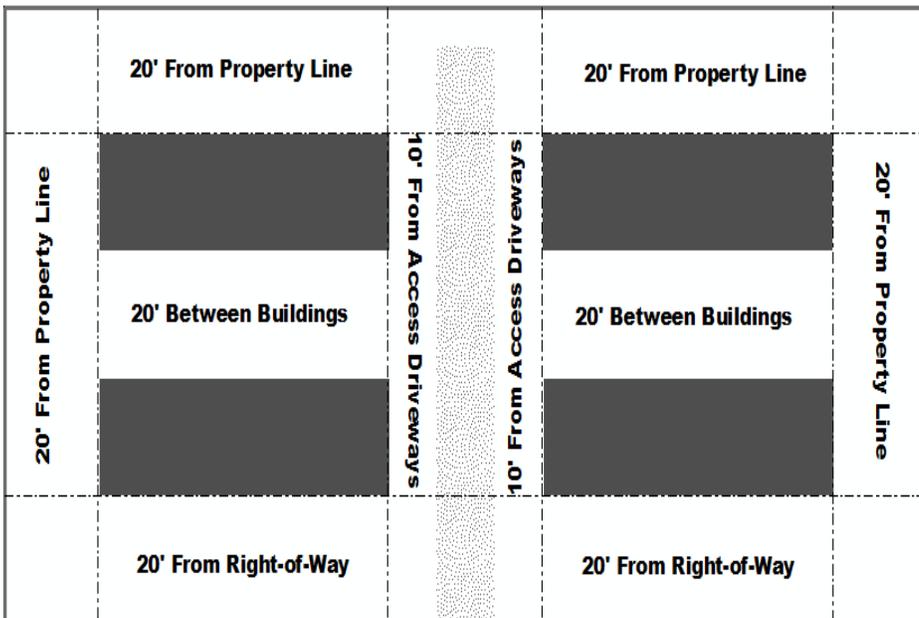
10 feet from an access road or access driveway
 20 feet from any other manufactured home and service building or area

10 feet from any exterior property line of the manufactured home park

20 feet from any street or dedicated rights-of-way

Maximum Lot Coverage for Structures:

35 percent of the lot area



Additional Standards that may Apply:

- Accessory Dwelling Units.....Sec 250-040
- Accessory Uses & Struc.....Sec 250-030
- Agritourism Buildings.....Sec 260-035
- Barrel Warehouses.....Sec 250-320
- Brew pubs.....Sec 250-310
- Distillery & Brewery.....Sec 250-300
- Height.....Sec 330-010
- Home Occupation.....Sec 260-230
- Fences & Walls.....Sec 250-090
- Capacity of Infrastructure...Division 270
- Highway 53 Overlay Dist.Division245
- Historic Preservation.....Division 240
- Landscaping.....Division 300
- Lighting.....Division 310
- Parking.....Division 280
- Signs.....Division 290

Oldham County Comprehensive Zoning Ordinance
 Division 110 T Manufactured Home District

Sec. 110-020, B. T Manufactured Home District: Development Regulations for Non-Manufactured Homes

Minimum Lot Area:

5,000 square feet

Minimum Lot Width:

40 feet

Maximum Density/Intensity:

8 dwelling units per acre

0.5 Floor Area Ratio

Maximum Structure Height:

35 feet (agricultural structures are exempt)

Minimum Front Yard Setback:

20 feet

Minimum Side Yard Setback:

5 feet

Minimum Street Side Yard Setback:

20 feet

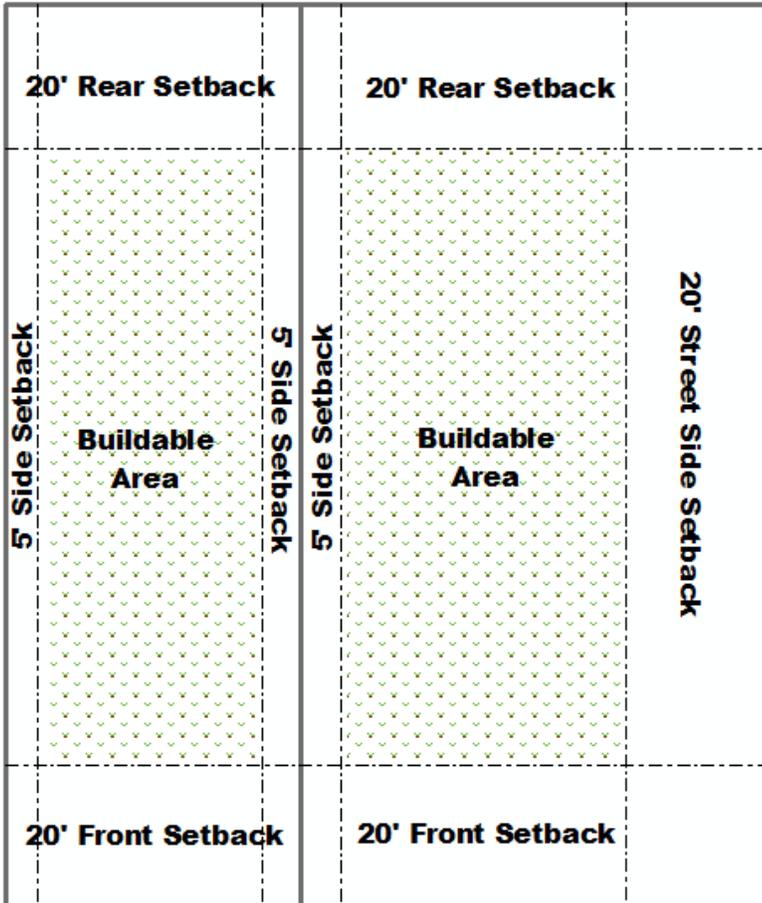
Minimum Rear Yard Setback:

20 feet

Maximum Lot Coverage for Structures:

50 percent of the lot area

Minimum Lot Width - 40'



Additional Standards that may Apply:

- Accessory Dwelling Units.....Sec 250-040
- Accessory Uses & Struc.....Sec 250-030
- Agritourism Buildings.....Sec 260-035
- Barrel Warehouses.....Sec 250-320
- Brew pubs.....Sec 250-310
- Distillery & Brewery.....Sec 250-300
- Height.....Sec 330-010
- Home Occupation.....Sec 260-230
- Fences & Walls.....Sec 250-090
- Capacity of Infrastructure...Division 270
- Highway 53 Overlay Dist.Division245
- Historic Preservation.....Division 240
- Landscaping.....Division 300
- Lighting.....Division 310
- Parking.....Division 280
- Signs.....Division 290

Oldham County Comprehensive Zoning Ordinance
Division 110 T Manufactured Home District

**Sec. 110-030 T Manufactured Home District:
Permitted Uses**

Agricultural Uses

Agricultural Uses

Community Facilities and Services

Colleges and Schools, Not for Profit

Community Centers, Not for Profit

Public and Government Buildings and Facilities

Public Utility Buildings & Facilities

Recreational Camps/Resorts

Public Parks and Recreation

Boat Docks and Launching Areas

Public Parks and Forest Preserves

Public Picnic Grounds, Beaches, Bridle and

Bicycle Paths

Religious Institutions

Churches and Other Religious Institutions

Residential

Dwellings – Single Family Detached

Manufactured Homes –

New single-family manufactured homes bearing HUD labels

Pre-owned single-family manufactured homes bearing B1 seals

Existing manufactured/mobile homes at their current locations

Residential Care Facility

**Sec. 110-040 T Manufactured Home District:
Conditional Uses**

Community Facilities and Services

Day Care Facilities for Four or More Children
(Up to 12 Children)

Utilities

Private Utility Building and Facilities

DIVISION 120 O-1 OFFICE DISTRICT

Sec. 120-010 O-1 Office District: Intent

The purpose of the O-1 Office District is to provide locations for low density Professional Offices in relative proximity to residential districts. This district may serve as a reasonable transition between commercial districts and neighborhood residential areas. It is intended that any development in an O-1 district be designed, built, and maintained so that it will be compatible with the character of the nearby residential neighborhoods and does not create or generate an excessive amount of traffic and/or noise.

Sec. 120-020 O-1 Office District: Development Regulations

Minimum Lot Area:

- 5,000 square feet with sanitary sewers
- 43,560 square feet without sanitary sewers
- 43,560 square feet within the city of Pewee Valley

Minimum Lot Width:

- 50 feet; or
- 150 feet without sanitary sewers

Maximum Density/Intensity:

- 6 dwelling units per acre
- 1.0 Floor Area Ratio

Maximum Structure Height:

- 45 feet (agriculture structures are exempt)

Minimum Front Yard Setback:

25 feet

Minimum Side Yard Setback:

7.5 feet plus 3 feet for each story over three
15 feet plus 6 feet for each story over three for total for both sides.

Minimum Street Side Yard Setback:

25 feet plus 3 feet for each story over three

Minimum Rear Yard Setback:

25 feet

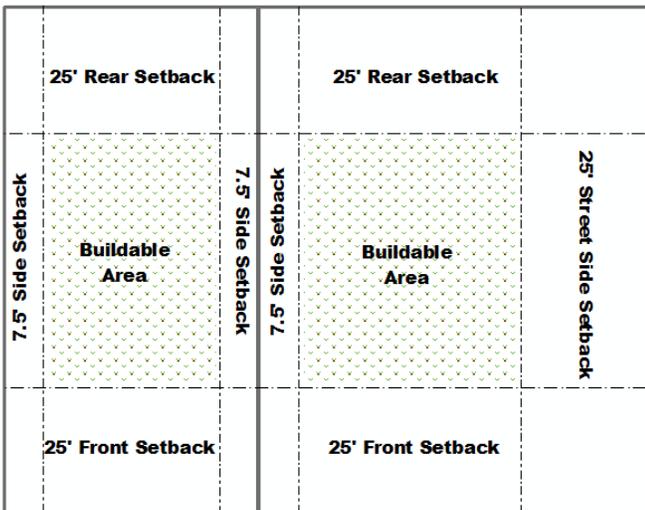
Maximum Lot Coverage for Structures:

65 percent of the lot area

Maximum Impervious Surface Including Structures:

80 percent of the lot area

Minimum Lot Width - 50'



Street A Right-of-Way

Street B Right-of-Way

Additional Standards that may Apply:

- Accessory Dwelling Units.....Sec 250-040
- Accessory Uses & Struc.....Sec 250-030
- Agritourism Buildings.....Sec 260-035
- Barrel Warehouses.....Sec 250-320
- Brew pubs.....Sec 250-310
- Distillery & Brewery.....Sec 250-300
- Height.....Sec 330-010
- Home Occupation.....Sec 260-230
- Fences & Walls.....Sec 250-090
- Capacity of Infrastructure...Division 270
- Highway 53 Overlay Dist.Division245
- Historic Preservation.....Division 240
- Landscaping.....Division 300
- Lighting.....Division 310
- Parking.....Division 280
- Signs.....Division 290

Oldham County Comprehensive Zoning Ordinance
Division 120 O-1 Office District

**Sec. 120-030 O-1 Office District:
Permitted Uses**

Agricultural Uses

Agricultural Uses

Community Facilities

Colleges and Schools, not for profit (CF)

Private Clubs

Public and Governmental Buildings and Facilities

Office

Business and Professional Offices with a gross floor area
< 5,000 square feet

Medical Office/Clinic with a gross floor area < 5,000
square feet

Public Parks and Recreation

Public Parks

Public Picnic Grounds, Beaches, Bridle and Bicycle
Paths

Religious Institutions

Churches and other Religious Institutions

Residential

Dwellings – Single-Family Detached

Dwellings – Two-Family

Residential Care Facility

Special

Lakes (man-made) non-commercial

**Sec. 120-040 O-1 Office District:
Conditional Uses**

Commercial

Veterinary Hospitals and Kennels

Community Facilities and Services

Nursery Schools, Day Nurseries, and Child Care Centers

Health Services

Hospitals and Institutions

Natural Resource

Borrow Pits, Quarry, Gravel Pit or Stone Mill

Extraction and Development of Natural Resources

Recreation

Aviaries and Zoos

Special

Airports, Heliports, and other Airship or Flying Machine
Take-Off or Landing Facilities

Cemeteries, Mausoleums and Crematories

Commercial Lakes

Utilities

Private Utility Buildings and Facilities

DIVISION 130 O-2 OFFICE DISTRICT

Sec. 130-010 O-2 Office District: Intent

The purpose of the O-2 Office District is to provide locations for medium-intensity business and Professional Offices and related uses. It is intended that any development in an O-2 Office District be designed, built, and maintained so that it will be compatible with the character of nearby residential neighborhoods and does not create or generate an excessive amount of traffic or noise.

Sec. 130-020 O-2 Office District: Development Regulations

Minimum Lot Area:

- 10,000 square feet with sanitary sewers
- 43,560 square feet without sanitary sewers
- 43,560 square feet within the city of Pewee Valley

Minimum Lot Width:

- 50 feet; or
- 150 feet without sanitary sewers

Maximum Density/Intensity:

- 16 dwelling units per acre
- 3.0 Floor Area Ratio

Maximum Structure Height:

- 45 feet (agriculture structures are exempt)

Minimum Front Yard Setback:

35 feet

Minimum Side Yard Setback:

10 feet

Minimum Street Side Yard Setback:

35 feet

Minimum Rear Yard Setback:

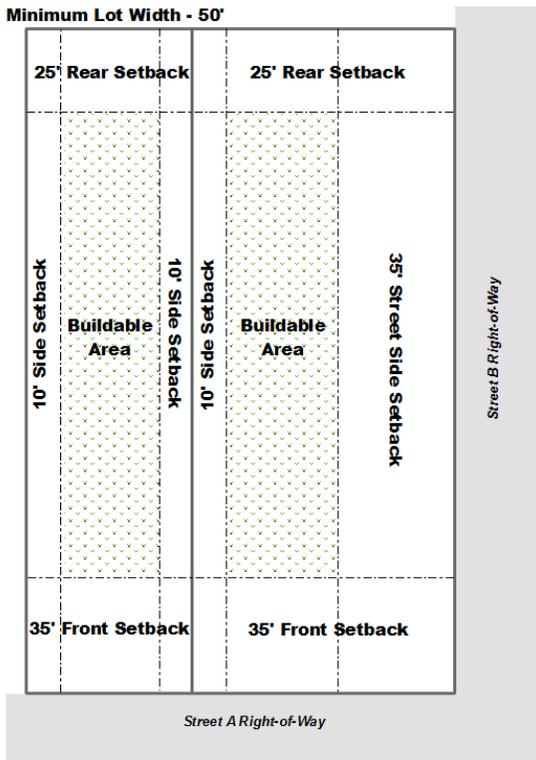
25 feet

Maximum Lot Coverage for Structures:

65 percent of the lot area

Maximum Impervious Surface Including Structures:

85 percent of the lot area



Additional Standards that may Apply:

- Accessory Dwelling Units.....Sec 250-040
- Accessory Uses & Struc.....Sec 250-030
- Agritourism Buildings.....Sec 260-035
- Barrel Warehouses.....Sec 250-320
- Brew pubs.....Sec 250-310
- Distillery & Brewery.....Sec 250-300
- Height.....Sec 330-010
- Home Occupation.....Sec 260-230
- Fences & Walls.....Sec 250-090
- Capacity of Infrastructure...Division 270
- Highway 53 Overlay Dist.Division245
- Historic Preservation.....Division 240
- Landscaping.....Division 300
- Lighting.....Division 310
- Parking.....Division 280
- Signs.....Division 290

Oldham County Comprehensive Zoning Ordinance
Division 130 O-2 Office District

**Sec. 130-030 O-2 Office District:
Permitted Uses**

Agricultural Uses

Agricultural Uses

Commercial

Funeral Homes and Mortuaries

Community Facilities

Colleges and Schools, not for profit (CF)

Adult Day Centers

Nursery Schools, Day Nurseries, and Child Care Centers

Office

Business and Professional Offices

Medical Office/Clinics

Outdoor Recreation

Private Country Clubs, Golf Courses except Miniature
Courses or Commercial Driving Ranges

Public Parks and Recreation

Boat Docks and Launching Areas,

Recreational Camps, Resorts

Public Parks and Forest Preserves

Public Picnic Grounds, Beaches, Bridle and Bicycle
Paths

Religious Institutions

Churches and Other Religious Institutions

Residential

Dwellings – Single-Family Detached

Dwellings – Two-Family

Residential Care Facility

Special

Lakes (man-made) non-commercial

Private Clubs

Utilities

Public Utility Buildings and Facilities

**Sec. 130-040 O-2 Office District:
Conditional Uses**

Commercial

Veterinary Hospitals and Kennels

Funeral Homes and Mortuaries

Health Services

Hospitals and Institutions

Natural Resource

Borrow Pits, Quarry, Gravel Pit, or Stone Mill

Extraction and Development of Natural Resources

Special

Airports, Heliports, and other Airship or Flying Machine
Take-off of Landing Facilities

Cemeteries, Mausoleums and Crematories

Commercial Lakes

Utilities

Private Utility Buildings and Facilities

DIVISION 140 C-N COMMERCIAL NEIGHBORHOOD DISTRICT

Sec. 140-010 Commercial Neighborhood District: Intent

The purpose of the C-N Commercial Neighborhood District is to promote the reuse of structures located in urban areas of Oldham County that have been constructed for mixed commercial and residential use, which may be currently under used or vacant, and which are located at street corners or on blocks with a significant number of retail business uses. C-N zoning may also be appropriate for new construction where a mixture of business and residential use is found to conform with the Comprehensive Plan and to any Master Plan covering that area.

Sec. 140-020 C-N Commercial Neighborhood District: Development Regulations

Minimum Lot Area:

- 5,000 square feet with sanitary sewers
- 43,560 square feet without sanitary sewers
- 43,560 square feet within the city of Pewee Valley

Minimum Lot Width:

- 50 feet; or
- 150 feet without sanitary sewers

Maximum Density/Intensity:

- 16 dwelling units per acre
- 2.0 Floor Area Ratio

Maximum Structure Height:

- 45 feet (agriculture structures are exempt)

Minimum Front Yard Setback: None

Minimum Side Yard Setback:

- None except when abutting a residential district (shall take on that of the abutting district)

Minimum Street Side Yard Setback:

- None except when abutting a residential district (shall take on that of the abutting district)

Minimum Rear Yard Setback:

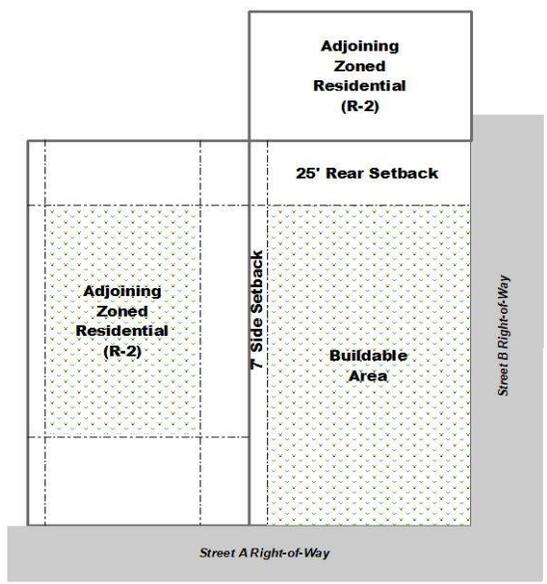
- None except when abutting a residential district (shall take on that of the abutting district)

Maximum Lot Coverage for Structures:

- 65 percent of the lot area

Maximum Impervious Surface Including Structures:

- 85 percent of the lot area



Additional Standards Apply

Oldham County Comprehensive Zoning Ordinance
Division 140 C-N Commercial Neighborhood District

Sec. 140-030 C-N Commercial Neighborhood District: Permitted Uses

Agricultural Uses

- Agricultural Uses
- Farmers Markets

Eating Establishments

- Restaurants without drive-thru facilities

Commercial

- Retail and Personal Service Establishments with a gross floor area < 10,000 square feet

Community Facilities

- Colleges and Schools, not for profit (CF)
- Libraries, Museums, and Art Galleries
- Parks, Playgrounds, Community Centers, and Similar Uses (CF)

Office

- Business and Professional Offices not including Clinics and Immediate Care Facilities

Public Parks and Recreation

- Public Parks and Forest Preserves
- Public Picnic Grounds and Bicycle Paths

Religious Institutions

- Churches and other Religious Institutions

Residential

- Dwellings – Single-Family Detached
- Dwellings – Two-Family
- Dwellings – Multi-Family
- Residential Care Facility

Special

- Bed and Breakfasts
- Lakes (man-made) non-commercial

Utilities

- Public Utility Buildings and Facilities

Sec. 140-040 C-N Commercial Neighborhood: Conditional Uses

Commercial

- Veterinary Hospitals and Kennels
- Private Clubs

Community Facilities and Services

- Community Buildings and Facilities
- Marinas or Boat Rental
- Nursery Schools, Day Nurseries, and Child Care Centers

Health Services

- Hospitals and Institutions

Residential

- Manufactured Homes

Utilities

- Private Utility Buildings and Facilities
- Sewage Treatment Plants

Additional Standards that may Apply:

- Accessory Dwelling Units.....Sec 250-040
- Accessory Uses & Struc.....Sec 250-030
- Agritourism Buildings.....Sec 260-035
- Barrel Warehouses.....Sec 250-320
- Brew pubs.....Sec 250-310
- Distillery & Brewery.....Sec 250-300
- Height.....Sec 330-010
- Home Occupation.....Sec 260-230
- Fences & Walls.....Sec 250-090
- Capacity of Infrastructure...Division 270
- Highway 53 Overlay Dist.Division 245
- Historic Preservation.....Division 240
- Landscaping.....Division 300
- Lighting.....Division 310
- Parking.....Division 280
- Signs.....Division 290

DIVISION 150 C-1 LOCAL BUSINESS DISTRICT

Sec. 150-010 C-1 Local Business District: Intent

The purpose of the C-1 Local Business District is to provide primarily for retail shopping and personal service uses to be developed either as a unit or in individual parcels to serve the needs of nearby residential neighborhoods.

Sec. 150-020 C-1 Local Business District: Development Regulations

Minimum Lot Area:

- 7,500 square feet with sanitary sewers
- 43,560 square feet without sanitary sewers
- 43,560 square feet within the city of Pewee Valley

Minimum Lot Width:

- 50 feet; or
- 150 feet without sanitary sewers

Maximum Density/Intensity:

- 0.5 Floor Area Ratio

Maximum Structure Height:

- 45 feet (agriculture structures are exempt)

Minimum Front Yard Setback:

None

Minimum Side Yard Setback:

None except when abutting a residential district (shall take on that of the abutting district)

Minimum Street Side Yard Setback:

None except when abutting a residential district (shall take on that of the abutting district)

Minimum Rear Yard Setback:

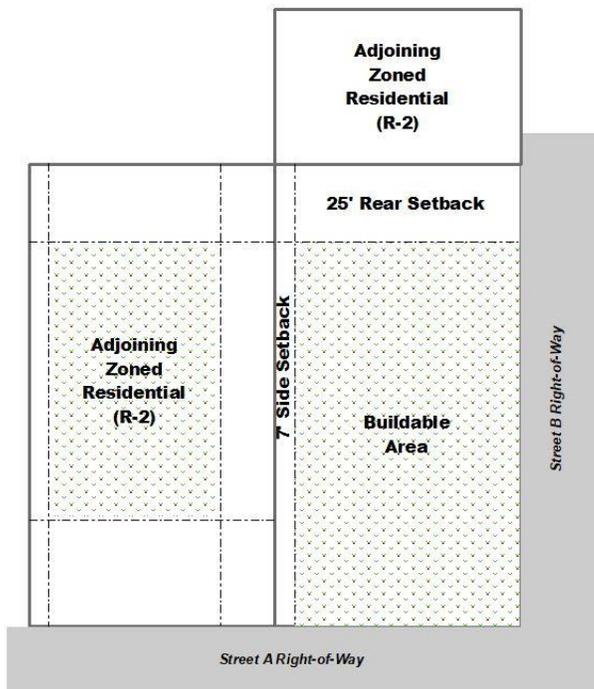
None except when abutting a residential district (shall take on that of the abutting district)

Maximum Lot Coverage for Structures:

40 percent of the lot area

Maximum Impervious Surface Including Structures:

65 percent of the lot area



Additional Standards that may Apply:

- Accessory Dwelling Units....Sec 250-040
- Accessory Uses & Struc.....Sec 250-030
- Agritourism Buildings.....Sec 260-035
- Barrel Warehouses.....Sec 250-320
- Brew pubs.....Sec 250-310
- Distillery & Brewery.....Sec 250-300
- Height.....Sec 330-010
- Home Occupation.....Sec 260-230
- Fences & Walls.....Sec 250-090
- Capacity of Infrastructure...Division 270
- Highway 53 Overlay Dist.Division245
- Historic Preservation.....Division 240
- Landscaping.....Division 300
- Lighting.....Division 310
- Parking.....Division 280
- Signs.....Division 290

Oldham County Comprehensive Zoning Ordinance
Division 150 C-1 Local Business District

**Sec. 150-030 C-1 Local Business District:
Permitted Uses**

Agricultural Uses

- Agricultural Uses
- Farmers Market
- Riding Academies and Stables

Commercial

- Adult Entertainment Establishments
- Firework Sales (Permanent, Ancillary and Seasonal)
- Retail and Personal Service Establishments with a gross floor area < 50,000 square feet

Community Facilities

- Adult Day Centers
- Colleges and Schools, not for profit (CF)
- Nursery Schools, Day Nurseries, and Child Care Centers
- Parks, Playgrounds, Community Centers and similar uses

Eating Establishments

- Restaurants without drive-thru facilities

Office

- Business and Professional Offices not including Clinics and Immediate Care Facilities

Public Parks and Recreation

- Public Parks and Forest Preserves
- Public Picnic Grounds, Beaches, Bridle and Bicycle Paths

Religious Institutions

- Churches and other Religious Institutions

Special

- Lakes (man-made) non-commercial

Utilities

- Public Utility Buildings and Facilities

**Sec. 150-040 C-1 Local Business District:
Conditional Uses**

Commercial

- Veterinary Hospitals and Kennels

Community Facilities and Services

- Marinas or Boat Rental
- Public and Governmental Buildings and Facilities

Health Services

- Hospitals and Institutions

Natural Resource

- Borrow Pits, Quarry, Gravel Pit, or Stone Mill
- Extraction and Development of Natural Resources

Recreation

- Aviaries and Zoos
- Private Clubs and Country Clubs, Gold Courses except Commercial Driving Ranges

Special

- Airports, Heliports, and other Airship or Flying Machine Take-off or Landing Facilities
- Cemeteries, Mausoleums and Crematories
- Commercial Lakes

Utilities

- Private Utility Buildings and Facilities
- Sewage Treatment Plants

DIVISION 160 C-2 COMMUNITY BUSINESS DISTRICT

Sec. 160-010 C-2 Community Business District: Intent

The purpose of the C-2 Community Business District is to provide for retail shopping and personal service uses, shopping goods and household services for a population considerably larger than that served by local business districts.

Sec. 160-020 C-2 Community Business District: Development Regulations

Minimum Lot Area:

- 6,000 square feet with sanitary sewers
- 43,560 square feet without sanitary sewers
- 43,560 square feet within the city of Pewee Valley

Minimum Lot Width:

- 50 feet; or
- 150 feet without sanitary sewers

Maximum Density/Intensity:

- 1.0 Floor Area Ratio

Maximum Structure Height:

- 45 feet (agriculture structures are exempt)

Minimum Front Yard Setback:

None

Minimum Side Yard Setback:

None except when abutting a residential district (shall take on that of the abutting district)

Minimum Street Side Yard Setback:

None except when abutting a residential district (shall take on that of the abutting district)

Minimum Rear Yard Setback:

None except when abutting a residential district (shall take on that of the abutting district)

Maximum Lot Coverage for Structures:

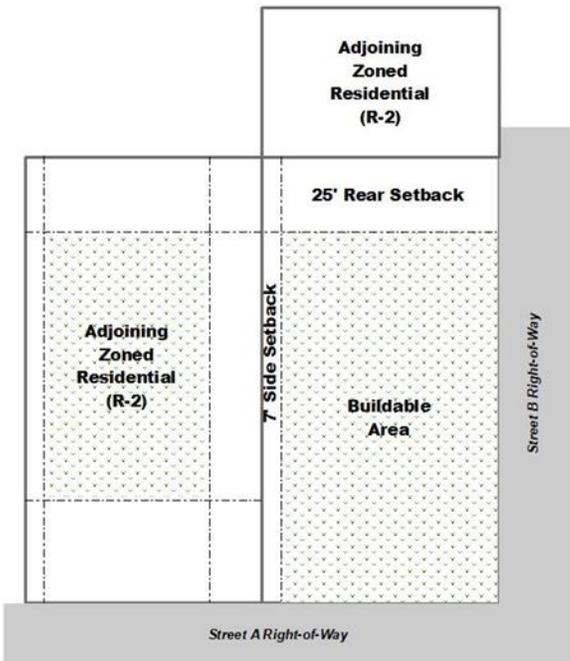
40 percent of the lot area

Maximum Impervious Surface Including Structures:

65 percent of the lot area

Additional Standards that may Apply:

- Accessory Dwelling Units.....Sec 250-040
- Accessory Uses & Struc.....Sec 250-030
- Agritourism Buildings.....Sec 260-035
- Barrel Warehouses.....Sec 250-320
- Brew pubs.....Sec 250-310
- Distillery & Brewery.....Sec 250-300
- Height.....Sec 330-010
- Home Occupation.....Sec 260-230
- Fences & Walls.....Sec 250-090
- Capacity of Infrastructure...Division 270
- Highway 53 Overlay Dist.Division 245
- Historic Preservation.....Division 240
- Landscaping.....Division 300
- Lighting.....Division 310
- Parking.....Division 280
- Signs.....Division 290



Oldham County Comprehensive Zoning Ordinance
Division 170 C-3 General Business District

Sec. 160-030 C-2 Community Business
District: Permitted Uses

Agricultural Uses

- Agricultural Uses
- Farmers Market
- Riding Academies and Stables

Commercial

- Adult Entertainment Establishments
- Firework Sales (Permanent, Ancillary and Seasonal)
- Funeral Homes and Mortuaries
- Hotels and Motels
- Nursing Homes
- Retail and Personal Establishments with a gross floor area < 50,000 square feet
- Vehicle Repair including service stations
- Vehicle Washes
- Vocational Schools

Community Facilities

- Adult Day Centers
- Colleges and Schools, not for profit (CF)
- Nursery Schools, Day Nurseries, and Child Care Centers
- Parks, Playgrounds, Community Centers, and Similar Uses

Eating Establishments

- Restaurants with drive-thru facilities

Indoor Recreation

- Movie Theatres

Office

- Business and Professional Offices including Clinics and Immediate Care Facilities

Public Parks and Recreation

- Boat Docks and Launching Areas, Recreational Camps, Resorts
- Public Parks and Forest Preserves
- Public Picnic Grounds, Bridle and Bicycle Paths

Religious Institutions

- Churches and other Religious Institutions

Special

- Lakes (man-made) non-commercial

Utilities

- Public Utility Buildings and Facilities

Sec. 160-040 C-2 Community Business
District: Conditional Uses

Commercial

- Veterinary Hospitals and Kennels

Community Facilities and Services

- Marinas or Boat Rental

Health Services

- Hospitals and Institutions

Natural Resource

- Borrow Pits, Quarry, Gravel Pit, or Stone Mill
- Extraction and Development of Natural Resources

Recreation

- Aviaries and Zoos
- Indoor Sports Facilities
- Private Clubs, Country Clubs, Golf Courses except Miniature courses or Commercial Driving Ranges

Residential

- Community Residences

Special

- Airports, Heliports and other Airship or Flying Machine Take-off or Landing Facilities
- Cemeteries, Mausoleums and Crematories
- Commercial Lakes

Utilities

- Private Utility Buildings and Facilities
- Sewage Treatment Plants

DIVISION 170 C-3 GENERAL BUSINESS DISTRICT

Sec. 170-010 C-3 General Business District: Intent

The purpose of the C-3 General Business District is to provide for appropriate locations for a wide variety of businesses, commercial, mass merchant and miscellaneous service activities, but does not include land uses characterized by extensive warehousing or frequent heavy trucking activity.

Sec. 170-020 C-3 General Business District: Development Regulations

Minimum Lot Area:

- 6,000 square feet with sanitary sewers
- 43,560 square feet without sanitary sewers
- 43,560 square feet within the city of Pewee Valley

Minimum Lot Width:

- 50 feet; or
- 150 feet without sanitary sewers

Maximum Density/Intensity:

- 1.0 Floor Area Ratio

Maximum Structure Height:

- 45 feet (agriculture structures are exempt)

Minimum Front Yard Setback:

None

Minimum Side Yard Setback:

None except when abutting a residential district (shall take on that of the abutting district)

Minimum Street Side Yard Setback:

None except when abutting a residential district (shall take on that of the abutting district)

Minimum Rear Yard Setback:

None except when abutting a residential district (shall take on that of the abutting district)

Maximum Lot Coverage for Structures:

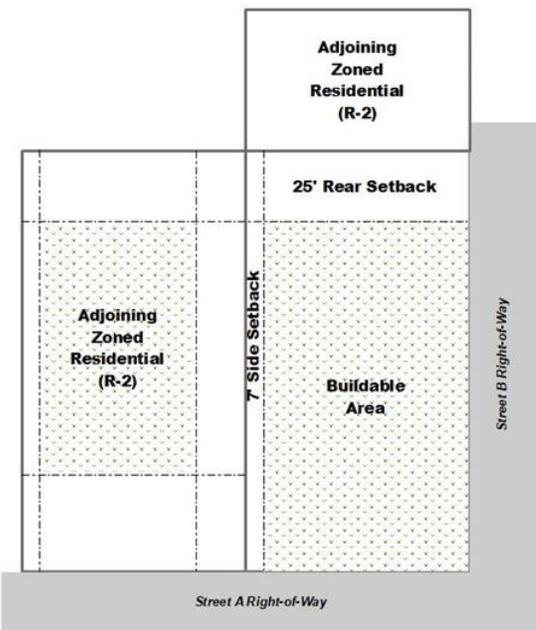
40 percent of the lot area

Maximum Impervious Surface Including Structures:

65 percent of the lot area

Additional Standards that may Apply:

- Accessory Dwelling Units....Sec 250-040
- Accessory Uses & Struc.....Sec 250-030
- Agritourism Buildings.....Sec 260-035
- Barrel Warehouses.....Sec 250-320
- Brew pubs.....Sec 250-310
- Distillery & Brewery.....Sec 250-300
- Height.....Sec 330-010
- Home Occupation.....Sec 260-230
- Fences & Walls.....Sec 250-090
- Capacity of Infrastructure...Division 270
- Highway 53 Overlay Dist.Division245
- Historic Preservation.....Division 240
- Landscaping.....Division 300
- Lighting.....Division 310
- Parking.....Division 280
- Signs.....Division 290



Oldham County Comprehensive Zoning Ordinance
Division 170 C-3 General Business District

**Sec. 170-030 C-3 General Business District:
Permitted Uses**

Agricultural Uses

- Agricultural Uses
- Farmers Market
- Riding Academies and Stables

Commercial

- Adult Entertainment Establishments
- Building Material Sales
- Firework Sales (Permanent, Ancillary, and Seasonal)
- Funeral Homes and Mortuaries
- Hotels and Motels
- Nursing Homes
- Printing and Lithograph Shops
- Retail and Personal Services Establishments with a gross floor area < 100,000 square feet
- Vehicle Repair including service stations
- Vehicle Sales and Display
- Vehicle Wash
- Vocational Schools

Community Facilities

- Adult Day Centers
- Colleges and Schools, not for profit (CF)
- Nursery Schools and Childcare Centers
- Parks, Playgrounds, Community Centers, and Similar Uses
- Public and Government Buildings and Facilities

Eating Establishments

- Eating Establishments of any kind

Light Industrial

- Boat and Marine Supplies
- Building and Related Trades Shops
- Lumber Storage, Millwork, and Sales
- Storage Facilities for Frozen Products

Office

- Business and Professional Offices including Clinics and Immediate Care Facilities

Public Parks and Recreation

- Boat Docks and Launching Areas, Recreational Camps, Resorts Public Parks and Forest Preserves

**Sec. 170-040 General Business District:
Conditional Uses**

Commercial

- Auto Auctions
- Veterinary Hospitals and Kennels

Community Facilities and Services

- Marinas or Boat Rental

Health Services

- Hospitals and Institutions

Light Industrial

- Contractor's Equipment Storage
- Grain and Feed Storage and Sales
- Mini-Warehouses/Self Storage Facilities

Natural Resource

- Borrow Pits, Quarry, Gravel Pit, or Stone Mill
- Extraction and Development of Natural Resources,

Recreation

- Aviaries and Zoos
- Indoor Sports Facilities

Residential

- Community Residences

Special

- Airports, Heliports, and other Airship or Flying Machine Take-off or Landing Facilities
- Cemeteries, Mausoleums and Crematories
- Commercial Lakes

Utilities

- Private Utility Buildings and Facilities
- Sewage Treatment Plants

Oldham County Comprehensive Zoning Ordinance
Division 170 C-3 General Business District

Public Picnic Grounds, Beaches, Bridle and Bicycle
Paths

Recreation

Indoor Movie Theatres
Private Country Clubs, Golf Courses
Miniature Golf Courses
Commercial Driving Ranges

Religious Institutions

Churches and other Religious Institutions

Special

Lakes (man-made) non-commercial

Utilities

Public Utility Buildings and Facilities



DIVISION 180 C-4 HIGHWAY SERVICE DISTRICT

Sec. 180-010 C-4 Highway Service District: Intent

The purpose of the C-4 Highway Service District is to provide for suitable locations for general commercial businesses that require heavy infrastructure.

Sec. 180-020 C-4 Highway Service District: Development Regulations

Minimum Lot Area:

- 5,000 square feet with sanitary sewers
- 43,560 square feet without sanitary sewers
- 43,560 square feet within the city of Pewee Valley

Minimum Lot Width:

- 50 feet; or
- 150 feet without sanitary sewers

Maximum Density/Intensity:

- 2.0 Floor Area Ratio

Maximum Structure Height:

- 45 feet (agriculture structures are exempt)

Minimum Front Yard Setback:

None

Minimum Side Yard Setback:

None except when abutting a residential district (shall take on that of the abutting district)

Minimum Street Side Yard Setback:

None except when abutting a residential district (shall take on that of the abutting district)

Minimum Rear Yard Setback:

None except when abutting a residential district (shall take on that of the abutting district)

Maximum Lot Coverage for Structures:

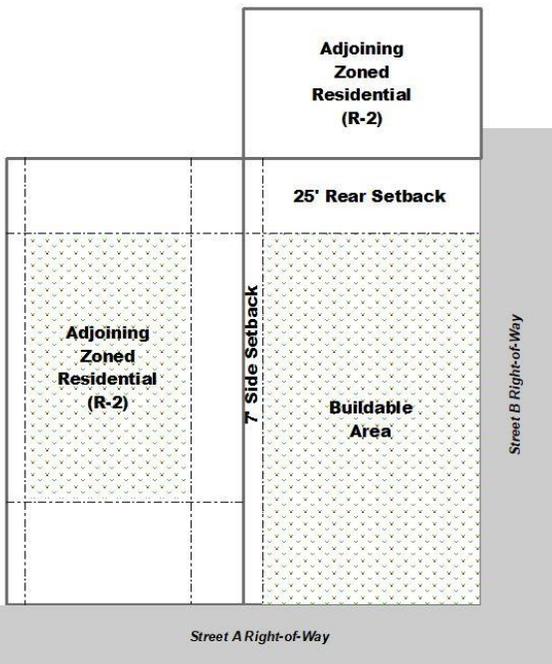
40 percent of the lot area

Maximum Impervious Surface Including Structures:

65 percent of the lot area

Additional Standards that may Apply:

- Accessory Dwelling Units....Sec 250-040
- Accessory Uses & Struc.....Sec 250-030
- Agritourism Buildings.....Sec 260-035
- Barrel Warehouses.....Sec 250-320
- Brew pubs.....Sec 250-310
- Distillery & Brewery.....Sec 250-300
- Height.....Sec 330-010
- Home Occupation.....Sec 260-230
- Fences & Walls.....Sec 250-090
- Capacity of Infrastructure...Division 270
- Highway 53 Overlay Dist.Division245
- Historic Preservation.....Division 240
- Landscaping.....Division 300
- Lighting.....Division 310
- Parking.....Division 280
- Signs.....Division 290



Oldham County Comprehensive Zoning Ordinance
Division 180 C-4 Highway Service District

**Sec. 180-030 C-4 Highway Service District:
Permitted Uses**

Agricultural Uses

Agricultural Uses including Farmers Market
Riding Academies and Stables

Commercial

Adult Entertainment Establishments
Building Material Sales
Firework Sales (Permanent, Ancillary and Seasonal)
Funeral Homes and Mortuaries
Hotels and Motels
Nursing Homes
Printing and Lithograph Shops
Retail and Personal Service Establishments
Vehicle Sales and Display
Vehicular Service & Repair Stations
Vehicle Wash Vocational Schools

Community Facilities

Adult Day Centers
Colleges and Schools, Not For Profit (CF)
Nursery Schools, Day Nurseries, and Child Care Centers
Parks, Playgrounds, Community Centers, and Similar Uses

Eating Establishments

Eating Establishments of Any Kind

Light Industrial

Boat and Marine Supplies
Building and Related Trades Shops
Lumber Storage, Millwork, and Sales
Manufactured Home Sales and Service
Storage Facilities for Frozen Products

Office

Business and Professional Offices Including Clinics and
Immediate Care Facilities

Recreation

Boat Docks, Launching Areas, Recreational Camps, Resorts
Indoor Movie Theatres
Private Clubs, Golf Courses, Miniature Golf Courses or Driving
Ranges
Public Parks and Forest Preserves
Public Picnic Grounds, Beaches, Bridle and Bicycle Paths

**Sec. 180-040 C-4 Highway Service District:
Conditional Uses**

Commercial

Auto Auctions
Veterinary Hospitals and Kennels

Community Facilities and Services

Marinas or Boat Rental

Health Services

Hospitals and Institutions

Light Industrial

Carting and Express Hauling Establishments
Contractor's Equipment Storage
Grain and Feed Storage and Sales
Mini-Warehouses/Self Storage Facilities

Natural Resource

Borrow Pits, Quarry, Gravel Pit, or Stone Mill
Extraction and Development of Natural Resources

Recreation

Aviaries and Zoos
Indoor Sports Facilities

Residential

Community Residences

Special

Airports, Heliports, and Other Airship or Flying
Machine Take-Off or Landing Facilities
Cemeteries, Mausoleums and Crematories

Utilities

Private Utility Building and Facilities
Sewage Treatment Plants

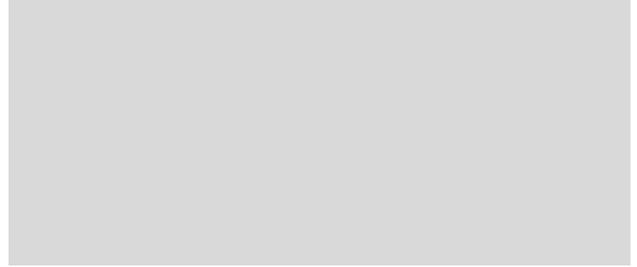
Oldham County Comprehensive Zoning Ordinance
Division 180 C-4 Highway Service District

Religious Institutions

Churches and Other Religious Institutions

Utilities

Public Utility Buildings and Facilities



DIVISION 190 I-1 LIGHT INDUSTRIAL DISTRICT

Sec. 190-010 I-1 Light Industrial District: Intent

The purpose of the I-1 Light Industrial District is to provide for commercial use, storage and any manufacturing use not normally crating a nuisance discernible beyond its property.

Sec. 190-020 I-1 Light Industrial District: Development Regulations

Minimum Lot Area:

- 10,000 square feet with sanitary sewers
- 43,560 square feet without sanitary sewers
- 43,560 square feet within the city of Pewee Valley

Minimum Lot Width:

150 feet

Maximum Density/Intensity:

1.0 Floor Area Ratio

Maximum Structure Height:

50 feet (agriculture structures are exempt)

Minimum Front Yard Setback:

- 100 feet for structures
- 35 feet for parking areas

Minimum Side Yard Setback:

- 35 feet; or
- 75 feet required when abutting a residential district

Minimum Street Side Yard Setback:

- 100 feet for structures
- 35 feet for parking areas

Minimum Rear Yard Setback:

25 feet

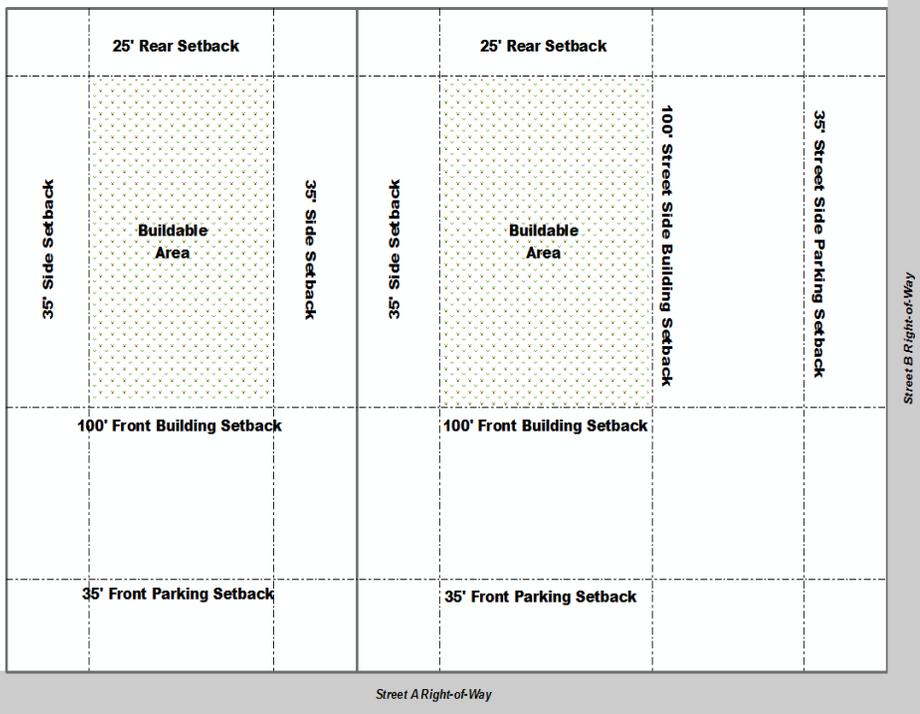
Maximum Lot Coverage for Structures:

75 percent of the lot area

Maximum Impervious Surface Including Structures:

90 percent of the lot area

Minimum Lot Width - 150'



Additional Standards that may Apply:

- Accessory Dwelling Units....Sec 250-040
- Accessory Uses & Struc.....Sec 250-030
- Agritourism Buildings.....Sec 260-035
- Barrel Warehouses.....Sec 250-320
- Brew pubs.....Sec 250-310
- Distillery & Brewery.....Sec 250-300
- Height.....Sec 330-010
- Home Occupation.....Sec 260-230
- Fences & Walls.....Sec 250-090
- Capacity of Infrastructure...Division 270
- Highway 53 Overlay Dist.Division245
- Historic Preservation.....Division 240
- Landscaping.....Division 300
- Lighting.....Division 310
- Parking.....Division 280
- Signs.....Division 290

Oldham County Comprehensive Zoning Ordinance
Division 200 I-2 Heavy Industrial District

**Sec. 190-030 I-1 Light Industrial District:
Permitted Uses**

Agricultural Uses

- Agricultural Uses
- Riding Academies and Stables

Community Facilities

- Nursery Schools, Day Nurseries, and Child Care Centers
- Schools, Parks, Playgrounds, Community Centers, and Similar Uses

Commercial

- Adult Entertainment Establishments
- Art Studios
- Colleges and Schools, not for profit (CF)
- Funeral Homes and Mortuaries
- Household Services
- Retail and Personal Service Establishments
- Vehicular Repair of any kind
- Veterinary Hospitals and Kennels
- Vocational Schools

Eating Establishments

- Eating Establishments of any kind

Light Industrial

- Aircraft Factory or Hangar, not including wind tunnel and testing field
- Blacksmith Shop or Horse Shoeing Establishment
- Boat and Marine Supplies
- Boat Building
- Bottlers, Breweries, Distilleries, and Wineries
- Box Factory
- Lumber Storage, Millwork, and Sales Mini-Warehouses/Self Storage Facilities

Public Parks and Recreation

- Boat Docks and Launching Areas
- Recreational Camps, Resorts
- Indoor Sports Facilities
- Public Parks and Forest Preserves
- Public picnic grounds, beaches, bridle and bicycle paths

Religious Institutions

- Churches and other Religious Institutions

Utilities

- Public Utility Buildings and Facilities

**Sec. 190-040 I-1 Light Industrial District:
Conditional Uses**

Community Facilities and Services

- Marinas or Boat Rental
- Recreational Vehicle Parks and Campgrounds

Health Services

- Hospitals and Institutions

Heavy Industrial

- Asphalt Processing
- Concrete, Central Mixing and Batching Plant
- Fertilizer, Incineration, or Reduction Products
- Freight Terminals/Similar Enterprises
- Slaughter Houses

Recreation

- Amusement Parks, Circus and Carnival Grounds
- Aviaries and Zoos
- Commercial Rifle, Pistol and Skeet Ranges (Indoor and Outdoor)
- Drive-In Theatres
- Private Clubs, country clubs, golf courses except Miniature Courses or Commercial Driving Ranges

Special

- Airports, Heliports and Other Airship or Flying Machine Take-off or Landing Facilities
- Borrow Pits, Quarry, Gravel Pit, or Stone Mill
- Cemeteries, Mausoleums and Crematories
- Commercial Lakes
- Extraction and Development of Natural Resources

Utilities

- Private Utility Buildings and Facilities
- Sewage Treatment Plants

DIVISION 200 I-2 HEAVY INDUSTRIAL DISTRICT

Sec. 200-010 I-2 Heavy Industrial District: Intent

The purpose of the I-2 Heavy Industrial District is to provide for industrial uses not allowed in any other district providing such uses are not obnoxious by reason of excessive emission of odor, dust, smoke, noise, gas fumes, cinders, vibrations, refuse matter or water carried waste and that such characteristics are normally not discernible beyond its property.

Sec. 200-020 I-2 Heavy Industrial District: Development Regulations

Minimum Lot Area:

- 10,000 square feet with sanitary sewers
- 43,560 square feet without sanitary sewers
- 43,560 square feet within the city of Pewee Valley

Minimum Lot Width:

150 feet

Maximum Density/Intensity:

1.5 Floor Area Ratio

Maximum Structure Height:

50 feet (agriculture structures are exempt)
An additional 5 feet (or fraction thereof) is allowed for every 5 feet of additional front, side and rear yard setback increase

Minimum Front Yard Setback:

- 100 feet for structures
- 35 feet for parking areas

Minimum Side Yard Setback:

- 35 feet; or
- 75 feet required when abutting a residential district

Minimum Street Side Yard Setback:

- 100 feet for structures
- 35 feet for parking areas

Minimum Rear Yard Setback:

25 feet

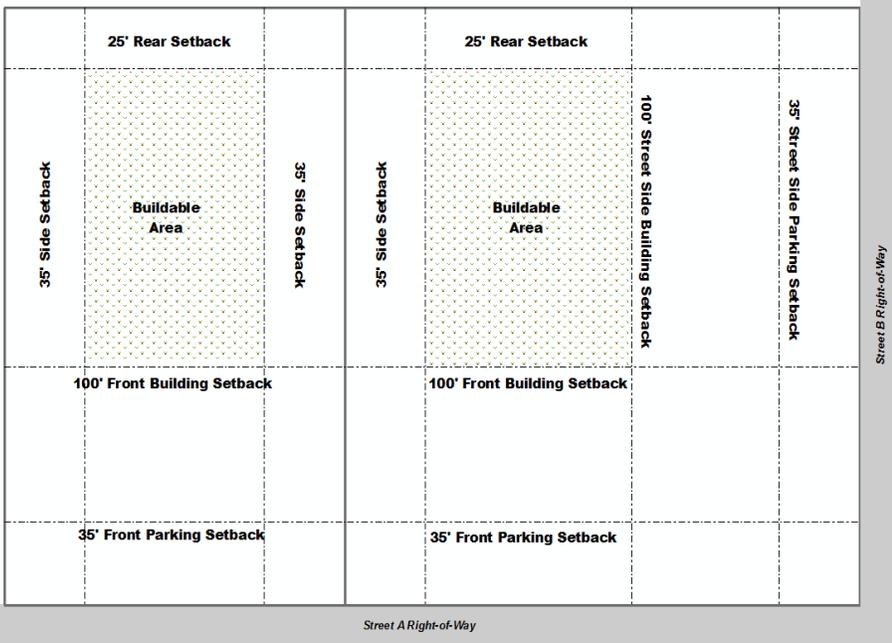
Maximum Lot Coverage for Structures:

75 percent of the lot area

Maximum Impervious Surface Including Structures:

90 percent of the lot area

Minimum Lot Width - 150'



Additional Standards that may Apply:

- Accessory Dwelling Units.....Sec 250-040
- Accessory Uses & Struc.....Sec 250-030
- Agritourism Buildings.....Sec 260-035
- Barrel Warehouses.....Sec 250-320
- Brew pubs.....Sec 250-310
- Distillery & Brewery.....Sec 250-300
- Height.....Sec 330-010
- Home Occupation.....Sec 260-230
- Fences & Walls.....Sec 250-090
- Capacity of Infrastructure...Division 270
- Highway 53 Overlay Dist.Division245
- Historic Preservation.....Division 240
- Landscaping.....Division 300
- Lighting.....Division 310
- Parking.....Division 280
- Signs.....Division 290

Oldham County Comprehensive Zoning Ordinance
Division 200 I-2 Heavy Industrial District

**Sec. 200-030 I-2 Heavy Industrial District:
Permitted Uses**

Agricultural Uses

Agricultural Uses
Riding Academies and Stables

Commercial

Adult Entertainment Establishments
Commercial Schools, Colleges and Art Studios
Funeral Homes and Mortuaries
Household Services
Retail and Personal Service Establishments
Vehicular Repair of Any Kind Veterinary Hospitals and Kennels

Community Facilities

Schools, Parks, Playgrounds, Community Centers, and Similar Uses

Eating Establishments

Eating Establishments of Any Kind

Heavy Industrial

Canneries and Agricultural Processing
Ice Manufacturing and Cold Storage Manufacturing or Assembly of Products Which Require the Use of Heavy Machinery
Storage Elevators

Light Industrial

Aircraft Factory or Hangar, not including Wind Tunnel and Testing Field
Blacksmith Shop or Horse Shoeing Establishment
Boat Building, Boat and Marine Supplies
Bottlers, Breweries, Distilleries, and Wineries
Box Factory
Lumber Storage, Millwork, and Sales
Mini-Warehouses/Self Storage Facilities

Public Parks and Recreation

Boat Docks and Launching Areas
Recreational Camps, Resorts
Public Parks and Forest Preserves
Public Picnic Grounds, Beaches, Bridle and Bicycle Paths

Religious Institutions

Churches and Other Religious Institutions

Utilities

Public Utility Buildings and Facilities

**Sec. 200-040 I-2 Heavy Industrial District:
Conditional Uses**

Community Facilities and Services

Hospital, Only with Emergency Facilities Incident to an Industry
Marinas or Boat Rental

Health Services

Hospitals and Institutions

Heavy Industrial

Asphalt Processing
Concentrated Animal Feed Operations
Concrete, Central Mixing and Batching Plant Fertilizer
Incineration or Reduction Products
Freight Terminals/Similar Enterprises
Slaughter Houses
Recreational Vehicle Parks and Campgrounds

Recreation

Amusement Parks, Circus and Carnival Grounds
Aviaries and Zoos
Commercial Outdoor Recreation, Uses such as Lodges, Drive-in Theatres, Rental Cottages
Swimming Pools, Tennis
Courts and Similar Enterprises
Commercial Rifle, Pistol and Skeet Ranges, Indoor and Outdoor
Private Clubs, Country Clubs
Driving Ranges
Sports Arenas

Special

Airports, Heliports, and Other Airship or Flying Machine Take-off or Landing Facilities
Borrow Pits, Quarry, Gravel Pit, or Stone Mill Cemeteries, Mausoleums and Crematories
Commercial Lake
Extraction and Development of Natural Resources

Utilities

Private Utility Buildings and Facilities

DIVISION 210 IPD INDUSTRIAL PARK DISTRICT

Sec. 210-010 IPD Industrial Park District: Intent

The intent of the Industrial Park District (IPD) is to create performance based standards that will best utilize the community's limited industrial and commercial resources resulting in the expansion of the community's economic base and enhancement of the community's quality of life. The Industrial Park District (IPD) is intended to:

1. Provide sufficient space in attractive, landscaped, and planned industrial parks for industrial, commercial and office activities.
2. Protect future economic development opportunities from incompatible land uses.
3. Insure compatibility between industrial, commercial and office operations within an industrial park.
4. Provide employment opportunities for the community's residents and reduce commuting times.

Sec. 210-020 IPD Industrial Park District: Development Regulations

Minimum Lot Area:

43,560 square feet

Minimum Lot Width:

100 feet; or

150 feet without sanitary sewers

Maximum Density/Intensity:

1.0 Floor Area Ratio

Maximum Structure Height:

45 feet (agriculture structures are exempt)

An additional 15 feet is allowed for every 5 feet of additional front, side and rear yard setback increase

Minimum Front Yard Setback:

35 feet; or

50 feet when adjacent to arterial roadways

Minimum Side Yard Setback:

15 feet; or

25 feet when abutting a residential district

Minimum Street Side Yard Setback:

35 feet; or

50 feet when adjacent to arterial roadways

Minimum Rear Yard Setback:

25 feet

Maximum Lot Coverage for Structures:

60 percent of the lot area

Maximum Impervious Surface Including Structures:

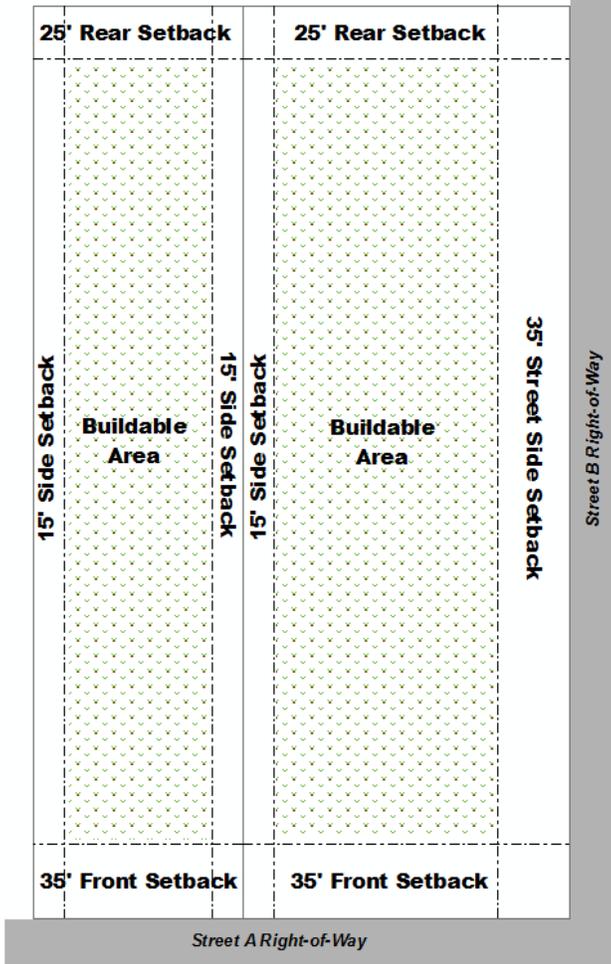
80 percent of the lot area

Sec 210-030 IPD Industrial Park District: Permissible Encroachments into Required Yards

1. Sidewalks leading from parking areas may encroach into a ten (10) foot portion of the required front yard farthest from the public rights-of-way line. Such encroachment is for the sole purpose of providing pedestrian access from parking areas to a building's doorways.
2. Any driveway entrance originating on the public street may encroach into the required front yard for the purpose of providing vehicular access from the public rights-of-way to the parking lot. Such driveway entrance shall not include turnarounds, parking lanes or parking areas.
3. No loading and maneuvering areas are permitted in any required front yard nor in any required yard abutting a residential district.

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Division 210 IPD Industrial Park District

Minimum Lot Width - 100'



Additional Standards that may Apply:

- Accessory Dwelling Units....Sec 250-040
- Accessory Uses & Struc.....Sec 250-030
- Agritourism Buildings.....Sec 260-035
- Barrel Warehouses.....Sec 250-320
- Brew pubs.....Sec 250-310
- Distillery & Brewery.....Sec 250-300
- Height.....Sec 330-010
- Home Occupation.....Sec 260-230
- Fences & Walls.....Sec 250-090
- Capacity of Infrastructure...Division 270
- Highway 53 Overlay Dist.Division245
- Historic Preservation.....Division 240
- Landscaping.....Division 300
- Lighting.....Division 310
- Parking.....Division 280
- Signs.....Division 290

Sec. 210-040 IPD Industrial Park District: Permitted Uses

All principally permitted uses in the C-1 Local Business District, C-2 Community Business District, C-3 General Business District, C-4 Highway Service District, and I-1 Light Industrial District are permitted **with the following exceptions and prohibitions:**

1. Blacksmith Shop or Horse Shoeing Establishment
2. Boat Building
3. Commercial Indoor Rifle, Pistol and Skeet Ranges
4. Feed Mixing Plant
5. Foundry
6. Killing or Dressing and/or Packaging of Poultry and Rabbits
7. Manufactures Home Sales and Service
8. Planing Mill
9. Sawmill, Raw Log or Veneer Processing
10. Storage and Sales of Solid Fuel such as Coal, Coke and Wood
11. Stable

Sec. 210-050 IPD Industrial Park District: Conditional Uses

All conditional uses permitted in the C-1 Local Business District, C-2 Community Business District, C-3 General Business District, C-4 Highway Service District, and I-1 Light Industrial District are permitted **with the following exceptions and prohibitions:**

1. Asphalt Processing and Road Mix Plant
2. Auto Auctions
3. Commercial Composting
4. Commercial Rifle, Pistol and Skeet Ranges
5. Concrete, Central Mixing and Batching Plants
6. Extraction and Development of Oil, Gas, and other Hydrocarbons
7. Extraction and Development of Other Natural Resources
8. Extraction of Minerals – Rocks and Earth Products
9. Fertilizer, Incineration or Reduction Products
10. Grain, Feed and Fuel Storage Sales
11. Ham Curing Operations
12. Land-farming Facility for Solid Waste
13. Livestock, Hog, or Cattle Feeding Yards
14. Lumber Yards, including Incidental Millwork
15. Single-Family Manufactured Homes
16. Slaughter Houses, Rendering Plants, or Similar Conditional Uses
17. Solid Waste Incinerators
18. Vehicle Wrecking and Salvage Operations

Sec. 210-060 Parking Area Standards

A. Parking Surfaces

All parking surfaces, including driveway entrances and outside storage areas, shall be paved with asphalt, concrete or paver blocks.

B. Parking Surface Completion & Maintenance

All 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.

All parking areas shall be landscaped in accordance with applicable regulations. Parking areas shall provide interior landscape areas of a least five (5) percent of the total parking/vehicle use area. One tree for every 250 square feet should be provided in the interior parking area.

C. Parking Prohibitions

All parking areas shall be prohibited from the required front yard setback and side yard setback. Driveway entrances may encroach in the front yard as provided in Section 210-030.

Oldham County Comprehensive Zoning Ordinance
Division 210 IPD Industrial Park District

Sec. 210-070 Outdoor Storage

A. Outdoor Storage Setbacks

All outdoor storage shall not be directly accessible by the general public, shall observe the following minimum setbacks measured from the public rights-of-way lines or property lines:

Front Yard – 100 feet

Side Yard – 15 feet

Outdoor storage shall not encroach in the above listed front yard or side yard. Outdoor storage shall be prohibited in required rear yards when adjoining residentially zoned properties.

There shall be no outdoor storage permitted for properties abutting an expressway. Outdoor storage shall not be permitted in areas set outside, required, or designated for driving aisles, driveways, maneuvering areas, emergency access ways or vehicular parking necessary to meet the minimum number of off-street parking spaces.

B. Outdoor Storage Screening

Outdoor storage shall be screened from view and not visible from public rights-of-ways and adjacent properties. Such screening may consist of privacy fence, wall or dense evergreen hedge.

C. Outdoor Storage Screening Completion & Maintenance

All outdoor storage area screening shall be installed prior to occupancy of the site. The required landscaping shall be installed in conformance of the approved plan, required prior to requesting a building permit, unless a full cash bond or an irrevocable letter of credit from a banking institution timeframe may be approved by the Oldham County Planning Commission staff on an individual basis. All outdoor storage screening shall be continuously maintained in a state of good condition and repair.

D. Outdoor Display and Sales

There shall be no outdoor display or sale of item(s) allowed in the IPD District.

Outdoor Sales: Placement of any item(s) outside a building in a non-residential zone for the purpose of sale or rent.

Outdoor Display: The exhibit of any item(s) outside a building in a non-residential zone as an example of product(s) available for sale or rent.

Sec. 210-080 Aesthetic Standards

A. Building Façade

1. The first floor of any building oriented towards the front property line shall have a façade comprised of one or a series of the following materials:

a. Textured Concrete Block

Oldham County Comprehensive Zoning Ordinance
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- b. Painted Scored Concrete Block
 - c. Brick
 - d. Tilt Up Concrete
 - e. Stucco Dryvit
2. The second floor of any building oriented towards the front property line shall have a façade comprised of the same material as the first floor or architectural metal.
 3. Accessory or auxiliary buildings shall be constructed of architectural metal or the same material as the principal building.

B. Loading Areas

All loading areas, including overhead doors, shall be oriented towards the side or rear property line. Loading areas oriented towards the front property line are prohibited. Loading docks are not permitted in the front or street side yards.

1. Exterior site lighting shall not be any more than one (1.0) footcandle at the property line.
2. Landscaping

a. Front Yard/Street Side Yard:

The required front and/or street side yard shall be landscaped with a continuous cover of grass or other type of ground cover. At a minimum, one tree per forty (40) feet of lot width shall be required, and such trees shall have a minimum two (2) inch caliper at the time of planting. Trees may be equally spaced or planted in groups. All parking areas and maneuvering areas must provide a three (3) foot tall continuous hedge, wall, fence, or berm or a decrease of three (3) feet in elevation from grade when adjoining a residential use or zone or a public or private street, access road or easement, service road, freeway or arterial street. Loading and unloading areas shall provide screening from street or adjacent properties in the form of a continuous hedge or evergreen screening.

b. Side Yard:

The required side yard shall be landscaped with a continuous cover of grass or other type of ground cover. Trees, a minimum of two (2) inch caliper at the time of planting, shall be placed in all side and rear yards in numbers equal to one tree per seventy-five (75) lineal feet of boundary. Trees do not have to be equally spaced. All side and rear yards shall provide a fifteen (15) foot landscape strip that must be maintained and be free of buildings and structures.

c. Yards Adjoining Residential Areas:

Side or rear yards adjoining residentially zoned properties shall be landscaped with a combination of earthen berms and evergreen tree plantings. Such earthen berms shall be a minimum of four (4) feet in height with evergreen tree plantings equally spaced a minimum of every eight (8) feet on top of the earthen berm. The required earthen berm shall be landscaped with a continuous cover of grass or other type of ground cover, and the required evergreen trees shall have a minimum two (2) inch caliper at the time of planting.

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d. Landscape Completion and Maintenance:

Landscaping shall be installed prior to occupancy of the site in conformance with the approved plan, required prior to requesting a building permit, unless a full cash bond or an irrevocable letter of credit from a banking institution with offices in Oldham County has been posted. An extension of the installation timeframe may be approved by the Oldham County Planning Commission staff on an individual basis. Landscaping shall be continuously maintained in a state of good condition and repair.

Sec. 210-090 Public Street Standards

A. Curb and Gutters

Public streets shall be designed and constructed with curbs and gutters.

B. Pavement & Rights-of-way Width

Public streets shall be designed and constructed with a minimum twenty-four (24) foot pavement width excluding curbs. Dedicated rights-of-way for local public or private streets shall have a minimum sixty (60) foot width.

C. Public Street Standards Exclusions

Public streets that have been identified by the legislative bodies as a minor or major arterial or collector street may be constructed at a different standard than those listed above in order to allow for flexibility in design and the possibility of future construction of additional traffic lanes.

Sec. 210-100 Driveway Entrances

A. Turning Radius

Driveway entrances shall be designed and constructed with a sufficient turning radius to prevent damage to the edge of pavement. The turning radius shall be determined for each lot based upon the anticipated types of vehicular traffic and width of the driveway entrance.

B. Headwalls

Headwalls for drainage pipes under driveway entrances shall be designed and constructed with a slope and flare.

Sec. 210-110 Utilities

A. Public Utilities

All new public utilities, with the exceptions of primary overhead electric power, telephone, and cable television, shall be installed underground.

B. Satellite Dishes, Storage Tanks & Antennas

Satellite dishes, storage tanks and antennas that are an accessory use to the principal structure may be installed in areas outside the required front yard or side yard.

DIVISION 220 SWF-1 SOLID WASTE FACILITIES DISTRICT

Sec. 220-010 SWF-1 Solid Waste Facilities District: Intent

The primary purpose of the Solid Waste Facilities (SWF-1) zoning district is to establish location and design standards that will:

1. Protect public health by preventing water pollution, air pollution, noise pollution, rodent infestation, or other health hazards that may occur as a result of the improper location, design, or operation of a solid waste facility.
2. Protect public safety and infrastructure by requiring proper design and construction of public streets and private driving facilities to accommodate the heavy equipment necessary for the collection, processing, transportation, and disposal of solid waste.
3. Promote compatibility with adjacent land uses by requiring adequate perimeter screening, activity setbacks, and careful review of subsequent land uses allowed on a property closed solid waste facility site.
4. Promote public welfare by providing a suitable location for the disposal of solid waste.

Sec. 220-020 SWF-1 Solid Waste Facilities District: Development Regulations

Minimum Lot Area:

None, except the site must be of sufficient area to accommodate the required yard setbacks, structures, driving facilities, parking areas, storage areas, processing areas, disposal areas and any minimum citing standards set forth in the Oldham County Solid Waste Ordinance Nos. KOC-94-800, KOC 97-830-53 and KOC 99-830-199.

Minimum Lot Width:

None

Maximum Structure Height:

50 feet (agriculture structures are exempt)

Minimum Front Yard Setback:

100 feet

Minimum Side Yard Setback:

100 feet

Minimum Street Side Yard Setback:

100 feet

Minimum Rear Yard Setback:

100 feet

Maximum Lot Coverage for Structures:

N/A

Maximum Impervious Surface Including Structures:

N/A

Sec. 220-030 Special Setback Requirements

1. The driveway entrance road originating on the public street may encroach in the required yard setback area. Such driveway entrance road shall not consist of turnarounds, pulloffs, parking lanes or parking areas.
2. The required yard setback area shall remain undisturbed except for the installation of buffering provisions specified in this regulation.
3. All facility structures or land or water areas where solid waste management, processing or disposal is physically located or conducted shall observe the following setbacks from property lines, measured from the outside boundary of the structure or area:

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- Front Yard Setback – 250 feet
- Side Yard Setback – 250 feet
- Street Side Yard Setback – 250 feet
- Rear Yard Setback – 250 feet

4. All facility structures or land or water areas where solid waste management, processing, or disposal is physically located or conducted shall observe the following minimum distances, measures from the outside boundary of the structure of the area:
- Residential Structure – 1,000 feet
 - School or Church Property Line – 1,000 feet
 - Public Park Property Line – 1,000 feet
 - Institutional Structure – 1,000 feet
 - Industrial Structures – 500 feet

(Any structure or use listed above and located on the same property as the solid waste facility will not be required to observe the minimum distances.)

The Commission or Board of Adjustments may require greater minimum distances than set forth above if determined to be in the public’s best interest.

The appropriate Board of Adjustments retains authority to grant a variance from the minimum distances in accordance with KRS 100 and Division 350 of this ordinance.

Sec. 220-040 SWF-1 Solid Waste Facilities: Permitted Uses

Solid Waste or domestic septage site or facility, including any place at which solid waste or domestic septage is managed, processed or disposed, including:

1. Contained Landfill
2. Construction Demolition Debris Landfill
3. Residual Landfill
4. Landfarming or Landspreading Facility, including but not limited to any land application of domestic septage or sewage
5. Commercial Recycling Centers
6. Recycling Facility
7. Transfer Facility
8. Solid Waste Incinerators
9. Convenience Centers
10. Commercial Composting
11. Salvage Yards
12. Sanitary Landfills
13. Metal, Glass and Paper Recycling Plant
14. Vehicle Wrecking and Salvage Operations

Oldham County Comprehensive Zoning Ordinance
Division 220 SWF-1 Solid Waste Facilities District

15. Any other solid waste site or facility for solid waste or domestic septage management, processing or disposal by landfilling, incineration, landfarming, landspreading or any other method
16. Accessory structures incident to any of the above uses
17. Any use which, in the opinion of the Commission, is of the same general character as those listed above.

Sec. 220-050 Access to Public Streets

A transportation plan must be submitted to show the public street routes to be used for heavy truck traffic to and from the facility. Particular attention shall be given to the proper location and design of vehicular access to the public street network. Attention shall be given to the adequacy of the public street network serving the SWF-1 District to insure safe heavy truck traffic. The plan must demonstrate that heavy truck traffic associated with the solid waste facility, particularly traffic traveling through residential areas, narrow streets or bridges (less than 18 feet in width), low underpasses, grade railroad crossings, steep grades on streets, and streets lacking shoulders, will not pose a hazard to public safety. Provisions for the safe design of driveway entrances, deceleration turn lanes, and signage shall be set forth in the plan.

Access to public streets shall be a minimum of twenty (20) feet in width and must be properly permitted by the state.

The requirement that any heavy truck traffic not pose a hazard to public safety may be addressed by obtaining written comment from the appropriate transportation agency responsible for the maintenance and improvement of the subject public street. These written comments must address the public safety issue of allowing heavy truck traffic on an inadequate road and may include specific construction measures to be undertaken to address the inadequacies.

Sec. 220-060 Driving Facilities

The minimum driving facilities shall be constructed:

1. Driveway entrance roads shall be paved with an all weather surface material and no-dusting material, such as asphalt, concrete or paver blocks, a distance of 250 feet from its entrance with the public street.
2. Driveway entrance roads shall be of sufficient width to accommodate two-way heavy truck traffic as recommended by the county engineer or the State Transportation Cabinet.
3. Drop-off and sorting areas and pads shall be constructed of an all weather surface material and non-dusting material, such as concrete, asphalt or paver blocks.
4. All driveways, internal roads, and parking areas, with the exceptions listed above, shall be constructed with gravel or a non-dusting material such as asphalt, concrete or paver blocks. The construction standard and maintenance of driveways, internal roads, and parking areas shall be sufficient to prevent the tracking of mud or debris onto the public streets. If these conditions cannot be met or there is tracking of mud or debris onto the street, wheel washers shall be installed on site.

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Division 220 SWF-1 Solid Waste Facilities District

Sec. 220-070 Buffering

Particular attention shall be given to the installation and maintenance of buffering to adequately screen the SWF-1 District from adjoining properties and public rights-of-way. Buffering measures may include earthen berms, existing mature tree lines, evergreen plantings, screening fences, and ridges or slopes. A buffering measure or any combination of buffering measures must adequately screen the solid waste facility from the adjoining properties and public rights-of-way. Earthen berms shall not exceed four (4) feet in height and be constructed in a manner to prevent slumpage and erosion. Earthen berms shall be seeded with a permanent grass cover and properly maintained.

The buffering measures are to be located with the setback areas specified above and along the entire perimeter of the SWF-1 District.

DIVISION 230 PUD PLANNED UNIT DEVELOPMENT DISTRICT

Sec. 230-010 Planned Unit Development District: Intent

A Planned Unit Development (PUD) is defined as an area with a specified minimum contiguous acreage to be developed as a single entity according to a plan for residential and non-residential uses. PUDs usually include provisions for the clustering of buildings, a mixture of land uses and building types, preservation of natural resources, and promotion of common open space. The purpose of PUD regulations is to encourage and allow more creative and imaginative design of land development than is possible under conventional zoning regulations. This can be achieved by providing more flexibility in terms of development standards and requirements such as setback and yard area, lot size and dimensions, and building height. Ideally, this flexibility results in a development that is better planned, contains more amenities, is more desirable to live and work in and, ultimately, provides substantial benefits to the community environment compared to the conventional zoning districts.

A Planned Unit Development shall be a design alternative and not a density alternative. Each PUD shall be properly 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.

Sec. 230-020 General Standards and Requirements

The following are general standards and requirements for Planned Unit Developments:

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1. Comprehensive Plan: A PUD must comply with the goals and objectives of the currently adopted Oldham County Comprehensive Plan.
2. Size and Ownership of Site: The minimum size of an area required for a PUD zone shall be no less than ten (10) contiguous acres under single ownership and/or unified control.
3. Mixed Use Development: A PUD shall generally have a mixed-use orientation (combination of residential of various densities, commercial, institutional, recreational, and/or industrial uses) including accessory uses.
4. Compatibility: Measures shall be taken to assure compatibility of land uses within a PUD itself and with adjacent sites. When a PUD abuts a lower density/intensity land use or zoning district, a fifty-foot (50') perimeter landscape buffer shall be provided in all areas of the PUD adjacent to the lower density/intensity land use.
5. Open Space: A minimum of ten percent (10%) of the land area should be set aside for Open Space. A PUD with primarily residential use (more than fifty percent of the land area used for residential), a minimum of twenty-five percent (25%) of the land area should be set aside for Open Space.
 - a. At least seventy percent (70%) of the required Open Space shall be Common Open Space;
 - b. Open Space shall be distributed equitably throughout the PUD for easy access by all residents or property owners;
 - c. A minimum of five thousand (5,000) square feet of contiguous area is required in order to be considered as Open Space.
 - d. Privately-owned residential lots less than ten (10) acres shall not be included in the Open Space calculations;
 - e. Open Space restrictions or easement shall be permanent;
 - f. No more than fifty percent (50%) of the required Open Space shall be covered by water; and
 - g. Amenities for community use may be included within the Open Space calculations.
6. Preservation of Natural Resources and Existing Site Features: To the greatest extent possible, the following natural resources and existing site features shall be preserved and incorporated into the project design:
 - h. Archeological sites, historic sites and cemeteries;
 - i. Existing significant trees (a diameter breast height of twenty-four inches (24") or greater);
 - j. Habitat for endangered or threatened species;
 - k. Healthy mature woodlands (total combined canopy covers one (1) acre or more);
 - l. Slopes greater than twenty percent (20%) of at least five thousand square feet (5,000'²) contiguous area;
 - m. The 100-year floodplains;
 - n. Water courses, water bodies over five thousand (5,000) square feet contiguous area; and,
 - o. Wetlands meeting the Army Corps of Engineers' jurisdictional wetland standards.
7. Pedestrian Orientation: In general, a PUD shall have a pedestrian orientation. Sidewalks and/or trails shall be provided.

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8. Multi-Modal Transportation Systems: A PUD shall incorporate multi-modal transportation elements through the development depending on the foreseeable needs of future residents and users of the site and the relationship of the project site to the community at large. Such multi-modal elements may include provisions for mass transit stops or stations, car pooling lots, pedestrian and bicycle paths and lanes, and bicycle parking areas.
9. Transportation Connections and Entry Points: The provision of transportation connections (street connections, pedestrian paths and sidewalks, bicycle facilities) shall be provided in all PUDs unless physically unfeasible or undesirable due to land use characteristics. In addition, the various entry points into a PUD shall be marked or otherwise defined through the use of professionally designed landscaping, signage, architectural or sculptural elements, archways, markers and lighting when appropriate.
10. Architecture: An architectural theme shall be provided in PUDs. The architectural theme shall relate to existing structures on the project site and adjacent sites, especially if such existing structures are historic. The use of architectural guidelines is required for multi-phased projects.
11. Landscaping: A PUD may establish alternative landscaping and buffering standards in lieu of the current Landscaping Regulations. However, street trees and screening of parking that adjoins public rights of way shall be provided. The use of landscape design guidelines is required for multi-phased projects.
12. Signage: A PUD may establish alternative signage standards in lieu of the current Signage Regulations. A consistent signage theme shall be provided within a PUD. The use of signage design guidelines is required for multi-phased projects.
13. Lighting: A PUD may establish alternative lighting standards in lieu of the current Lighting Regulations. A consistent lighting theme shall be provided within a PUD. The use of lighting design guidelines is required for multi-phased projects.
14. Fencing Walls and Gates: A fencing and wall theme shall be provided within a PUD. The use of fencing and wall design guidelines is required for multi-phased projects.
15. Roads: All roads shall be constructed in accordance with the requirements and standards in the Roadway Construction Standards for Oldham County as found in the Oldham County Subdivision Regulations.
16. Capacity Analysis: Traffic impact analysis, utility capacities, school capacity and other capacity analyses may be required.
17. Digital submission of plans: The Developer shall place public monumentations within the PUD, and submit plans in digital format (in addition to paper format) in accordance to the digital submission standards as established by Oldham County.
18. Compliance with Other Regulations: Unless expressly authorized by the provisions of this Article and specifically approved as part of a PUD, none of the otherwise applicable Regulations and Ordinances may be waived or reduced as part of a PUD approval.

Sec. 230-030 Uses Permitted and Prohibited

The following are general standards and requirements for Planned Unit Developments: Most uses or mixture of uses may be approved within a PUD, provided that uses within the site are compatible and not

Oldham County Comprehensive Zoning Ordinance
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injurious to the adjacent neighborhood or otherwise detrimental to the public health, safety, moral or general welfare. Only the specific uses proposed in an approved application shall be allowed in the district.

The following uses are prohibited in a PUD either as a single use or as part of a mixed use:

1. Adult Entertainment
2. Building-mover and wrecker's establishment
3. Confined animal feeding operations
4. Feed mixing plant
5. Foundry, casting of metals
6. Killing or dressing and/or packaging of poultry and rabbits
7. Manufactured home sales and service
8. Planing mill
9. Quarry, gravel pit or stone mill
10. Railroad repair shop
11. Rock, sand, slag or gravel distribution
12. Rolling mill
13. Salt works
14. Saw mill, raw log or veneer processing
15. Slaughter houses and the rendering of lard
16. Solid fuel such as coal, coke and wood storage and sales
17. Storage and distribution of explosives or inflammables, garbage, offal or dead animals, rags, metal or junk, petroleum and petroleum byproducts in excess of an amount necessary for use of the premises
18. Truck Terminals
19. Uses related to Solid Waste excluding fill area for construction site and material used during construction
20. Wholesale lumber storage, millwork and sales
21. Other Heavy Industrial Uses
22. Other uses as determined by the Commission as not appropriate

Sec. 230-040 Density, Intensity and Dimensional Standards

Density, intensity, dimensional and bulk standards (i.e. lot size, lot width, setback, and height standards) shall be established for each proposal as part of the PUD approval.

Sec. 230-050 Phased Development

A PUD may be developed in one phase or multiple phases. For a multiple-phased development, the required Master Plan must cover the entire site. A Development Plan may cover one section of the PUD and may be submitted in phases. In the event that the developer seeks to modify the approved time schedule, such modification shall require the approval of the Commission. The Commission shall, in deciding whether to grant approval of the modification shall consider the availability and capacity of public facilities to accommodate the proposed developments.

Sec. 230-060 Procedures

A PUD approval includes five (5) steps. The first step, concept plan review, requires a pre- application conference with Commission staff and a neighborhood meeting. The second step is to secure approval of the Master Plan by the Commission and the appropriate legislative body to make a zoning map amendment. The third step, Development Plan Review (can substitute the Preliminary Plan for Subdivisions), may cover an entire development site or a section of the development and is approved by the Commission. The fourth step, consisting of the Construction Plan and Record Plat Review, is required under the Subdivision Regulations and is approved by the County Engineer and the Commission Staff. The final step, Site Plan review, must be approved by the County Engineer and the Commission Staff before any building permits can be issued for all uses other than Single-Family Detached dwellings.

1. **Concept Plan Review:** A Concept Plan (or Sketch Plan) shall be prepared for a neighborhood meeting and may be used for discussion with Planning and Zoning staff. The Concept Plan should show the following:

Boundary and approximate acreage of the subject property; the general location of existing natural and cultural resources; the general location of proposed access points along the existing road network; the general location of proposed land uses; approximate residential units proposed and approximate square footage of non-residential uses; and existing and proposed streets.

- a. Pre-Application Meeting: If a property owner proposes a PUD district, he or she shall meet with Planning and Zoning staff prior to the submission of a Master Plan. The purpose of the meeting will be to discuss the purpose and effect of this Article and the criteria and standards which may apply, and to outline the procedures and tentative schedule for the process. Upon completion of the Concept Plan, the applicant may request another meeting with Planning and Zoning staff for review of the Concept Plan. The applicant may choose to combine these two meetings.
 - b. Neighborhood Meeting: A meeting with identified neighbors (tier one property owners and owners of properties located within five hundred feet (500') of the PUD) is required to facilitate the identification and possible resolution of community concerns. The applicant will need to provide the Commission staff with a list of adjoining property owners as well as certification that each property owner listed was notified of the meeting at least 14 days prior to the meeting. The applicant shall submit with the zoning map amendment request a sign-in sheet from the meeting and a brief statement detailing issues raised at the required meeting with the neighbors and solutions proposed.
2. **Master Plan Review:** Following the pre-application meeting(s) and neighborhood meeting, a Master Plan shall be prepared and submitted for review, accompanied by a filing fee and an application for a zoning map amendment.

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- a. Technical Review Committee: The Master Plan shall be submitted for review by the Technical Review Committee. Comments from the Technical Review Committee should be addressed and incorporated into the Master Plan as much as possible.

- b. Planning and Zoning Public Hearing: Upon receipt of an application for approval of a Master Plan and zoning map amendment, the Commission shall hold a public hearing after notice as required under Kentucky Revised Statutes, Chapter 424. After the public hearing, the Commission shall find:
 - i. that the Master Plan is consistent with the intent, purpose, requirements and standards of this Article;
 - ii. that the proposed development advances the general welfare of the community and neighborhood;
 - iii. that the benefits, combination of various land uses, innovation of physical design and the inter-relationship with the land uses in the surrounding area justify any deviations from conventional zoning districts; and
 - iv. the proposed development and zoning map amendment are in agreement with the adopted Comprehensive Plan.

The Commission will make a recommendation to the legislative body for either approval, approval with conditions, or denial of the Master Plan and zoning map amendment.

- c. Appropriate legislative body or bodies: Following action by the Commission, the application shall be considered by the appropriate legislative body or bodies. Based on the application as amended and the recommendation of the Commission, the legislative body or bodies shall approve, remand to the Commission for amendments or additions or deny the application. If the application is approved by the appropriate legislative body or bodies, this approval constitutes a commitment to the general layout of the project, planned land-use types, density/intensities, design treatments and other particulars as shown on the Master Plan. However, the approval of the Master Plan shall not be construed to endorse engineering feasibility of plan elements that do not meet the development standards of the Comprehensive Zoning Ordinance or the Subdivision Regulations unless an exception is specifically granted through the review and approval of the Master Plan.

- d. Zoning Map Amendment: A property is rezoned to a PUD upon approval of the Master Plan by the appropriate legislative body or bodies having zoning authority over the subject property. The Commission shall maintain records of the Master Plan and all conditions or binding elements the Commission and the legislative body or bodies have approved pertaining to the zoning map amendment. The official Zoning Map shall be amended to reflect the new PUD zoning of the subject property.

A Development Plan for all of a PUD or a section of a PUD shall be submitted for approval within twenty-four (24) months of the date of the Master Plan approval. The developer may

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request an extension in writing to the Commission prior to the expiration date for additional twelve (12) months. Two subsequent requests may be made in writing for additional periods of time of no more than twelve (12) months each. As part of the Master Plan extension approval, the Commission may request updated infrastructure impact analyses, such as a new traffic study.

3. **Development Plan Review:** After approval of a Master Plan and Zoning Map Amendment, a Development Plan shall be submitted for review, accompanied by a filing fee.
 - a. Technical Review Committee: The Development Plan for the entire PUD site or any one phase of the PUD shall be submitted for review by the Technical Review Committee. Comments from the Technical Review Committee should be addressed and incorporated into the Development Plan.
 - b. Planning and Zoning Commission Public Hearing: This Development Plan can also serve the purpose of a Preliminary Plan for subdivisions. The Commission shall review the Development Plan to determine compliance with the approved Master Plan, specific guidelines and requirements of this Article, and the terms of any prior conditional approval of the project. If the Commission finds that the Development Plan is not in compliance with the approved Master Plan, the applicant may (a) revise the Development Plan to comply with the approved Master Plan; or (b) apply for an amendment to the approved Master Plan. The Commission shall then approve the Development Plan, approve it with conditions, or deny it and state the reasons for denial.

Approval of a Development Plan shall be valid for two (2) years during which time the developer shall obtain approval of Construction Plan and Record Plat (if any). Extensions may be granted in accordance with the Subdivision Regulations.

The applicant has the option to submit the Development Plan simultaneously with the Master Plan Review and zoning map amendment application. In such cases any approval of Development Plans must be conditioned upon the approval of the Master Plan and zoning map amendment. If the approved Master Plan includes any additions or conditions by the legislative body, any Development Plan undergoing simultaneous review will be subject to those additions or conditions and may be reviewed by the Commission again to ensure compliance with the approved Master Plan.

4. **Construction Plan and Record Plat Review:**
 - a. **Review of Construction Plan:** The applicant shall obtain approval of Construction Plans in accordance with the Subdivision Regulations.

A Soil and Erosion Control Plan shall be submitted prior to or simultaneously with the Construction Plan and shall comply with the Oldham County Stormwater Ordinance. No land-disturbing activities shall begin prior to issuance of a Soil and Erosion Control

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Permit beyond what is necessary for site analysis and plan design. In addition, land-disturbing activities on slopes greater than twenty percent (20%) shall be required to prepare a geotechnical survey report. The geotechnical survey report shall be prepared by a professional engineer licensed in the State of Kentucky whose area of practice includes geotechnical engineering. The report shall include mitigation measures as needed to ensure stability and minimize environmental impact during site preparation and construction.

- b. **Review of Record Plat for Subdivisions:** The applicant shall obtain approval of the Record Plat in accordance with the Subdivision Regulations. Prior to approval of a Record Plat, the following information shall be filed with the Commission and approved by the Commission attorney:
 - i. Conservation easements and/or supporting covenants shall be filed among the land records that enumerate the property owners' association and all successors' obligations for perpetual maintenance of all common and private open space;
 - ii. Documentation of approval of any receiving entity (such as a public agency or a land trust) that is different than the property owners' association if any open space is to be dedicated to that entity.

- 5. Site Plan Review:** Prior to the issuing of building permits, site plans, accompanied by filing fees, shall be submitted for review for all uses other than Single-Family Detached dwellings for approval by the County Engineer and the Commission staff. All site plans shall be prepared in accordance with the Site Plan Review requirements established under the Planning and Zoning Administrative Policies.

The developer or the property owners' association or its designee will be required to certify conformance with deed restrictions and architectural standards prior to submittal of the site plan for review and approval.

Sec. 230-070 Conditions of Approval in Master Plan and Development Plan

Conditions of approval in a Master Plan and in a Development Plan may be written or graphic and, where agreed upon by the Commission or the appropriate legislative body, shall become a fundamental part of the Master Plan or Development Plan.

Sec. 230-080 Amendments to an Approved Master Plan or Development Plan

Any amendment to the Master Plan or Development Plan (including maps and reports) must be approved by the Commission.

Variations do not apply to PUDs because the specific development standards of the PUD district are contained in the approved Development Plan for each PUD, and because the Development Plan normally takes into account those matters which might otherwise be the subject of variance review by the Boards

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of Adjustments. Amendments to an approved Master Plan and Development Plan shall follow the following procedure:

- a. **Minor amendments:** The Administrator is authorized to approve minor changes to the approved Master Plan or Development Plan. Minor changes include decrease in density and intensity, consolidation and shifting of lot lines, land use and street modifications that would not negatively affect adjacent properties.

The Administrator must present any major amendment to an approved Master Plan or Development Plan to the Commission prior to approval.

- b. **Major amendments:** Major amendments include reduction in lot sizes, increase in density or intensity, street modifications that would affect adjacent properties, change in points of street access onto existing streets, change in the time schedule, changes in the supplemental conditions of approval or other changes deemed major by the Administrator.

The Commission may review and approve major amendments to the approved Master Plan or Development Plan without a public hearing. The Commission may require a public hearing for the amendment when it deems necessary.

Sec. 230-090 Master Plan Requirements

The applicant seeking zoning map amendment for a PUD district is required to prepare a Master Plan for approval either prior to, or concurrent with, any Development Plan. The Master Plan shall be prepared according to the following requirements:

1. **Master Plan Maps:** This map or maps shall be drawn and submitted at a scale not less detailed than one inch equals two hundred feet (1"=200'), or other scale acceptable to the Commission staff.
 - a. **Existing Condition Map(s):**
 - i. **Title Block:** The Master Plan shall contain a title block placed in the lower right hand corner of the plan showing the name of the development preceded by the words "Master Plan"; the names, mailing addresses, telephone numbers of the property owner, the developer and the person or firm preparing the plan; date of preparation; and graphic and written scale.
 - ii. **Vicinity Map:** A sketch map with a north arrow showing the relative location of the proposed development to surrounding streets and community facilities. County and City boundary lines shall also be shown within one half mile of the PUD.
 - iii. **Boundary Lines:** The location, distances and bearings for property boundary lines per deed or survey. Site identification shall include a list by tax map and parcel number of all existing parcels to be rezoned.

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- iv. **Adjacent Property:** Names, addresses, parcel numbers and approximate boundary lines of all properties adjacent to or across any streets or water bodies from the subject property and properties within 500 feet of the subject property as shown on the most recent tax records. Properties located across I-71 or the Ohio River from the subject property are not required to be shown.
 - v. **Existing Zoning:** Zoning and density/intensity of existing development, if any.
 - vi. **Existing Topography:** Topographic contours at two (2) foot intervals referenced to established and published sea level datum and mapping shall be to national standards of mapping and of sufficient detail to show the general character of the land. Natural slopes greater than twenty percent (20%) of 5,000 square feet or more shall be graphically indicated and labeled.
 - vii. **Other Existing Natural Features:** Areas of substantial existing trees including a general description of their type and size; marshes, water bodies, water courses, 100-year floodplains, wetlands, soil types; and other natural features which might affect the design of the subdivision.
 - viii. **Existing Historic Structures:** Locations, dimensions, dates of construction, and architectural styles of historical structures and sites, original accesses to historical structures and sites for all structures, buildings, and sites
 - ix. **Other Existing Manmade Features:** Manmade features such as overhead utilities, houses, barns, outbuildings, fence rows, streets, driveways, cemeteries, railroads, and other manmade features which might affect the design of the subdivision.
 - x. **Existing easements and deed restrictions:** Location, width and purpose of all easements and mineral rights and the nature and location of deed-restricted areas.
 - xi. The location and name of all existing streets, sidewalks and existing land uses.
 - xii. Such additional information as the Commission and staff may require.
- b. **Master Plan Map(s):**
- i. A general land use plan indicating the proposed land uses, including the proposed types of residential and nonresidential uses. The location and acreage of each proposed use.
 - ii. A circulation plan showing the layout of proposed streets, bikeways, pedestrian paths and other multi-modal elements such as the location of proposed transit shelters within the planned development and any proposed improvements to the existing transportation system outside the planned development.
 - iii. An open space plan showing the general location and acreage of open space areas to be set aside for conservation and recreational purposes with an indication for each whether it will be privately-owned or commonly-owned open space.
 - iv. A community facility plan indicating the location and acreage of proposed community facilities and civic uses.

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- v. A general utility plan indicating the general locations for main utility lines serving the proposed PUD including water, sanitary sewer, natural gas, electric power, telephone and cable TV.
- vi. A stormwater management plan: indicating how existing drainage conditions would be changed as a result of the proposed development and the general location of proposed detention and retention basins.
- vii. A landscaping plan showing the general location of proposed landscaping.
- viii. Such additional information as the Commission and staff may require.

2. Master Plan Report:

- a. Ownership and Legal Description of Site: A legal description per deed or survey of the proposed PUD site submitted along with the signature(s) of property owner(s).
- b. Purpose and intent: A statement indicating the purpose and intent of the project and the applicant's statement of how the project complies with the Comprehensive Plan and the General Standards of this Article.
- c. A sign-in sheet from the required neighborhood meeting and a brief statement detailing issues raised at the required meeting with the neighbors and solutions or consolations presented or proposed. A copy of the sign-in sheet and statement shall be mailed by the developer to each identified neighbor whether present or absent at the meeting.
- d. Land Use: A description of the mix of land uses and the factors which ensure compatibility both within the development site and with adjacent land uses.
- e. Circulation: An analysis for pedestrian, bikeway and vehicular circulation describing the general design capacity of the system as well as access points.
- f. Street design standards: Minimum pavement width, right-of-way width, presence of curbs, on-street parking, street trees, street furniture, bikeways, sidewalks, and street cross-sections for each type of street classification proposed.
- g. Site design standards: specifying density, intensity, dimensional and bulk standards (i.e. minimum lot size, minimum lot width, minimum setbacks, maximum Floor Area Ratio, and maximum and minimum building height standards), maximum lot coverage and frontage of building facades for all uses.
- h. Architectural design standards: specifying materials and configuration permitted for walls, roofs, openings and other elements, or architectural guidelines to be incorporated into the PUD's Master Declaration of Covenants and Restrictions and administered by an architectural review committee.
- i. Stormwater management: describing pre- and post-runoff conditions of downstream drainage systems, types of planned drainage facilities and proposed mitigation of negative impacts.
- j. Impact: School, water, sanitary sewage facility impact estimates.
- k. Propose standards for the following:
 - i. Signage;

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- ii. Exterior lighting;
 - iii. Landscapingl
 - iv. Fencing, walls and gates; and,
 - v. Off-street parking.
- l. Statistical information including the following:
- i. Gross acreage of the site, plus net acreage of the site excluding jurisdictional wetlands, 100-year floodplains, water bodies, and slopes greater than twenty percent (20%);
 - ii. The maximum number of dwelling units requested;
 - iii. The maximum amount (gross leasable area) of retail, office, industrial and any other non-residential uses;
 - iv. The minimum amount of land devoted to open space expressed in acres and as a percentage of the gross acreage of the site for passive and active uses; and,
 - v. The minimum amount of land devoted to civic uses expressed in acres and as a percentage of the gross acreage of the site.
- m. Slopes greater than twenty percent (20%) of at least 5,000 square feet contiguous area: a general statement of impact of the development as well as mitigation measures shall be included.
- n. A schedule for the proposed development (or for each phase, if it is to be developed by phases) containing the following information in order to show generally how the applicant will complete the project:
- i. The order of construction by phase delineated on the Master Plan;
 - ii. The anticipated time required to develop each phase;
 - iii. The proposed schedule for construction of improvements to open space areas;
 - iv. The proposed schedule for the installation of required public roadways, utilities or other infrastructural improvements, utility relocations, and the dedication of public rights of way, easements and properties.
- o. Such additional information as the Commission and staff may require.

Sec. 230-100 Development Plan

The applicant shall prepare a Development Plan to proceed with a PUD. Development Plans shall be prepared by a design team consisting of a professional engineer licensed in the State of Kentucky and one or more of the following: a professional architect licensed in the State of Kentucky, a certified planner, a professional land surveyor licensed in the State of Kentucky or other professionals. In lieu of a Preliminary Subdivision Plan, a Development Plan consisting of a set of maps and a written report shall be prepared according to the following requirements.

1. **Development Plan Maps:** This map or these maps shall be drawn and submitted at a scale not less detailed than one inch equals one hundred (100) feet, or other scale acceptable to the Commission staff and shall contain the following:
- a. Title Block: The Development Plan shall contain a title block placed in the lower right hand corner of the plan, showing the name of PUD preceded by the words “Development

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Plan”; the names, mailing addresses, telephone numbers of the property owner, the developer, and the person or firm preparing the plan; date of preparation; and graphic and written scales.

- b. Master Plan Maps: All maps included in the Master Plan shall be provided.
- c. Property Line Survey: A property survey (including the entire PUD) certified by a professional Land Surveyor licensed in the State of Kentucky is required.
- d. Proposed Streets: Location, name and widths of all proposed street and alley rights of way within or adjacent to the proposed project; access points designated for use by construction vehicles; total trip generation projected for the development; street classification of each street within or adjacent to the project in accordance with intended use based on design and total trip generated, such as local, collector, or arterial, which shall be shown within parentheses next to the existing and proposed street names.
- e. Proposed sidewalks, trails and other multi-modal transportation facilities: The location and width of all proposed sidewalks, trails and other multi-modal transportation facilities shall be shown.
- f. Proposed Land Uses: Location and proposed land uses which shall include the following information:
 - i. Total acreage of all uses, total acreage of each individual use and acreage of each individual section or phase, if any;
 - ii. Gross density/intensity of all uses and the gross density of each individual section or phase, if any;
 - iii. Net density/intensity of all uses and the net density of each individual section or phase, if any;
 - iv. Total number of dwelling units by types and the number of dwelling units by types of each individual section or phase, if any;
 - v. Overall floor area ratio and the floor area ratio of each individual nonresidential section or phase;
 - vi. Number of off-street parking spaces;
 - vii. Total square footage of each nonresidential uses (commercial, industrial, community facilities, etc.) and each nonresidential building;
 - viii. Types, acres and locations of common open space and amenities; and,
 - ix. Lot lines, lot dimensions, areas of each lot and lot numbers.
- g. Building Elevation: Typical front elevation views for all proposed uses.
- h. Street and Exterior lighting: Typical street lighting and exterior lighting.
- i. Sections of streetscapes: Cross sections of typical streetscapes including centerline of streets, width of streets or lanes, on-street parking if any, curbs, street trees, sidewalks, building setbacks, front portion of typical buildings.
- j. Signs: For commercial and industrial projects, conceptual sign plans showing sign type, size and location must be included.
- k. Open space: The design and location of private and public open space must be shown.
- l. Utility Easements: Show the location of utility easements.

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- m. Such additional information as the Commission and staff may require.
2. **Development Plan Report:** A written report on Development Standards shall be submitted, which will explain the type, nature, size, intent and characteristics of the proposed development and shall include the following information:
- a. General description and location.
 - b. The physical and socio-economic reasons as to why the uses proposed in the PUD
 - c. would produce a better overall use of this property over the conventional zoning.
 - d. The proposed provision of utilities, including water, sanitary sewer and drainage facilities.
 - e. The proposed methods for protection of abutting properties.
 - f. The proposed densities and total number of acres or square footage for each type of land use, including public facilities and common open space or recreational areas.
 - g. The proposed maintenance and ownership agreements for any streets and common open spaces not proposed for dedication to a public entity.
 - h. The proposed standards of development for all proposed uses, including restrictions on the use of property, lot sizes, setback requirements, height restrictions and proposed covenants.
 - i. A general statement addressing lighting proposed for the development.
 - j. A general statement addressing tree preservation and protection during construction and landscaping proposed for the development.
 - k. A general statement addressing sign controls proposed for the development.
 - l. A general statement indicating the substance of restrictive covenants, grants of easements, or other restrictions imposed, or to be imposed, upon the uses of the land, buildings and structures in the development including proposed easements for utilities and greenways.
 - m. A statement describing the probably impact of the development on the following:
 - i. Water facilities;
 - ii. Sewer facilities;
 - iii. Public roadways;
 - iv. Stormwater runoff;
 - v. Schools; and
 - vi. Police, fire, and recreational facilities.
 - n. Such additional information as required by the Commission or staff.

Sec. 230-110 Site Plan Requirements

- 1. **Applicability:** Site plan approval shall be obtained for all developments other than those for Single-Family Detached dwellings located in a Planned Unit Development (PUD) district that meet one or more of the following criteria:
 - a. New construction;
 - b. An addition/expansion that will contain more than five hundred (500) square feet; and,

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- c. An addition/expansion that will contain more than fifty (50) percent of the original square footage.

2. Specific Information Required: Site plans shall be drawn and submitted at a scale not less than one (1) inch equals fifty (50) feet, or other scale acceptable to the Commission staff. All site plans shall contain the following:

- a. Name of PUD in which the site is situated.
- b. Address and lot number of the site.
- c. Vicinity map drawn to scale of one (1) inch equals one thousand (1,000) feet or other scale acceptable to the Commission staff, which shall include streets and corporate limit lines within a one-half (0.5) mile radius of the site.
- d. Names, addresses and telephone numbers of the owner and the applicant.
- e. City, county and state.
- f. Date.
- g. Names, addresses, telephone numbers, and seals (on the section of the plan that they prepare) of all professional consultants participating in the preparation of the site plan.
- h. North arrow with basis of meridian stated.
- i. Acreage or square footage of the site.
- j. Minimum required front, side and rear setback lines.
- k. Location of the 100-year floodplains per FEMA maps or other data.
- l. Wetlands meeting the Army Corps of Engineers' jurisdictional wetland standards.
- m. Linear and nonlinear water bodies.
- n. Existing and proposed land contours showing vertical intervals no greater than two (2) feet based on national mapping standards or equivalent.
- o. Name of owner(s), address and tax parcel numbers of adjoining properties.
- p. Bearings and distances for all boundaries of the site.
- q. A sheet showing all proposed improvements overlaid on the existing topography indicating what natural features will be destroyed or disrupted.
- r. Existing and proposed easements with dimensions and designated type.
- s. Existing and proposed locations, types and sizes of the following:
 - i. Water lines.
 - ii. Fire hydrants.
 - iii. Sanitary sewers.
 - iv. Stormwater infrastructure.
 - v. Culverts with inlet and outlet elevations.
 - vi. Street improvements.
 - vii. Electric lines.
 - viii. Gas lines.
 - ix. Any other utilities or services that serve or affect the site.
- t. Parking layout and traffic control plan to include the locations and dimensions of the following:

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- i. Vehicle entrances, exits and drives.
 - ii. Handicapped entrances, exits, walks and ramps.
 - iii. Vehicle parking spaces.
 - iv. Widths of vehicular traffic aisles.
 - v. Truck loading and unloading spaces and docks.
 - vi. Proposed traffic control devices.
- u. Location, style and material of proposed screening, fencing and walls.
- v. Landscaping plan drawn and sealed by a landscape architect licensed in the State of Kentucky and placed on a separate sheet indicating the following:
- i. Acreage of proposed landscaping area.
 - ii. List of existing and proposed landscaping materials. Specify names, types, quantities, and sizes.
 - iii. Locations of existing and proposed landscaping materials shall be shown in accordance with the latest Landscaping Regulations.
 - iv. Maintenance agreements.
- w. Lighting plan:
- i. Locations of proposed lighting.
 - ii. Types of lighting with details shown on the plan.
 - iii. Typical radius of light.
 - iv. Intensity in foot-candles.
- x. Locations, dimensions, dates of construction and architectural styles of documented historic structures and sites, original accesses if known to historic structures and sites, and proposed plans for all structures, buildings and sites. Written documentation shall be provided by the applicant describing the impact on historical structures by the proposed use.
- y. Architectural drawings including the following:
- i. Locations, square footages and exterior dimensions of all existing and proposed buildings and structures.
 - ii. Elevation views for all structures to include types and colors of exterior and the building materials to be used.
- z. Statistics for the proposed development:
- For residential uses:
- i. Lot design or layout of dwelling units.
 - ii. Typical square footage of each dwelling unit type.
 - iii. Total lot area.
 - iv. Minimum side, front and rear yard setbacks.
 - v. Total percentage of lot coverage for structures.
 - vi. Total percentage of impervious surfaces.
 - vii. Maximum height of structures in feet.
- For non residential uses:
- i. Total floor area ratios for all uses.

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- ii. Locations and square footages of all structures.
 - iii. Total lot area.
 - iv. Minimum side, front and rear yard setbacks.
 - v. Total percentage of lot coverage for structures.
 - vi. Total percentage of impervious surface.
 - vii. Maximum height of structures in feet.
3. **Site Plan Review Procedure:** All site plans shall be submitted to the Administrator and shall be accompanied by the appropriate filing fees. Commission staff and the County Engineer will review all site plan applications.
4. **Extension of Site Plan Approval:** Approval of a site plan shall cease to be effective two years (2) after the date of approval if start of construction has not begun. Prior to the expiration of a site plan, an applicant may request in writing from the Administrator a maximum of one (1) extension, not to exceed twelve (12) months, without having to resubmit the site plan if no changes have been made. However, if a site plan has expired, or if changes have been made, or if the applicant wishes for the extended approval to be effective for greater than twelve (12) months, the applicant shall be required to resubmit the site plan to the Commission for approval.

Sec. 230-120 Maintenance of (Common) Open Space

The applicant shall file documentation with the Commission that the permanent dedication and continuous maintenance of open space shall be made in accordance with the Master Plan and Development Plan approved by the Commission, and that the common areas and recreation areas shall be made available to the residents and users of the overall PUD at a reasonable and non-discriminatory rate of charge. Such open space shall perpetually run with the PUD and shall not be developed or separated from the PUD at a later date.

Sec. 230-130 Bonds

The Commission may include in the Development Plan requirements for bonds (or appropriate alternatives) conditioned upon the satisfactory and timely completion of facilities in the Development Plan.

Sec. 230-140 Failure to Proceed, Complete or Comply

The Commission shall have cause to terminate the approval of the Master Plan and/or Development Plan if it finds one of the following situations exists:

1. That a developer, who has Master Plan approval, does not apply for a Development Plan approval for all of a PUD or section of a PUD within the specified time period, including any approved extension period;
2. For any PUD or phase thereof, the Commission finds that the Developer has failed to proceed or complete the development within the specified time period, including any approved extension period; and,

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3. For any PUD or phase thereof, the Commission finds that the developer has failed to comply with any of the terms, conditions, and requirements of the Planned Unit Development approval, including all amendments.

The Commission shall set a date for a public hearing, of which the developer shall be notified in writing, for the developer to show cause why the approved Master Plan and/or Development Plan should not be terminated or other appropriate action taken.

If the Master Plan and/or Development Plan approval have been terminated, the applicant shall submit a new Master Plan and/or Development Plan in accordance to the PUD Master Plan and Development Plan approval procedures in order to proceed with the development.

Sec. 230-150 Certificate of Completion, Future Development

Upon the substantial completion of each section or phase of the PUD, the developer shall notify the Administrator in writing as evidence that the developer is fulfilling the obligations under the approved Master Plan. “Completion” of any section or phase of the PUD shall mean that the developer has acquired a certificate of occupancy for 80% of the housing units or nonresidential structure as set forth in the approved Master Plan. A PUD shall be considered complete on the date upon which a certificate of occupancy has been issued for 80% of the residential or nonresidential structure in the last section of the development in accordance with the timing schedule set forth in the approved Master Plan. At this time, the developer shall be considered to have fulfilled all of the obligations pursuant to the Master Plan approval.

All future development or redevelopment of the PUD shall conform to the approved Development Plan including all amendments regardless of any change in ownership. Property owners, the Commission or the appropriate legislative body can apply for amendments to the approved Development Plan.

DIVISION 235 PRD PLANNED RESIDENTIAL DEVELOPMENT DISTRICT

Sec. 235-010 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.

Sec. 235-020 Permitted Uses

1. Dwellings units in detached, semi-detached, or attached buildings and garden apartments, or any combination thereof, when approved by the Commission.
2. 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.
 - a. Agricultural Uses: Agricultural Uses, Riding Academies and Stables.
 - b. Community Facilities and Services: Schools, not for profit Community Centers, Libraries, Child and Adult Day Care Facilities.
 - c. 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.
 - d. Religious Institutions
 - e. Special: non-commercial Lakes (man-made)

Sec. 235-030 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.

Sec. 235-040 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

Sec. 235-050 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.

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Division 235 PRD Planned Residential Development District

- 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.

DIVISION 240 LAGRANGE HISTORIC DISTRICTS

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.

DIVISION 245 HIGHWAY 53 CORRIDOR OVERLAY DISTRICT (CITY OF LAGRANGE)

Sec. 245-010 Highway 53 Corridor Overlay District: Intent

The purpose of this Overlay District is to promote the revitalization of the Highway 53 corridor, from I-71 to the North side of Walnut Alley. This district will encourage the development of Mixed-Use buildings that will improve economic growth, revitalize the corridor and improve community access and use. It is the intent that all new development be designed built and maintained so that it is compatible with the vision for the corridor. Policies stated in this ordinance supersede the Oldham County Comprehensive Zoning Ordinance.

Sec. 245-020 Highway 53 Corridor Overlay District: Development Regulations

Minimum Lot Area:

See Assigned Zoning District

Minimum Lot Width:

See Assigned Zoning District

Maximum Density/Intensity:

8 DU/Acre (Residential)

2.0 Floor Area Ratio

Maximum Structure Height:

45 feet

Maximum Setbacks (measured from proposed right-of-way in the Kentucky 53 Corridor Study):

With one row of parking: 60 feet

Without front parking: 0 feet

Minimum Side Yard Setback:

See Assigned Zoning District

Minimum Rear Yard Setback:

See Assigned Zoning District

Maximum Lot Coverage for Structures:

50 percent of the lot area

Maximum Impervious Surface Including Structures:

80 percent of the lot area

Sec. 245-040 Highway 53 Corridor Overlay District: Permitted Uses

All principally permitted uses in the C-1 Local Business District, C-2 Community Business District, C-3 General Business District, C-4 Highway Service District, and I-1 Light Industrial District are permitted with the following additions:

1. Single-Family Residential
2. Multi-Family Residential

Sec. 245-050 Highway 53 Corridor Overlay District: Conditional Uses

All conditional uses permitted in the C-1 Local Business District, C-2 Community Business District, C-3 General Business District, C-4 Highway Service District, and I-1 Light Industrial District are permitted.

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Sec. 245-060 Site Description and Purpose

The purpose of the Overlay Ordinance is to provide a consistent development pattern within the Highway 53 Corridor District in order to improve pedestrian mobility and connectivity, enhance economic growth and revitalize the corridor. The standards and guidelines proposed herein only apply to new development and re-development.

The Highway 53 Corridor Overlay, also known as South First Avenue, is bounded by Walnut Alley to the North and I-71 to the South; stretching outward to South Cedar Street to the East and South Second Avenue to the West. Only the back side of West Main Street bordering Walnut Alley is affected by this ordinance; all historic district regulations for buildings included in this overlay take precedent. The Overlap District Map is shown below:



Sec. 245-70 Exterior Lighting

Exterior light fixtures should be compatible and relate to the architectural character of the buildings on site. Lighting should be unobtrusive and provide safe light for orderly functions.

Standards and Guidelines:

1. Decorative light fixtures, which are appropriately shielded and architecturally compatible with structures are strongly encouraged.
2. Poles and fixtures shall be compatible with all other fixtures on site and shall be placed to provide a unified, organized appearance throughout the development to provide even and uniform light distribution.

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3. Lighting with a concealed light source must be of the ‘cut-off’ variety to prevent glare and ‘light trespass’ onto adjacent buildings and sites.
4. Use metal halide, incandescent or other white light fixtures. High-pressure sodium is not allowed.
5. Provide separate, pedestrian scale lighting for all pedestrian ways.
6. Bollard light fixtures or other low-level fixtures are encouraged to identify pedestrian walkways and drop-off areas at entrances to buildings.
7. Maximum pedestal height on all lighting is 2 feet (2’).

A. Lighting Zones:

Lighting Zones are established to guide development in constructing appropriate outdoor lighting according to use and intensity.

(LZ-1) Lighting Zone 1: areas that necessitate low ambient lighting levels shall use pedestrian-scaled lighting; including single and two family residential areas along with business parks and other commercial or industrial/storage areas with limited nighttime activity.

LZ-1 Status: Parking Spaces: 49 and under OR when building is 0-60 feet from right-of-way.

Maximum height: 12 feet (12’)

(LZ-2) Lighting Zone 2: areas that necessitate moderate ambient lighting levels for higher density or mixed use; including multifamily residential areas, institutional uses (schools, churches, hospitals, government buildings), hotels/motels, commercial and business areas with evening activities embedded in predominately residential areas.

LZ-2 Status: Parking Spaces: 50-149 OR when building is 61-199 feet from right-of-way.

Maximum: 16 feet (16’)

(LZ-3) Lighting Zone 3: areas that necessitate moderately high lighting levels for large commercial and business districts; including high intensity commercial corridors, heavy industrial and manufacturing uses, car dealerships, gas stations and other nighttime active exterior retail areas.

LZ-3 Status: Parking Spaces: 200+ OR when building is 200+ feet from right-of-way.

Maximum height: 25 feet (25’)

Sec. 245-80 Parking

Policy: Minimizing or softening parking areas is a priority as large areas of surface parking in commercial areas discourage walking and increase parking demand by forcing people to drive between destinations. All parking shall comply with the parking requirements set forth in Division 280 in the Oldham County Zoning Ordinance, except as follows:

Standards and Guidelines:

1. Only one row of parking is permitted in front of the building on lots that have frontage on KY Highway 53.

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2. Shared Parking Agreements that serve multiple businesses and land uses are encouraged where they are likely to be achieved without conflict. See Sec. 280-140 for guidance.
3. Off-site parking is permitted where it is likely to be achieved without conflict. See Sec. 280-130.

Sec. 245-90 Landscape & Buffering

Landscaping should add to the streetscape in order to encourage pedestrian and motor vehicle mobility while minimizing the impact of noise, dust, and other debris, motor vehicle headlight glare or other artificial light intrusion.

Landscaping requirements shall comply with Oldham County Comprehensive Zoning Ordinance, Division 300 including but not limited to, Secs. 300-030, 300-070, 300-080, 300-090, 300-100, 300-110, 300-120, 200-130 and 300-140; except as follows:

Note: The Highway 53 Overlay District is excluded from the requirements in Sec. 300-050 Property Perimeter Landscape Buffer (PPLB) Area and Plantings.

Standards and Guidelines:

1. Landscaping and walls can be combined to meet the requirements of these regulations.
2. Landscaped areas shall generally be not less than five feet (5') wide. A reduction in the Landscape Area width may be granted if the Applicant provides architectural features to buffer the unscreened Parking Area.
3. All plant materials proposed to meet landscaping requirements shall be living plants. See Sec. 300-130 of the Oldham County Comprehensive Zoning Ordinance for guidance and the Appendices of Division 300 for prohibited and approved plant lists.
4. The property owner or developer shall submit a Landscape Plan to the Commission whenever any property is affected by these landscape requirements. See Sec. 300-140 of the Oldham County Comprehensive Zoning Ordinance for Landscaping Plan Submission and Approval requirements.

A. Architectural Features

Policy: Walls or bollards shall be constructed of materials that are compatible with the adjacent building architecture and their appearance softened with landscape materials. Fences are not permitted.

1. Height of retaining walls shall comply with the standards permitted by the County Engineer.
2. Both sides of all perimeter walls must be similarly finished.
3. Long expanses of walls shall be broken up with periodic columns, insets, landscape pockets or changes in materials.

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4. Walls and bollards shall be constructed from durable materials such as stone or brick, or a similar combination of these materials.

Applicable Oldham County Zoning Ordinance Regulations:

A. Sec. 300-040 Landscape Buffer Area Requirements

Utility easements (e.g. drainage, sewer, gas/electric) are allowed to encroach into as much as 50% of the required area of Landscape Buffer Areas provided the required screening can still be achieved and the design of such facilities is compatible with the purpose of the Landscape Buffer Area. For sites with an approved landscape plan, any plantings within easements that are disturbed must be replaced and/or located as approved by the Commission staff.

B. (Sec. 300-070) Vehicular Use Area Perimeter Planting (VUAPLB)

The VUAPLB areas shall be a minimum of five feet (5') in width with the following requirements:

	Distance of VUA from property line is less than or equal to 30 feet	Distance of VUA from property line is greater than 30 feet and less than	Distance of VUA from property line is greater than or equal to 50 feet
VUA adjacent to any residential use	6 foot high continuous screen	3 foot high continuous screen	3 foot high continuous screen for at least 50% of VUA
Any loading area adjacent to any use of lower impact	8 foot high continuous screen	6 foot high continuous screen	6 foot high continuous screen only if adjacent to residentially zoned parcel
VUA adjacent to rights-of-way	3 foot high continuous screen	3 foot high continuous screen	N/A

The 3 or 6 foot high screen requirement can be met using evergreen shrubs, evergreen trees, berms, or walls, individually or in combination. Continuous screens may be broken or staggered for visual interest provided the result is a visually continuous screen. See the Architectural Features section above for specific requirements concerning walls and bollards.

C. (Sec. 300-080) Interior Landscape Areas (ILA) for Vehicular Use Areas

Interior Landscaped Areas (ILA) shall be provided within all Vehicular Use Areas to fragment large impervious areas and allow for a greater distribution of tree canopy coverage.

1. VUAs exempt from ILA requirements are loading, unloading, and outdoor storage areas in industrial zones I-1, I-2, IPD and the same areas in commercial zones C-N, C-1, C-2, C-3,

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C-4 when improvements create an area not accessible or visible to the general public. Note that these areas shall be subject to both VUA and property perimeter landscape buffering.

2. Any newly created, altered or expanded VUA of 6,000 square feet or more, or to accommodate twenty or more vehicular parking spaces, is required to have ILAs.
3. Five (5) square feet of ILA shall be provided for each one hundred (100) square feet, or fraction thereof, of all VUA requiring ILAs.
4. The minimum ILA size in VUAs shall be one hundred fifty (150) contiguous square feet.
Note that the standard curbed area may be included in the 150 square feet. Smaller Interior Landscape Areas are not prohibited but will not count toward ILA requirements.
5. The maximum ILA size in all VUA shall be no larger than 350 contiguous square feet in VUAs smaller than 30,000 square feet in size. ILAs shall be no larger than 1,500 contiguous square feet in VUAs equal to or greater than 30,000 square feet in size unless otherwise approved by the Commission or staff.
6. Note that any ILAs larger than the maximums stated above (in number 5) are permitted provided that any ILA exceeding the maximum shall not count toward fulfilling the requirements of this Division.
7. VUAs less than 12,000 sq. ft. in size or less than 20 parking spaces shall not have a maximum distance between Interior Landscape Areas.
8. In VUAs of 12,000 sq. ft. or more or 20 or more parking spaces the maximum distance between Interior Landscape Areas shall be 120 feet.
9. The maximum distance between ILAs shall be measured both radially from the closest perimeter landscape area curb edge, and lineally in each row of parking spaces, from the closest curb edge of each ILA.

D. (Sec. 300-090) Planting Requirements for Interior Landscape Areas (ILAs)

1. Minimum of one tree shall be required for every 250 square feet, or fraction thereof, of required ILA. Deciduous trees shall have a clear trunk to at least six (6) feet above the ground at time of planting.
2. The ground plane of the ILA shall be landscaped with shrubs, turf, mulch, or groundcover. Note that shrubs shall not exceed two feet in mature height measured from the street level in areas requiring sight distance for vehicular circulation.
3. Light poles, sidewalks, benches, or other site amenities are permitted in the ILAs provided they do not occupy more than 25% of any one interior landscape area or reduce the width of any planted area to less than 5 feet. Provision of such facilities does not reduce the number of required trees.
4. In all occurrences of ILAs where vehicles overhang, the minimum distance between any tree and edge of pavement shall be three feet.
5. Note that parked vehicles may hang over the ILA no more than two and one-half (2 ½) feet. Wheel stops shall be provided in order to limit vehicle overhang or penetration of the landscaped area.

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E. (Sec. 300-100) Screening Requirements for Service Structures

For the purposes of this Division, service structures shall include propane tanks, dumpsters, and other waste containers.

1. A continuous fence or wall with opaque gate shall enclose any service structure on all sides. The height of the fence or wall shall be one (1) foot greater than the height of the enclosed structure, but shall not be required to exceed eight (8) feet in height. Whenever a service structure is located next to a building wall, the wall may fulfill the screening requirement for that side of the service structure provided that the wall or screening material is of a height sufficient to meet the height requirement set out in this section.

Sec. 245-100 Building Design

These standards are intended to provide human-scale design while affording flexibility to use a variety of building styles in order to protect the community character and quality of life.

Standards and Guidelines:

1. Buildings shall be pedestrian-oriented with architectural features that provide shelter from elements and visual interest components.
2. Blank façades are prohibited facing KY Highway 53. Windows, doors, shutters, awnings, columns, masonry detailing, and variations in the front roof line, building wall recesses and variations in colors and materials shall be used to break up the mass of any wall. The utility wall is excluded.
3. Each publicly visible side of the building shall have windows covering at least 15 percent of the net façade area.
4. Drive-thrus (ordering and pay/pick-up) shall not be located in the front of a building that abuts the right-of-way.

Sec. 245-110 Pedestrian Access

Facilities should be designed to provide internal connectivity (connectivity between adjacent/nearby land uses) and external connectivity (connectivity between development and street/sidewalk network) in order to promote safety, attractiveness and convenience for pedestrians of all ages and abilities.

Standards and Guidelines:

1. Safe pedestrian walkways shall be provided between sidewalks, parking areas and storefronts.
2. All connective sidewalks must be ADA compliant with a minimum width of five feet (5').
3. Buffers (trees, planting strips, architectural features) shall be provided between vehicles and pedestrians.

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4. The planning department encourages the development to provide benches, trash receptacles, bollards, and/or bicycle racks to serve the business on the right-of-way abutting the business. The type of street furniture shall meet the uniform design standard for the district as approved by the planning staff.

Sec. 245-120 Implementation

These regulations will be implemented during the development plan or site plan review process as part of the technical review.

DIVISION 250 SPECIAL PROVISIONS

Sec. 250-010 Special Provisions: Purpose

The purpose of this Division is to address specific land uses or conditions and set minimum standards in order to permit proper integration of these items into the community and establish provisions for the protection of the health, safety, and general welfare of the public and for the protection of surrounding properties, persons, and neighborhood values.

Sec. 250-020 Applicability

The requirements set forth in this Division qualify or supplement the district requirements appearing elsewhere in the ordinance.

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
Equal to or 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

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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.

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.

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 and designed to minimally

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maintain the architectural design, style, appearance and character of the primary structure. Maximum length of breezeway is twenty (20) feet.

B. General Provisions

1. Only one accessory dwelling unit is allowed per parcel.
2. The property owner 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 shall 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 in non-conforming structures.
8. Accessory dwelling units shall 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-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 may be allowed only after approval of a Conditional Use

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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.

Sec. 250-045 Accessory Service and Retail Uses

An accessory use is a use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building. Accessory service and retail uses serving at least seventy-five percent (75%) of the residents, clients or employees of the principal use with which they are associated shall be permitted in accordance with the following requirements:

A. Location

The accessory service or accessory retail use shall be located inside the building occupied by the same principal use. Access may be from either the interior or exterior of the building which is occupied by the accessory service or retail use.

B. Maximum Floor Area Ratio

The total floor area occupied by all accessory service or accessory retail uses shall not exceed ten percent (10%) of the floor area of the development site; nor, shall such uses occupy more than twenty-five percent (25%) of the floor area of any single building.

C. Specific Accessory Service Uses

1. Banks/Financial Institutions: Banks and financial institutions with drive-thru facilities are a principal use and shall not be permitted as an accessory service use.
2. Drive-in Facilities: Drive-in facilities shall not be permitted in connection with any accessory service use.
3. Eating and Drinking Establishments: Eating and drinking establishments shall be permitted as an accessory service use in the IPD only if the establishment is located internally within the building site.
4. Outdoor Display or Storage: Outdoor display or storage of merchandise shall not be permitted as a part of an accessory service or retail use.

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5. Identification Signs: Exterior identification signs in addition to sign regulations for primary use should be no larger than six (6) square feet.

Sec. 250-050 Short Term Rental Property

A. Definitions

Boarding house- means a residential facility or a portion of a residential dwelling unit for the temporary accommodation of persons or families in a rooming unit, whether for compensation or not, who are in need of shared lodging and personal services, supervision, or rehabilitative services.

Commercial establishment- an establishment used for the conduct of a business.

Host- Any person who is the owner of record of residential real property, or any person who is a lessee of residential real property pursuant to a written agreement for the lease of such real property, who offers a dwelling unit, or portion thereof, for short term rental.

Hotel- any commercial establishment, or any portion of such establishment, (A) whose principal use provides that such structure is occupied or intended or designed for occupancy by transients for lodging or sleeping purposes and includes any hotel, inn, tourist court, tourist camp, tourist cabin, motel or any place meeting this definition, and (B) accepts on-site reservations for accommodations.

Not Owner-Occupied-owner of the property does not permanently reside in the STRP or in the principal residential unit which the STRP is associated on the same lot.

Owner-Occupied- owner of the property permanently resides in the STRP or in the principal residential unit with which the STRP is associated on the same lot.

Responsible Party- a person or business residing or located within twenty-five (25) miles of the STRP that is responsible for addressing all maintenance and safety concerns.

Short Term Rental Property (STRP) - a residential dwelling unit that is used and/or advertised for rent for transient occupancy by guests. Dwelling units rented to the same occupant for more than 30 continuous days, Bed and Breakfast establishments, boarding houses, hotels, and motels shall not be considered Short Term Rental Property.

Transient- any person who exercises occupancy or is entitled to occupancy of any rooms, lodgings or accommodations for a period of less than thirty (30) continuous days.

B. General Provisions

1. In zoning districts in which Residential Uses are a Permitted Use, including legal non-conforming residential uses, a short term rental of the dwelling unit that is the primary residence of the property owner is permitted by the Planning Director with special standards set forth in this section.
2. In zoning districts in which Residential Uses are a Permitted Use, including legal non-conforming residential uses, a short term rental of the dwelling unit that is not the primary

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residence of the property owner is required to obtain a Conditional Use Permit by the appropriate Board of Adjustments. If granted the CUP the owner must also comply with the special standards set forth in this section.

3. Multi-family apartments or condominium applicants must be either the owner of the property or the lessee. If the applicant is the lessee, the application must be accompanied by signed documentation of permission from the lessor for the operation of the short term rental at the subject property. If the short term rental is not primary residence of the owner or lessee they will be required to obtain a Conditional Use Permit by the appropriate Board of Adjustments. If granted the CUP the owner must also comply with the special standards set forth in this section.
- 4.
5. No person or entity shall operate a STRP or advertise a residential property for use as a STRP without the owner of the property first having obtained a STRP permit issued by Planning & Development in accordance with the provisions of this section.
6. Any advertising or description of a STRP on any internet website must: (a) prominently display the permit number for the STRP unit; or (b) include an image of the permit, or a link to an image of the permit, in which the permit number is legible.
7. Outdoor signage which identifies the short term rental is prohibited.
8. There shall be a sufficient parking available for the host and guests and shall not create a demand for parking.
9. No food shall be prepared for or served to the transient by the permit holder.
10. The principal renter of a STRP unit shall be at least twenty-one (21) years of age.
11. The maximum number of occupants permitted on a STRP property at any one time shall not exceed more than twice the number of sleeping rooms plus four. The occupancy maximum shall be conspicuously posted within the STRP unit. Advertising a STRP for more occupants than allowed by this regulation shall be grounds for revocation of the permit.
12. Simultaneous rental of a STRP to more than one party under separate contracts shall not be allowed.
13. The maximum stay for any guest shall be thirty consecutive days.
14. The name and telephone number of the local responsible party (who shall reside or be located within twenty-five (25) miles of the STRP) shall be conspicuously posted within the STRP unit. The responsible party shall answer calls twenty-four hours a day, seven days a week for the duration of each short term rental period to address problems associated with the STRP.
15. A clearly marked evacuation plan is posted on the premises.
16. The permit holder shall be responsible for maintaining proper insurance coverage on the STRP.
17. The permit holder shall be responsible for collecting and remitting all applicable room, occupancy, and sales tax required by state law and Oldham County.
18. Each short term rental shall be in compliance with any currently applicable laws and regulations of the federal, state, or local governments, as may be amended from time to time including but not limited to, laws or regulations on nondiscrimination, zoning, building, safety, property maintenance, health and sanitation, fire, electrical, plumbing, mechanical, and other

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applicable laws.

C. Application

The STRP permit application shall verify by affidavit that all of the information being provided is true and accurate and the application shall include the following information:

1. The name, telephone number, address, and email address of the owner, host and of a person or business ("responsible party") residing or located within twenty-five (25) miles of the STRP that is responsible for addressing all maintenance and safety concerns;
2. Owners applying for an owner-occupied permit must provide two documents giving proof of owner occupancy. Acceptable documentation includes Kentucky Driver's license, other valid State of Kentucky identification card, Oldham County voter registration card, utility bills, paycheck/check stub, work ID or badge, or a bank statement, each current and showing the owner's name and address matching that of the property to be utilized for short term rental.
3. A floor plan of the residence showing number of bedrooms and location of smoke alarms. The floor plan can be hand-sketched (number of sleeping rooms will be checked against the tax assessor's record). Floor Plans shall show details of all levels of the house and any attached structures, location of windows, doors (interior and exterior), and locations of the required smoke detectors.
4. A statement that the applicant has confirmed that operating the proposed STRP would not violate any Home Owners Association agreement or bylaws, Condominium Agreement, Covenants, Codes and Restrictions or any other agreement governing and limiting the use of the proposed STRP property

D. Expiration and renewal of permit.

No person, firm, or corporation shall own or operate a short term rental on any premises within Oldham County unless the short term rental has been registered annually with Planning & Development. All STRP permits shall expire on December 31st of each calendar year and is the responsibility of the owner to renew the permit.

1. Renewal applications shall include at minimum:
 - (1) payment of renewal fee; and
 - (2) a statement verified by affidavit that:
 - (a) includes all of the information required in an application under Item C and
 - (b) the STRP continues to be in full compliance with all applicable laws, including the payment of all applicable taxes.
2. A STRP permit shall not be transferred or assigned to another individual, person, entity, or address, nor shall the permit authorize any person, other than the person named therein, to operate a STRP on the property.

E. Denial or Revocation of Permit.

Upon the filing of a complaint regarding a STRP permit, the Code Enforcement Officer shall notify the permit holder in writing or by e-mail of such complaint and follow the process as outline in the Oldham County Nuisance Ordinance.

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If the property is subject to two (2) or more substantiated civil and/or criminal complaints, the Planning Director may revoke the approval. Any denial or revocation of a STRP permit may be appealed to the appropriate Board of Adjustments as an administrative appeal.

If the property insurance coverage lapses, Oldham County Planning & Development shall have the right to revoke permit. Once a STRP permit has been revoked, no new permit shall be issued to the applicant for the same property for a period of one year.

Sec. 250-055 Adjacent to Residential Standards

Whenever non-residential zoned property is adjacent to residential zoned property, the residential setbacks apply to the non-residential property. Any adjacent site less than two hundred (200) feet in width shall follow the residential setbacks. Any adjacent site greater than two hundred (200) feet in width shall only be required to follow the residential setbacks for the two hundred (200) feet that is adjacent to the residential area.

Sec. 250-060 Adult Entertainment

A. Purpose

The regulations established herein are intended to ensure that the adverse effects created by adult entertainment establishments are minimized and controlled so as not to cause or contribute to crime, increasing blight, or downgrading of adjacent property and the surrounding neighborhood by restricting their proximity to Public Parks, schools, hospitals, churches, certain governmental and civic facilities, and scenic corridors.

The regulations established herein are intended to protect and preserve the quality, property values, integrity and character of the county's neighborhoods and commercial districts, deter blight, and protect the citizens of Oldham County from the adverse effects of adult entertainment establishments.

The provisions of this Section are not intended to impose a limitation or restriction on the content of any communicative materials, nor to restrict or deny access by adults to sexually oriented materials protected by the First Amendment to the Constitution of the United States, nor to deny access by distributors and exhibitors of sexually- oriented entertainment to their intended market.

B. Uses Regulated

Uses regulated by the provisions of this Section shall hereinafter be designated as adult entertainment establishments and shall be further defined as follows:

1. An adult entertainment establishment shall be defined as any commercial establishment open to the public which displays, distributes, issues, gives, provides, lends, transfers, transmits, circulates, disseminates, presents, exhibits, advertises, sells, rents or leases a substantial or

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significant portion of its stock in trade, or is characterized by the depiction of ‘specified anatomical areas’ or ‘specified sexual activities’ as such are herein defined.

2. Any commercial establishment open to the general public which involves employees or customers who engage in conduct which is distinguished or characterized by ‘specified sexual activities’ or ‘specified anatomical areas’ as herein defined.

Adult Entertainment establishments specifically identified and regulated by the provisions of this Section shall include, but not necessarily limited to:

- Adult Book Stores
- Adult Motion Picture Theaters
- Adult Motion Picture Arcades
- Adult Entertainment Cabarets
- Adult Hotels
- Massage Parlors.

C. Location and Distance

Permitted Zoning Districts: An adult entertainment establishment located within the County limits shall be allowed only in C-1, C-2, C-3, C-4, I-1, I-2, or IPD Zoning Districts subject to the following limitations:

1. An adult entertainment establishment shall not be permitted or enlarged, except by a governmental agency within:
 - a. Two thousand (2,000) feet of a preexisting adult entertainment establishment;
 - b. Two thousand (2,000) feet of a preexisting religious institution;
 - c. Two thousand (2,000) feet of a preexisting educational institution;
 - d. Two thousand (2,000) feet of a preexisting hospital or government/civic facility;
 - e. One half mile of a preexisting interstate; or
 - f. Two thousand (2,000) feet of a preexisting scenic corridor; or
 - g. One thousand (1,000) feet of a preexisting park; or
 - h. Five hundred (500) feet of a preexisting commercial establishment that in any manner sells or dispenses alcohol for on-premises consumption.
2. The distance from a proposed or existing adult entertainment establishment to a preexisting adult entertainment establishment, a preexisting religious institution, a preexisting educational institution, a preexisting hospital or governmental and civic facility, a preexisting interstate, a preexisting scenic corridor, a preexisting park, or a preexisting commercial establishment that sells or dispenses alcohol for on-premises consumption shall be measured by drawing a straight line between the closest property lines of the proposed or existing adult entertainment establishment and the preexisting adult entertainment establishment, a preexisting religious institution, a preexisting educational institution, a preexisting hospital or governmental and civic facility, a preexisting interstate, a preexisting scenic corridor, a preexisting park, or a preexisting commercial establishment that sells or dispenses alcohol for on-premises consumption.

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D. Development Plan Requirements

1. A development plan must be submitted and shall include, but not be limited to, access, parking, signage, landscaping, dumpster location, and justification that the adult entertainment use is not located within the distance setbacks.
2. The development plan shall be submitted to the Oldham County Planning and Zoning Office for review of the proposed development. Staff will review and approve, approve with exceptions noted, or deny the development plan within sixty (60) calendar days.
3. The staff shall not be required to approve a development plan if the staff has reason to question its accuracy or its compliance with this adult entertainment regulation, to zoning regulation or any other regulations. Staff shall refer any such issues to the full Planning Commission. Reasons for denial of the development plan shall be stated in writing.
4. Final approval or denial of the development plan by staff or by the full Planning Commission may be appealed to the Oldham Circuit Court pursuant to KRS 100.347(2).
5. Parking Standards: The minimum and maximum number of parking spaces required/allowed is outlined in the table below:

	Minimum	Maximum
Live Adult Entertainment Establishment	1.0 space for each 150 sq. ft. of gross floor area	1.0 space for each 75 sq. ft. of gross floor area
Adult Retail Establishment	1.0 space for each 275 sq. ft. of gross floor area	1.0 space for each 175 sq. ft. of gross floor area

6. Landscaping Standards: Landscaping shall be provided on the premises of any adult entertainment establishment to screen and buffer the adjoining uses.
7. Signage Standards: Exterior signs located on the building of an adult entertainment establishment shall conform to the requirements of Division 290 of the Oldham County Comprehensive Zoning Ordinance, otherwise known as the Sign Regulation/ Such exterior signs shall not advertise, either graphically or verbally, either by explicit or literal expression, connotation, or implied reference any ‘specified sexual activity’ or ‘specified anatomical area’ as herein defined. There shall be no electronic reader boards or changing message center signs. No display of goods, product, or services shall be visible from outside the building.
8. Freestanding Building: An adult entertainment establishment shall be located in a freestanding building, containing no other uses or adult entertainment establishments.
9. All adult entertainment facilities shall have façades, exteriors and exits which must be indistinguishable from surrounding buildings. Illustrations depicting males and/or females shall not be posted or painted on any exterior wall of the building used for such businesses or on any door or apparatus attached to such building.

E. Hours of Business

An adult entertainment establishment shall not be permitted to allow such establishment to remain open for business or to permit any worker to engage in a performance, solicit a performance, make

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a sale, solicit a sale, provide a service, or solicit a service between the hours of one o'clock (1:00) a.m. and eleven o'clock (11:00) a.m. of any particular day.

A worker of an adult entertainment establishment shall not be permitted to engage in a performance, solicit a performance, make a sale, solicit a sale, provide a service, or solicit a service between the hours of one o'clock (1:00) a.m. and eleven o'clock (11:00) a.m. of any particular day.

F. License Requirement

An adult entertainment establishment shall obtain any license which may be required by the applicable government agency after adoption of this regulation.

G. Age Requirement

Adult entertainment establishments shall not employ nor permit entry of minors (17 years of age and under).

H. Definitions

The definition of adult entertainment establishment and the provisions of this Section shall apply to the opening or commencement of a new business, the conversion of an existing business to any sexually- oriented business, the addition to, or expansion of, an existing adult entertainment establishment or the relocation of any adult entertainment establishment.

Adult Book Store	A person, establishment or business having more than a minimal portion of its stock in trade, such as recordings, books, magazines, periodical films, video tapes/cassettes or other reading or viewing materials for sale or viewing at the premises, materials which are distinguished or characterized by their emphasis on matters depicting, describing or relating to specific or general sexual activities or anatomical areas; or an establishment with a section devoted to the sale or display or viewing of such materials.
Adult Motion Picture Theater	A structure, either indoors or outdoors, used for showing, displaying or presenting to patrons therein or thereat materials distinguished and characterized by emphasis on depicting, describing or relating to specific or general sexual activities or specific anatomical areas.
Adult Motion Picture Arcade	Any place to which the public is permitted or invited wherein coin or slug-operated or electronically, electrically, mechanically or otherwise controlled still or motion picture machines, projectors or other image- producing devices are maintained to show images to any one person at any machine at any time so displayed as to distinguish or characterize by emphasis on depicting or describing specific sexual activities or specific anatomical areas.

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Adult Entertainment Cabaret	A public or private establishment which is licensed to serve food and/or alcoholic beverages and which features topless and/or bottomless dancers, strippers, male or female impersonators or similar entertainers, or employees appearing in a bottomless and/or topless manner of dress.
Adult Hotel	A hotel or motel wherein a substantial or significant portion of the material presented over image-producing devices within individual rooms that are occupied by guests are distinguished or characterized by an emphasis or matter depicting or describing ‘specified sexual activities’ or ‘specified anatomical areas’.
Massage Parlor	<p>An establishment having a place of business where any person, firm, association, or corporation engages in, carries on, or permits to be engaged in or carried on any of the following activities:</p> <ol style="list-style-type: none"> 1. Any method of pressure on or friction against or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating of the external soft parts of the human body with the hands or with the aid of any mechanical or electrical apparatus or device, with or without supplementary aids such as rubbing alcohol, antiseptics, oils, powders, creams, lotions, ointments, or others similar preparations. 2. The term “Massage Parlor” shall not apply to licensed hospitals, licensed nursing homes, or clinics or persons holding an un-revoked certificate to practice under the laws of the State of Kentucky.
Specified Anatomical Areas	Less than completely covered human genitals, pubic regions, buttocks, and female breasts below a point immediately above the top of the areola, and the human male genitals in a discernible turgid state.
Specified Sexual Activities	(a) human male genitals in a state of sexual stimulation or arousal; (b) ultimate sex acts normal or perverted, actual or simulated, including acts of human masturbation, sexual intercourse, oral copulation or sodomy, and (c) fondling or other erotic touching of human or animal genitals, pubic regions, buttocks or female breasts.

Sec. 250-070 Attached Single-Family Structures

A variety of dwelling types is encouraged throughout the Oldham County Comprehensive Plan. This type of housing structure is intended for the R-4A Residential District. The following provisions, along with R-4A, apply to single-family attached residential structures.

1. **Open Space:** The amount of open space required shall be two hundred fifty (250) square feet per dwelling unit excluding yard setbacks, easements, etc.
2. **Grouping of Units:** No more than four (4) single family attached units shall be included in any one contiguous grouping. Building shall be considered contiguous if any portion of wall or any unit is common with any portion of any wall of another unit.
3. **Setbacks:** There is no side setback requirement for the interior units of an attached single family dwelling structure. The front and rear setback requirements are the same as the detached setbacks

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in the R-4A zoning district. The end units must observe a ten foot (10') side setback. The street-side setback for the applicable zoning district shall apply to all end units located on corner lots.

Sec. 250-075 Residential Care Facilities

Any sponsoring private or governmental agency shall be permitted to operate a residential care facility in any residential district, zone, or subdivision subject only to compliance with the same limitations upon area, height, yard, screening, parking, number of dwelling units, and number of occupants per dwelling unit as apply to other residences in the district, zone, or subdivision. For purposes of determining the number of occupants in a residential care facility, or in any of the dwelling units which comprise the facility, employees of the sponsoring agency providing services to persons with disabilities shall be counted only if their permanent residence is maintained at the facility. No conditional use permit not otherwise required for other residences within a zone or land use category shall be required for the operation of a residential care facility. (Per KRS 100.984 Residential care facility for persons with disabilities.)

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

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KAR 25:050, Section 2 and 42 USC Chapter 70.

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

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. 250-100 Fuel Sales and Vehicle-Repair

1. Fuel Pumps: All fuel pumps including liquefied petroleum retail sales storage tanks and necessary dispensing apparatus shall be located at least fifteen feet (15') from the rights-of-way line.
2. Groundwater Contamination: Federal and State groundwater contamination standards shall be deemed a part of this Section.
3. Driveway Width Requirements: Fuel sales and vehicle sales service stations require wider driveways than other uses; however, proper traffic control requires that such driveway widths not be excessive. Driveway widths for these uses shall therefore conform to the following requirements:
Maximum Width – thirty six (36') feet
Minimum Width – twenty four (24') feet

Sec 250-110 Land Use for Agricultural Purposes

Pursuant to KRS 100 (refers to the definition of agricultural uses), any land which is used for agricultural purposes exclusive of land and buildings used for residents, shall have no regulations except that:

1. Setback lines shall be required for the protection of existing and proposed streets and highways as required for the zone in which the use is located.
2. That all buildings or structures in a designed floodway or floodplain or which tend to increase flood heights or obstruct the flow of flood waters shall be in accordance with this ordinance.
3. All dwellings to be constructed or provided as part of land use for agricultural purposes shall meet all requirements of the zone in which said use is located and shall meet all other requirements of this ordinance.

Sec. 250-130 Manufactured Homes Supporting Agriculture Uses

Manufactured home(s) can be located on a lot of five acres or larger and used for agricultural purposes. The manufactured home(s) shall comply with the setback and density requirements of the underlying zoning district. These manufactured home(s) shall be used only for the workers who are employed at the

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farm or their family members. No other building or structure shall be attached to the manufactured home(s).

Sec. 250-140 Outdoor Sales, Storage, or Display

The intent of this Section is to provide for the appropriate location and design of outdoor sales, storage, and display areas and to minimize the visual impacts to adjacent properties and public rights-of-way. This Section applies to all residential, commercial, and industrial development in all zones that propose outdoor storage or display.

Outdoor storage, sale, or display of merchandise, material, and equipment is permitted in residential, commercial, and industrial zones only when incidental to an allowed use located on the same premises provided the following criteria are met.

A. Outdoor Sale, Storage, or Display Standards

1. Outdoor sale, storage, or display of merchandise, material, or equipment is subject to all applicable fire, health, safety, and building regulations.
2. Outdoor sale, storage, or display of merchandise, material, or equipment shall not impede the growth or maintenance of required landscaping.
3. The area designed for outdoor sale, storage, or display of merchandise, material, or equipment for sale, storage, or display shall be on private property and not allowed in areas set aside, required, or designed for driving aisles, driveways, maneuvering areas, emergency access ways, vehicular parking areas, landscape areas, sight distance triangles, front and street-side yards, or centerline setbacks.
4. Outdoor sale, storage, or display of merchandise, material, or equipment shall be completely screened from view of residentially zoned or used property and rights-of-way by solid fences, walls, buildings, or landscape features, or by a combination of screening elements. No merchandise, material, or equipment shall exceed the height of the screening fence, wall, or building. A property shall not be considered residentially used if the first floor is occupied by a nonresidential use or uses.
5. Present use of home maintenance equipment and non-motorized recreational and leisure equipment in residential zones are excluded from this Section.

B. Outdoor Storage Standards

1. All outdoor storage areas shall be screened from view by solid fences, walls, or buildings, or a combination thereof, not less than 6 feet in height. If screening of the merchandise, material, or equipment requires a screening height greater than 6 feet, the storage area and the screening fences, walls, or buildings shall be located on the rear half of the lot, away from any rights-of-way.
2. Outdoor storage shall not occur within 25 feet of any right-of-way.

C. Outdoor Sales or Display Standards

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1. Outdoor sales and display may be permitted within an area not greater than 800 square feet or 10% of the ground floor area of the building, whichever is greater.
2. The following merchandise, if for sale or rent on the premises, may be displayed outdoors during hours of business operation without screening fences or walls except along property lines that abut residential zones or uses.
 - a. Vending and ice machines
 - b. Food products
 - c. Retail operations that occur under a permanent canopy structure
 - d. Any other merchandise that the Administrator finds to be similar in character, type, or nature to the merchandise listed above, and which will not cause adverse visual impacts to the neighborhood.
3. Merchandise that is for sale on the premises that is not listed in this Section may be displayed outdoors during hours of business operation provided that the display area is screened by fences, walls, buildings, landscape screening, or any combination thereof.
4. Temporary displays of merchandise, material, or equipment that is for sale on the premises may be permitted without screening fences, walls, or buildings for up to 30 calendar days in any twelve-month period.

Sec. 250-150 Public Utility Buildings and Facilities (not including utility pedestals and junction boxes)

1. All buildings and structures shall observe the front, street side, and rear yard requirements of the district.
2. All buildings and structures shall be at least 20 feet from a side property line.
3. In instances where additional height is needed above the maximum height in the district, one foot shall be added to all yards for each story (or 10 feet) of building or structure over the allowed height.
4. Drives and parking areas shall be concrete, asphalt or paver blocks.
5. All facilities shall be landscaped and when near residential areas, shall be buffered per Division 300.

Sec. 250-160 Refuse Disposal Containers for Uses Other than Single-Family Residential

1. Location: No refuse container shall be located in any required vehicular use area, buffer, landscape area, or setbacks. All refuse disposal containers are specifically prohibited in any required yards.
2. Screening: All refuse containers shall be opaquely screened from view from public streets and adjacent properties to a height of at least 6 feet, or 6 inches higher than the height of the container, whichever is higher. This screening may be achieved by walls, landscaping, buffer yards, or by virtue of the location of the container on the building site.

Sec. 250-170 Swimming Pools, Hot Tubs and Hydro Spas

1. Location: A private single-family swimming pool may be constructed in or on the required rear yard, in excess of the maximum coverage of 35% by accessory buildings over 120 feet, provided

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that such pool shall be no closer than 5 feet to any property line, and also is enclosed by a fence or other protective device at least four (4) feet in height prior to its use. No swimming pools shall be constructed or erected without a required permit. Any buildings or structures in conjunction with a pool shall be classified as accessory buildings unless they are part of the main building. Swimming pools, hot tubs, and hydro spas shall be located behind the principal structure on the same lot and shall not be placed in any areas identified as required on-site subsurface sewage disposal system repair areas by the Oldham County Health Department.

2. Fencing: Any artificial swimming pool of any type of whatsoever, including but not limited to portable swimming pools, constructed in such a manner as to permit a water depth of two (2) feet or more and an area of 250 square feet or more shall be completely enclosed by a fence, wall, or an equivalent barrier of a minimum height of 48 inches. Enclosure fences shall be constructed so as to prohibit the passage of a sphere larger than 4 inches in diameter through any opening or under the fence. Above ground pools with a vertical barrier of at least 48 inches are not required to have fences. However, above ground pools must have a retractable ladder or locking gate to the steps of a side deck.
3. Exterior access: Exterior access to pools must be through a self-latching gate with latches placed at least 4 feet above the ground and operable from the interior of the swimming pool area only. All gates opening through such enclosure shall be kept securely closed and latched at all times.

Sec. 250-180 Temporary Uses and Events

Manufactured Home Used as Temporary Shelter: When a house needs to be built, rebuilt or rehabilitated due to fire, natural disaster or other reasons, a temporary use of a manufactured home located on the parcel during construction is permitted to the following additional regulations:

1. A temporary use permit shall be required.
2. Required water and sanitary facilities must be provided.
3. The manufactured home must bear either a HUD Label or a B1 Seal.
4. The maximum length of a permit shall be 12 months, but the Administrator may extend the permit for a long period or periods not to exceed 3 months each provided reasonable construction progress has been made and such construction is being diligently pursued. Application for the extension shall be made at least 15 days prior to the expiration of the permit.
5. The manufactured home shall be removed within 30 days from the property upon issuance of any occupancy permit for the new or rehabilitated residence. The applicant shall agree and authorize the Administrator to remove the shelter at the applicant's expense upon termination of the permit if the applicant has not done so voluntarily.

Sec. 250-190 Tennis Courts

1. Lighting: Lighting of exterior tennis courts shall be directed away from adjacent properties and shall be in compliance with the lighting standards found in Section 240-200 of this ordinance.
2. Relationship to Street Setbacks: No tennis court on a residential building lot shall be located in between the principal building and the front yard property line.

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Sec. 250-200 Scenic Corridors

Purpose

To create the basis for visual character within and along certain primary arterials identified in the Major Thoroughfare Plan with a particular emphasis on retaining the traditional cultural heritage of Oldham County.

1. To preserve, restore or enhance Oldham County’s major entry points or gateways which provide residents or visitors with a “first impression” of Oldham County through streetscape and development guidelines.
2. To provide quality aesthetic visual experiences for travelers of the Oldham County’s major thoroughfares.
3. To protect scenic corridors from encroachment of inappropriate land uses such as adult entertainment establishments, junkyards, dumps, rendering plants, gravel pits.
4. To mitigate uses which detract from scenic values through proper siting, landscaping and/or screening.
5. To regulate grading to prevent erosion and cause minimal alteration of existing contours and to preserve important vegetative features along the highway.
6. To avoid the proliferation of signs and billboards along Oldham County’s primary arterials.

Scenic Corridors Designated

The following road segments in Oldham County are designated as Scenic Corridors:

- Interstate 71 from the Jefferson County Line to the Henry County Line
- U.S. 42 from the Jefferson County Line to the Trimble County Line
- KY 53 from U.S. 42 to the Shelby County Line
- KY 22 from the Jefferson County Line to the Henry County Line
- KY 329 from the Jefferson County Line to Interstate 71
- KY 329 from Interstate 71 to KY. 22
- KY 1694 from the Jefferson County Line to KY. 329
- KY 1694 from KY 329 to U.S. 42
- KY 393 from U.S. 42 to KY 22
- KY 1793 from KY 3222 to U.S. 42
- KY 146 within the City Limits of Pewee Valley

Prohibited Uses

The following land uses are prohibited from locating within 2000 feet of a Scenic Corridor:

- Adult Entertainment Establishments
- Fertilizer, Incineration and Reduction Products
- Ham Curing Operations
- Concentrated Animal Feeding Operations
- Slaughter Houses
- Junkyards

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Dumps
Gravel Pits

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

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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 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.

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2. Design signs to identify the stream or creek and its watershed at every bridge within the Pewee Valley Area.
3. All signage should be 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 incorporates 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 tree 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"

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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.

Section 250-300 Distilleries, Craft Distilleries Breweries, Microbreweries

If located in AG-2 Agricultural Business District the following provisions apply:

1. At least twenty-five percent (25%) of the property shall be dedicated to agricultural uses as defined in KRS Chapter 100 and/or preserved as a conservation area.
2. The maximum allowed building height shall be 60 feet.
3. All structures or uses, except agricultural, shall have front, rear and side yard setback of not less than 500 feet.
4. No owner or operator shall construct or operate a facility with noxious emissions unless it is equipped with and utilizes best available control technology (BACT) as regulated by Kentucky Division of Air Quality and determined at the time of the construction permit review.
5. Facility tours, visitor centers, food service operations, restaurant, and the sale of products produced on site and complementary products directly to consumers are permitted.
6. Festivals or similar public gatherings which serve to promote the sale of locally-produced products are permitted, provided any single event shall not exceed fifty-six (56) continuous hours in length.
7. Development Plan Approval: Prior to issuance of a building permit for any structure, the applicant shall submit a development plan for review by the Planning Commission and Legislative Body. The contents of the plan shall include all items set forth in Division 390 Site Plan Regulations.
8. A Traffic Impact Study prepared in accordance with Section 270-040 Roadway Capacity Standards shall be required.
9. A landscape plan and lighting plan is required when the property is adjacent to residential use.

If located in I-1 Light Industrial District or 1-2 Heavy Industrial District the following provisions apply:

1. All structures shall have front, rear and side yard setback of not less than 100 feet. When a distillery or brewery is adjacent to residential use the setback shall be 200 feet along property the line abutting residential use.
2. No owner or operator shall construct or operate a facility with noxious emissions unless it is equipped with and utilizes best available control technology (BACT) as regulated by Kentucky Division of Air Quality and determined at the time of the construction permit review.
3. Facility tours, visitor centers, food service operations, restaurant, and the sale of products produced on site and complementary products directly to consumers are permitted.
4. Festivals or similar public gatherings which serve to promote the sale of locally-produced products are permitted, provided any single event shall not exceed fifty-six (56) continuous hours in length.
5. Development Plan Approval: Prior to issuance of a building permit for any structure, the applicant shall submit a development plan for review by the Planning Commission and Legislative Body. The contents of the plan shall include all items set forth in Division 390 Site Plan Regulations.

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6. A Traffic Impact Study prepared in accordance with Section 270-040 Roadway Capacity Standards shall be required.
7. A landscape plan and lighting plan is required.

Section 250-310 Brewpubs

1. At minimum, 50% of the beer or malt beverage made on premise must be sold or consumed on site.
2. Shall be a permitted use in C-1 Local Business District, C-2 Community Business District, C-3 General Business District, C-4 Highway Service District, I-1 Light Industrial, IPD Industrial Park District.
3. Parking requirements shall be the same as restaurants as listed in Division 280 Off-Street Parking & Loading Regulations.

Section 250-320 Barrel Warehouses

If located in AG-2 Agricultural Business District the following provisions apply:

1. Barrel warehouses shall only be permitted when associated with a distillery operation located on the same tract of land which is open for tours a minimum of four (4) days per week with one day being a weekend.
2. Maximum size of warehouse cannot exceed the following:
 - a. Barrels per Warehouse = Annual Production (X) 5 years
 - b. Barrel Warehouses located within the city limits of Crestwood shall be:
Barrels per Warehouse= Annual Production (x) 10 years.
3. At least twenty-five percent (25%) of the property shall be dedicated to agricultural uses as defined in KRS Chapter 100 and/or preserved as a conservation area.
4. No owner or operator shall construct or operate a facility with noxious emissions unless it is equipped with and utilizes best available control technology (BACT) as regulated by Kentucky Division of Air Quality and determined at the time of the construction permit review.
5. The maximum allowed building height shall be 60 feet.
6. All structures or uses, except agricultural, shall have front, rear and side yard setback of not less than 500 feet.

If located in I-1 Light Industrial District or 1-2 Heavy Industrial District the following provisions apply:

1. No owner or operator shall construct or operate a facility with noxious emissions unless it is equipped with and utilizes best available control technology (BACT) as regulated by Kentucky Division of Air Quality and determined at the time of the construction permit review.
2. The maximum allowed building height shall be 60 feet.
3. All structures shall have front, rear and side yard setback of not less than 250 feet.
4. When a barrel warehouse is adjacent to residential use the setback shall be 500 feet along the property line abutting residential use.

DIVISION 260 CONDITIONAL USE STANDARDS

Sec. 260-010 Conditional Use Standards: Purpose

To allow the proper integration of land uses into the community, singular land uses, due to their extent, nature of operation, limited application, or relationship to natural resources, must be considered as an exceptional case in the interest of the safety, health, and welfare of the public. The uses listed in the Division may be permissible in certain districts by issuance of a conditional use permit (CUP). A public hearing is required to review a CUP application by the applicable Board of Adjustments. Before a CUP is granted, the Board of Adjustments shall find the proposed use to be essential or desirable to the community and not in conflict with the elements and objectives of the Comprehensive Plan.

Sec. 260-020 General Provisions

Granting of a conditional use permit does not exempt the applicant from complying with the conditions stated herein, all of the requirements of the building, housing, and other regulations, and any necessary conditions the Board of Adjustments may attach to such permit.

As part of an application for a conditional use permit, a development plan of sufficient detail must be submitted to demonstrate to the Board of Adjustments the character and objectives of the proposed development and the potential impacts of the development on the community and its surroundings. The Administrator may require the following additional material to be submitted with a conditional use application:

1. A demonstration of appropriateness document that addresses:
 - a. Whether the proposal is consistent with the applicable policies of the Comprehensive Plan.
 - b. The compatibility of the proposal with surrounding land uses and the general character of the area including such factors as height, bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting, appearances, etc.
 - c. Whether necessary public facilities (both on-site and off-site), such as transportation, sanitation, water, sewer, drainage, emergency services, education, recreation, etc. will be adequate to serve the proposed use.
2. Vicinity map;
3. Topographic characteristics of the site and immediate surrounding area;
4. Present development of the site and surrounding property;
5. Proof of approval from the Commonwealth of Kentucky for applications requiring state approval;
6. Proof of submittal for permits or controls, filed with the application that are required by all public agencies concerned with the operation;
7. Compelling reasons for locating proposed use at this specific location;
8. Community or neighborhood need for proposed use and potential benefits to community or neighborhood;
9. Provisions for the protection of the health, safety, morals, and general welfare of the public and for the protection of surrounding properties, persons, and neighborhood values;
10. Assurances to be given to ensure facilities, operations, and protections indicated for installation;

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11. Assurances are to be given to ensure that facilities or operations shall not adversely influence or affect the county;
12. Disposal proposal of facilities and restoration of the site upon termination or abandonment of use.

The Administrator may waive certain non-applicable submittal requirements. The Board of Adjustments of the Administrator may require an application for a conditional use permit to be subject to the review of the Technical Review Committee.

Upon approval of a conditional use permit by the Board of Adjustments, no certificate of land use or any other documentation can be signed or distributed until the meeting minutes have been approved at the next regular meeting of the body.

Sec. 260-030 Accessory Structures

An accessory structure is a structure or use customarily incidental and subordinate to the principal structure and located on the same parcel with such principal structure. Accessory structures shall comply with the density standards of the zoning district in which it is located. This regulation does not apply to agricultural uses and related accessory structures.

1. Conditional Use Permit Required: All accessory structures over one hundred twenty (120) square feet, after the second, on tracts of 5.01 acres or larger, may be granted a conditional use permit by the appropriate Board of Adjustments, only after a public hearing as a Conditional Use.
2. Location
 - a. An accessory structure is part of the principal structure when it is attached to the principal structure by a breezeway and shall comply with the applicable yard setbacks of the zoning district in which it is located.
 - b. An accessory structure shall not be located between the principal building and the front property line.
 - c. Accessory structures shall not occupy more than thirty-five percent (35%) of the area between the rear property line and the principal structure.
 - d. A free-standing accessory structure shall be detached a minimum distance of five feet (5') from structures.
 - e. Accessory structures for agricultural uses shall comply with the setback requirement for the principal structures of the zoning district in which it is located.
3. Conditional use permit for additional accessory structures over two (2) shall not be allowed on parcels less than 5.0 acres.

Sec. 260-035 Agritourism Buildings

The purpose of Agritourism Buildings is to allow the public to visit working farms or any agricultural, horticultural, or agribusiness operation for the purpose of enjoyment, education, or active involvement in the activities of the farm or operation which allows means of earning supplemental income that can help preserve and sustain local farms.

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Farm Tours (tourism conducted on a working farm or any other agricultural, horticultural or agribusiness operation where the working environment forms an agricultural product) are a permitted use in any zoning classification where agricultural uses are allowed.

Any agricultural structure that is altered from its original use to an assembly use group (as determined by the Kentucky Building Code) must obtain a conditional use permit in the zoning districts listed below and meet the conditional use standards.

Zoning districts AG-1, CO-1, R-1, R-1A, R-2, R-2A, R-3, R-4, R-4A conditional use standards:

1. Minimum lot size required shall be five (5) acres.
2. All structures shall be at least thirty (30) feet from all property lines.
3. Minimum parking requirements shall be one (1) 9’X18’ parking space for each fifty (50) square feet of primary assembly area.
4. Shall be exempt from Section 280-150, Parking Lot Layout and Design, Item 2 Markings and Item 3 Surfacing and Maintenance.
5. Building Code Requirements:
 - A. The following are requirements under House Bill 360 that apply to agritourism and agritourism buildings in relation to the Kentucky Building Code:
 - i. Except as otherwise provided in this section, agritourism buildings defined in Item II shall comply with the Kentucky Building Code.
 - ii. An agritourism building, constructed prior to December 31, 2016 shall be exempt from the following requirements within the Kentucky Building Code:
 - a. An agritourism building built prior to December 31, 2016, shall not be required to comply with the seismic requirements within the Kentucky Building Code.
 - b. If an agritourism building has a capacity of four hundred (400) persons or less, or is six thousand (6,000) square feet or less, an agritourism building built prior to December 31, 2016 shall not require the services of an architect licensed by the Commonwealth of Kentucky.
 - B. Occupant capacity is calculated as follows:
 - I. One (1) occupant per fifteen (15) square feet of primary assembly area with permanent seating (table and chairs).
 - II. One (1) occupant per seven (7) square feet of open primary assembly area with no permanent seating (no table and chairs).
 - C. Fire Suppression Requirements:
 - I. Assembly Use Group A-2: building has provisions for cooking food (commercial kitchen).
 - a. Sprinklers required if fire area exceeds 5,000 square feet or the occupant capacity is 300 or more.
 - II. Assembly Use Group A-3: building does not have provision for cooking food.
 - a. Sprinklers required if fire area exceed 12,000 square feet or occupant capacity is 300 or more.

****Building Code requirements subject to change per Kentucky Building Code. ****

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Sec. 260-040 Airports

1. Evidence shall be furnished to the Board of Adjustments of the acquisition of land or air rights over all property at the end of all runways where the required glide path of aircraft, for the class of airport, meets the regulations of the Federal Aviation Administration (FAA).
2. All buildings and structures shall be at least thirty (30) feet from any property line.
3. All drives and parking areas shall be concrete, asphalt or paver blocks.

Sec. 260-050 All Terrain Vehicle (ATV) Courses

1. All buildings and structures shall be at least thirty (30) feet from any property line.
2. A buffer strip shall surround the ATV course on all sides with a minimum dimension of fifty (50) feet. Fencing or other means to exclude vehicles from the buffer area shall be installed.
3. A noise impact study shall be prepared by an individual or firm with expertise and experience in the field of traffic noise demonstrating that noise levels at any perimeter of the site adjoining residentially zoned property do not exceed fifty (50) dB(A).
4. An erosion and sedimentation control plan shall be prepared and submitted to Planning and Zoning for review and approval by the Oldham County Engineer.
5. A tree preservation/landscaping plan shall be prepared showing trees to be preserved in the buffer area and elsewhere on site as needed to preserve trees and to promote soil stability. The plan shall also show additional landscaping as needed to create a visual screen of the property from adjacent residentially-zoned land.
6. One non-illuminated identification sign not to exceed thirty (30) square feet in area and ten (10) feet in height may be provided at the entrance.

Sec. 260-060 Amusement Parks, Aviaries, Zoos, and Circus and Carnival Grounds

1. All buildings and structures shall be at least thirty (30) feet from all property lines. In the instance where a height of buildings or structures in excess of that established for the district is needed, all yards shall be increased one foot for each foot of building or structure over the maximum height for the district.
2. The premises shall be enclosed by an eight-foot woven wire or solid fence with tree plantings and off-street parking areas need not be included within the fenced area.
3. All drives and parking areas shall be concrete, asphalt or paver blocks.

Sec. 260-070 Asphalt Processing and Concrete Batch Plants

1. The processing plant must be located at least five hundred (500) feet from the closest resident.
2. The processing plant must be setback at least seventy-five (75) feet from any road rights-of-way and fifty (5) feet from any other property line.
3. Outdoor storage of any ingredient or product must be screened from sight with an eight-foot privacy fence.
4. Conditions of Approval may include and/or address issues such as wheel washers for trucks leaving the property; systems for maintaining appropriate levels of dust, noise, odor, or smoke; and the hours of operation, lighting and traffic.

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Sec. 260-075 Auto Auctions

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.

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.

Sec. 260-080 Cemeteries, Mausoleums and Crematories

1. All structures shall be at least thirty (30) feet away from any property line.
2. No required yard shall be occupied by graves, and no graves shall encroach into the centerline setbacks established in the Major Thoroughfare Plan.

Sec. 260-090 Commercial Composting (Reserved)

Sec. 260-100 Commercial Rifle, Pistol, Skeet, Trap and Sporting Ranges

1. All buildings and structures shall be at least thirty (30) feet from any property line.
2. All skeet and clay target ranges shall be of sufficient length to provide a safe distance for termination of all projectiles from the various types of targets and weapons used.
3. All rifle and pistol ranges shall be provided with an approved earthen backstop of sufficient height and thickness to safely stop all projectiles from various types of weapons used.
4. Permanent warning signs shall be placed at reasonable visible intervals along all range fences.
5. Conditions of approval shall include and/or address issues such as systems for maintaining appropriate levels of dust, noise, odor, or smoke.

Sec. 260-120 Concentrated Animal Feeding Operations

1. All buildings, structures, pens, and yards shall be at least one hundred (100) feet from all property lines.

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2. Adequate water supply shall be available to maintain the premises in a sanitary condition at all times.
3. No yard may be established or conducted on a tract containing less than five (5) acres total area.
4. Proposal must also meet with approval of the Oldham County Health Department.

Sec. 260-130 Contractor’s Equipment Storage (Reserved)

Sec. 260-140 Day Care Facilities

1. Visual compatibility with the surrounding neighborhood and land uses shall be required.
2. Hours of operation shall occur between the hours of 6:00 a.m. and 6:00 p.m.
3. Outdoor recreational areas shall be fenced and screened on all sides.
4. The following table shows the number of children permitted at a time for conditional use permits:

Number of Children (unrelated to the operator)	Use Restrictions	Approving Authority	Proof of Documentation
1-3	Permitted in any residential district	None	None
4-6	Permitted with a Conditional Use Permit	Board of Adjustments	Certification from State
7-12	Permitted with Conditional Use Permit	Board of Adjustments	Type II License from State
13 or more	Not permitted in residential districts; Requires rezoning	Planning Commission and Legislative Body	Type I License from State

Sec. 260-150 Extraction, Development of Oil, Gas and other Hydrocarbon Substances

1. No oil or gas bore hole shall be drilled within three hundred (300) feet of a State Highway or County road or within one hundred fifty (150) feet of any other road dedicated to public use.
2. No more than one well shall be permitted for each five (5) acres of land.
3. Within ninety (90) days after drilling of each well has been completed and production started, the derrick erected for servicing operations shall be removed from the site.
4. Any derrick erected for servicing operations shall be of a portable type.
5. After a well has been brought into production, no earthen sumps shall be used for storage of petroleum or its by-products.
6. Reasonable fire fighting equipment as required and approved by the fire department concerned shall be maintained on the premises at all times during drilling and production operations.
7. Any scarring of hillsides resulting from construction operations shall be reasonably landscaped or replanted to native shrubs.
8. No process plant for the refining of petroleum products from such operation shall be permitted, except in the I-2 Heavy Industrial District.

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9. All drilling and production operations shall be conducted in such a manner as to eliminate as far as practicable, dust, noise, vibration, and obnoxious odors in accordance with the best accepted practices incident to drilling for, and production of, oil, gas, and other hydrocarbon substances.
10. In the event oil or gas is not produced in paying quantities, all material, equipment, and structures used in the drilling operations shall be completely removed from the site, and the well properly abandoned within one hundred twenty (120) days after the drillings operations cease.
11. Upon completion of drilling, re-drilling, or conditioning operations and on abandonment of the well, all earthen sumps shall be drained and back-filled level with the natural grade, provided, however, that subject to the above conditions of a new sump may be constructed upon resumption of conditional or re-drilling operations.
12. A bond of \$2,500.00 per well site shall be filed with the city or county to ensure proper compliance with these regulations before drilling operations are commenced.

Sec. 260-160 Extraction, Rock Quarries, Mineral, and Earth Products, not including extraction of soil

1. Establishment by the responsible authority or approved engineer of the final ground elevations to be attained for the operations.
2. Filing of a performance bond equal to \$5,000.00 per acre with the county or city to ensure proper finishing of the areas into a usable condition.
3. Plan of use of the area following completion of the operation.

Sec. 260-170 Extraction and Development of Other Natural Resources

1. All buildings and structures shall be at least thirty (30) feet from all property lines.
2. The premises shall be maintained in such a manner to harmonize with the uses allowed in the district in which it is located.
3. The operation shall be conducted so as not to create a nuisance or cause undue noise, vibration, dust, odor, or light to adjacent properties.
4. All drives and parking areas shall be of concrete, asphalt or paver blocks.
5. An approved plan for reclamation shall be prepared and followed.

Sec. 260-180 Extraction of Soil, including Borrow Pits

1. Minor soil extraction operations: A minor soil extraction operation is any operation that consists of four (4) acres or less of area of extraction on land owned or leased by the applicant. The following standards shall apply to a minor soil extraction operation:
 - a. The operation will be conducted in a manner that complies with the Best Management Practices for Construction Activities (BMPs) to minimize erosion.
 - b. A site map (Scale: 1" = 400') shall be submitted that shows the location of the excavation site in relation to the nearest arterial roadway. A development plan is not required to be submitted unless requested by the Board of Adjustments.
 - c. The excavation site shall be less than four (4) acre-feet.

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- d. The operation shall not impair surface drainage, cause sedimentation, or increase run-off to any adjacent land or watercourse.
 - e. The initial stripping shall be retained and stockpiled on site for use in the re-vegetation of the excavation site.
 - f. Rock exposed by the excavation operations shall be covered with a minimum of six (6) inches of soil prior to beginning re-vegetation activities.
 - g. The first one hundred (100) feet of any drive that adjoins a public road shall be covered with a minimum of six (6) inches of compacted dense-graded aggregate (DGA), or an equivalent material.
 - h. Re-vegetation of the excavation site must be established in accordance with the Best Management Practices for Construction Activities.
 - i. The excavation operations, and all activities related to the excavation operations, shall be conducted during daylight hours only.
 - j. Related operations: Two soil extraction operations are related if they are on property owned or leased by the same person or entity, are conducted within twelve (12) months of one another, and are located within one (1) mile of one another (measured from the outdoor boundaries of the extraction site). Related operations that exceed five (5) acres must comply with the standards for a major soil extraction operation.
2. Major soil extraction operations: A major soil extraction operation is any operation that consists of greater than four (4) acres of area of excavation owned or leased by the applicant. The following standards shall apply to a major soil extraction operation:
- a. A site and reclamation plan that shall constitute the development plan for the operation shall be submitted to the county for approval and shall include the following information:
 1. The names(s) and address(ee) of the owner(s) or lessee(s) of the property on which the excavation operations will occur.
 2. The name, address, and telephone number of the contact person for the operation.
 3. A site map (not more than one hundred feet to the inch (1" = 100')) showing the boundaries of the parcel of land on which the excavation operations will be conducted; the location of the excavation area and the location of all facilities to be constructed, installed or used in conjunction with the excavation operations; existing contour lines at two (2) foot intervals; natural features (including but not limited to sinkholes, natural drainage areas, streams, lakes, etc.); location of wells used for agricultural or domestic water supply.
 4. The total surface acreage to be disturbed by the excavation operations.
 5. The proposed final ground elevations of the excavation area after all excavation has been completed. Final ground elevations shall be certified by a professional land surveyor or professional engineer.
 6. The method(s) to be used in the process of the excavation.
 7. An erosion control plan and re-vegetation plan based on the BMPs.
 8. Improvements, such as roads and pavement, to be installed off the site to enable the excavation operation to be carried out.

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- b. The site and reclamation plan shall be reviewed by the Oldham County Conservation District Board, prior to the submittal of the plan to the county.
 - c. Any person or entity conducting the excavation operations shall comply with the site and reclamation plan.
 - d. The initial stripping shall be retained and stockpiled on site for use in the revegetation of the excavation site.
 - e. All facilities to be constructed, installed, or used in conjunction with the operation shall conform to existing zoning ordinances.
 - f. The excavation operations shall be conducted so as not to create a nuisance or cause undue noise, vibration, dust, odor, or light to adjacent property. The excavation operations, and all activities related to the excavation operations, shall be conducted during daylight hours only.
 - g. The first one hundred (100) feet of all drives and parking areas for the excavation operations shall be covered with a minimum of six (6) inches of compacted dense-graded aggregate (DGA) or an equivalent material.
 - h. The excavated area shall be reclaimed in a manner so that the side slopes of the excavated area shall not exceed three foot horizontal to one foot vertical (3:1) and shall be blended into undisturbed existing surfaces.
 - i. Vehicular access to the excavation operation site shall be restricted at all times the operations are not taking place by gates, chains, cables, or similar devices.
 - j. The depth of the excavation shall not have any adverse effects on the supply, quality or quantity of groundwater.
 - k. A transportation plan shall be submitted showing the route for removing the extracted soil off the site to the nearest state highway.
 - l. The person or entity that will be conducting the excavation operations shall submit a bond to the county equal to \$2,500.00 per acre to ensure proper reclamation and re-vegetation of the excavation site. Reclamation and re-vegetation activities shall begin within sixty (60) days after the date of the termination of the excavation operations. Reclamation and re-vegetation shall be completed within twelve (12) months of the termination of the operation. Termination means the date the permit expires or operation ceases, whichever occurs first. If reclamation and re-vegetation is not completed in accordance with these standards, the bond shall be forfeited to the county. If reclamation and re-vegetation have been completed in accordance with these standards, the bond will be released by the county.
 - m. Excavated areas shall not be filled with any solid waste, as defined by state or federal statutes and regulations or county ordinance, unless the excavated area has been properly permitted by the county and state for solid waste disposal. Excavated areas may be filled with material from the site. No hazardous waste, as defined by state and federal regulation, shall be placed in the excavated area.
3. Conditional use permits for minor soil extraction operations shall be effective for a period of time not exceeding two (2) years. No extension to the conditional use shall be granted. The soil extraction permit shall be reviewed at least once annually in accordance with KRS Chapter 100.

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4. Conditional use permits for major soil extraction are to annually submit monitoring reports. The soil extraction permit shall be reviewed by the Administrator at least once annually in accordance with KRS Chapter 100.
5. The following operations are not required to obtain a conditional use permit for soil extraction:
 - a. The on-site excavation for the construction of a building so long as the excavated material is used on site or transported to another building construction lot. If the excavated material cannot be used on site or transported for use on another building construction lot, the property owner may dispose of the excess excavated material, generally solely from the building construction lot, without a conditional use permit.
 - b. Excavation and removal of less than three hundred (300) cubic yards from a single parcel of land within a twelve (12) month period of time.
 - c. Excavation incident to subdivision construction approved by the Commission.
 - d. State, federal, county or municipal road construction projects.
 - e. Government-financed public improvement projects.
6. The provisions of this ordinance shall not be construed to waive the requirements of soil and erosion regulations or ordinances duly enacted by the county.

Sec. 260-190 Fertilizer Producing Plant, Incineration or Reduction Products

1. All structures shall be at least one hundred (100) feet from rights-of-way.
2. All areas for processing shall be enclosed.
3. Wheel washers for trucks leaving the property, systems for maintaining appropriate levels of dust, noise, odor, or smoke shall be implemented.

Sec. 260-200 Freight Terminals/Similar Enterprises (Reserved)

Sec. 260-210 Golf Driving Ranges

1. Minimum lot size required shall be twenty (20) acres.
2. All building structures shall be at least thirty (30) feet from all property lines.
3. All drives and parking areas shall be of concrete, asphalt or paver blocks.
4. All driving ranges shall be an adequate distance from any street or highway.
5. Fences, planting, or sufficient areas shall be provided to insure the safety and protection of person on all adjacent land.
6. Fences shall be a maximum height of sixty (60) feet. In no circumstances shall nets be used to fulfill the fencing requirement.
7. There shall be no commercial uses other than those related to the sale or rental of golf equipment or food and beverage sales.
8. Lighting shall be screened to shield any glare from public rights-of-way or adjacent properties.

Sec. 260-220 Grain/Feed Storage/Sales (Reserved)

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Sec. 260-230 Home Occupations

A home occupation is an accessory use which is incidental to the use of the dwelling for residential purposes. All home occupations located in residential zoning districts, except when the parcel is five (5) acres or larger and used for agricultural purposes, must meet the standards listed in this section. Applications for home occupations must seek either a conditional use permit from the Board of Adjustments or a home occupation permit from the Administrator. All applicants shall provide a development plan for the proposed use with application. This plan shall include, but not be limited to, the proposed scope of the business, a site plan, the number of employees, occupation, vehicles (including type, weight and size of vehicles) to be used and estimated daily traffic. If the application for a home occupation is approved, this approval does not imply or convey permission to violate or be exempt from any existing or subsequent lawfully enacted deed restrictions for the property of the proposed home occupation.

Home occupations shall not include uses such as antique shops, barber and beauty shops, bed and breakfast facilities, churches, private clubs, day care facilities, eating and drinking establishments, fortune tellers, health spas, hotels/motels, kennels, vehicle sales/service/rental/repair, wholesale and retail, escort services, and lawn care services.

A. General Standards for All Home Occupations

All home occupations shall meet the following general standards:

1. Residential Building and Lot

- a. No alterations to the external appearance shall be made to change the residential character, including signage.
- b. No electrical or mechanical equipment or processes that would change the fire rating of the dwelling unit or violate noise standard provisions included in this ordinance shall be permitted. No home occupation may cause odor, vibrations, fumes, glare, or electrical interference that is perceptible beyond the lot line of the lot upon which the home occupation is conducted. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.
- c. No display of goods, products, or services shall be visible from outside the dwelling.

2. Accessory Structures

Offices or studios are permitted within an enclosed accessory structure, provided the accessory structure is used solely for administrative or artistic activities of a commercial nature by an occupant of a residence located on the same lot as such building.

3. Activities and Products

- a. Only handmade items, foodstuffs, crafts made in the home, and sale items in conjunction with the services may be offered for sale on the premises.
- b. Office use to support retail sales of off-premises businesses shall be permitted.

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- c. No other goods, products, or commodities bought for the express purpose of resale shall be sold at retail or wholesale on the premises, nor shall such goods or products be stored or displayed on the premises or distributed to other locations.
- d. No specialty services such as, but not limited to, dance instruction, crafts or music lessons shall be provided for a group larger than five (5) persons.
- e. No hazardous materials shall be permitted.

4. Employees

One employee, other than members of the family residing on the premises, shall be permitted given one additional off-street parking space is provided. Such parking space shall not be located in the required front yard, unless located on an existing driveway.

5. Size

The use of a dwelling for the home occupation shall be clearly incidental and subordinate to the use of the dwelling for residential purposes. A home occupation shall occupy less than 50 percent of the floor area of a principal dwelling unit.

6. Resident Operator

The operator of a home occupation shall be a full-time resident of the dwelling unit. If the applicant is a renter and not a property owner, the property owner must agree in writing to all proposed uses.

7. Commercial Vehicles

Commercial vehicles used for home occupations may be permitted. However, they will be reviewed by the Board of Adjustments on a case by case basis depending on the type, weight, size, signage and other characteristics of commercial vehicles.

8. Deliveries

Vehicles used for delivery and pick-up are limited to those normally servicing residential neighborhoods.

B. Special Standards for Administrative Approval of Home Occupations

Home occupations seeking administrative approval from the Administrator are allowed when all of the following special standards are met:

- 1. No person other than a resident of the dwelling unit shall be engaged or employed in the home occupation, and the number of residents employed in the home occupation shall not exceed two.
- 2. No business signs shall be permitted on the house or property.
- 3. No advertisement shall be placed in any media (newspaper, magazine, telephone directory, radio, television, etc.) containing the address to the property.
- 4. There shall be no exterior evidence of the conduct of a home occupation.

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5. There shall be no significant increase in use of utilities such as water, sewer, gas, or electricity beyond that normal to the use of the property for residential purposes.
6. No customers/students/clients will be allowed on site.
7. There shall be no storage of equipment or materials used in connection with a home occupation outside a dwelling unit or accessory structure.
8. The home occupation shall not generate traffic or a demand for parking. The home occupation may involve the use of no more than one (1) commercial vehicle for the transportation of goods or materials to and from the premises. However, the commercial vehicle is limited to a passenger car, van, or pickup truck. This vehicle shall not be more than twenty (20) feet in overall length and not more than seven (7) feet in overall height. The overall length and height of the vehicle shall include all additional accessories or trailers. No signage of the home occupation shall be shown on the vehicle. The vehicle must be parked on private property.

Sec. 260-240 Hospitals and Similar Uses

1. All buildings and structures shall be sixty (60) feet from front and street side yard property lines and thirty (30) feet from side and rear property lines.

Sec. 260-250 Lakes, Commercial

1. No structure, man-made standing water body at normal pool, or impound structure shall be located closer than thirty (30) feet from any property line.
2. Parking areas shall be provided on the premises as determined by the Administrator.

Sec. 260-260 Land-Farming Facility for Solid Waste

1. No structure shall be located closer than one hundred (100) feet to any property line or rights-of-way and five hundred (500) feet from any residence.
2. Parking areas shall be provided on the premises as determined by the Administrator.

Sec. 260-270 Less Than One Acre Construction Demolition Debris Landfill (CDDL)

1. Public Streets
 - a. When measured from the CDDL entrance onto a public street to the closest intersection with a higher order street, pavement widths of less than eighteen (18) feet at any point may be considered an inadequacy.
 - b. The applicant may address a public street's inadequacy by obtaining written comment from the appropriate transportation agency responsible for the maintenance and improvement of the subject public street. These written comments must address the public safety issue of encouraging heavy truck traffic associated with the CDDL on an inadequate street and may include specific Construction measures to be undertaken to address the inadequacies.
 - c. The applicant will not be excluded from presenting evidence regarding the public street's adequacy. Such evidence must be sufficient to demonstrate that public safety will not be compromised by the heavy truck traffic associated with the CDDL.

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2. Proximity to Adjoining Land Uses

- a. The following minimum distances from adjoining land uses shall be observed in the siting of a CDDL:

Residential Structure	750 feet
School or Church Property Line	1,000 feet
Public Park Property Line	1,000 feet

- b. Any structure or use listed above and located on the same property as the CDDL will not be required to observe the minimum distances.
- c. The minimum distances will be measured from the perimeter of the CDDL footprint to the adjoining land uses.
- d. The Board of Adjustments will retain the authority to grant a variance in the CDDL setback from an adjoining land use. In order to grant a variance in the CDDL setback, the applicant must effectively demonstrate the lessened setback will not have a deleterious effect on the impacted, adjoining land use.
- e. The Board of Adjustments will retain the authority to consider proximity to residential structures, institutional structures, or public parks within visual range of the CDDL even if they are further than the above minimum distances. This authority may result in a buffering requirement to soften the appearance of the CDDL within the visual range of residential structures, institutional structures or public parks.

3. Setbacks from Public Rights-of-Way

The Board of Adjustments will have the authority to require the installation of a buffer when the CDDL is within the visual range of public rights-of-way. Such buffer may include screening fences, screening trees, earthen berms with screening trees, existing tree lines, or any combination of effective buffering measures. The applicant will not be excluded from presenting buffering proposals for the Board of Adjustments review.

4. Driving Facilities

The following minimum driving facilities standards shall be observed:

- a. A driveway entrance permit must be obtained from the appropriate transportation agency responsible for the maintenance of the public street providing heavy truck access to the CDDL site.
- b. All driveway, turnaround, pull-off, and parking areas shall be constructed with non-dusting permanent surface such as asphalt, concrete or paver blocks. The construction standard of such driveway, turnaround, pull-off, and parking areas shall be adequate to handle heavy truck traffic.
- c. Adequate maintenance of non-dusting permanent surface driveway, turnaround, parking areas, and truck tire cleaning facilities must occur until the CDDL has been properly closed in accordance with the County's Solid Waste Ordinance.

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5. Security

The following minimum security measures shall be observed:

- a. A sturdy barrier shall be placed across the driveway entrance to the CDDL. Such barrier is to remain closed and padlocked during the CDDL non-operational hours and remain in place until the CDDL has been properly closed in accordance with the County's Solid Waste Ordinance.
- b. The Board of Adjustments will retain the authority to require additional security measures when warranted. Such security measures may be warranted when the CDDL is accessible to vehicular traffic from areas besides the driveway, in close proximity to the public rights-of-way, or in close proximity to areas that may generate trespassers. Such security measures may include perimeter fencing.

Sec. 260-280 Manufactured Homes

1. Applies to all manufactured homes (excluding qualified manufactured homes) proposed to be located on lots outside of the T Manufactured Home District and agricultural land use of not less than five acres.
2. Time of use exceeds twelve (12) months.
3. Required water and sanitary facilities must be provided.
4. The manufactured home must bear either a HUD Label if new or a B1 Seal if pre-owned.
5. The manufactured home should be compatible with or exceed its surrounding homes in terms of architectural style, size, exterior materials, and assess value.
6. 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 the manufactured home must be performed in accordance with KRS 227.550 et seq., 815 KAR 25:050, Section 2 and 42 USC Chapter 70.
7. An adequate guttering and roof drainage system shall be installed.
8. If located in a preservation district, additional standards may apply.

Sec. 260-290 Marinas and Boat Rental

1. All buildings, structures, and man-made standing water bodies shall be at least thirty (30) feet from any property line.
2. There shall be one and a half (1.5) off-street parking spaces for each slip or berth in addition to required parking spaces for other facilities included in the development.
3. All drives and parking areas shall be of asphalt, concrete or paver blocks.
4. Shall submit, as part of the application, proof of state submittal or approval by applicable state agencies.

Sec. 260-300 Nursing Homes (Reserved)

Sec. 260-310 Office Warehouses (Reserved)

Sec. 260-320 Private Utility Buildings/Facilities (Reserved)

Sec. 260-330 Public and Governmental Buildings and Facilities Including Offices, Training Armories, Storage, Maintenance, and Repair

1. Unless offices are in a downtown area, all buildings and structures shall be at least thirty (30) feet from all property lines. All yards shall be increased one foot for each foot of building height greater than is allowed in the district in which it is located.
2. Drives and parking areas shall be concrete, asphalt or paver blocks.

Sec. 260-340 Public or Private Clubs Including Swimming, Tennis or Other Recreation

1. All new buildings, structures, and facilities shall be at least thirty (30) feet from any property line.
2. Roads and parking shall be of a non-dusting, all-weather type.
3. Swimming pools shall be enclosed by a fence, or other protective device, at least six (6) feet in height prior to use.
4. Meet all landscaping requirements of Division 300 including requirements for recreational areas or play fields.

Sec. 260-350 Race Tracks

1. All buildings and structures shall be at least one hundred (100) feet from all property lines.
2. One off-street parking space shall be provided for each five (5) seats in the grandstand.
3. Parking areas and drives shall be of asphalt, concrete or paver blocks.

Sec. 260-360 Recreational Camping Areas, Public and Private

1. Minimum Development Site Standards:
 - a. Area – 20 acres
 - b. Open Space – 10 percent
 - c. Required Yards – 30 feet
2. All buildings and structures shall be at least thirty (30) feet from any property line.
3. Off-street parking areas shall be provided to accommodate one auto for each camp and camping area.
4. No property, camp, or camping area shall be leased or sold that does not conform to the minimum lot area established for the district in which is it located.
5. Location Requirements: All recreational vehicle (RV) shall be placed only in approved recreational vehicle spaces in RV parks and campgrounds.
6. Access: RV parks shall be so located and designed that no entrance or exit shall require movement of traffic to or from the RV park through a residential subdivision.
7. Parking Pads: Each recreational vehicle space shall contain an appropriate parking pad with paving or other suitable material.
8. Sanitary Facilities: Sanitary facilities shall be provided in accordance with the requirements of the Commonwealth of Kentucky and the Oldham County Health Department.

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9. Garbage and Trash: Central trash collection points shall be completely screened from view from outside the park.
10. Site Conditions: Conditions of soil, groundwater level, drainage, and topography shall not create hazards to the property, health, or safety of the occupants. The RV spaces shall not be exposed to objectionable smoke, noise, odors, or other adverse influences, and no portion of the park subject to flooding, subsidence, or erosion shall be used for any purpose which would expose persons or property to hazards. All RV spaces which are located in a floodplain shall conform to the applicable minimum elevation requirements of the zone.
11. Permanent Occupancy Prohibited: No RV shall be used as a permanent place of residence, dwelling or business. Continuous occupancy extending beyond 6 months shall be prohibited.

Sec. 260-370 Riding Academies/Stables (Reserved)

Sec. 260-380 Salvage yards, or Similar Establishments, Including Vehicle Wrecking, Metal, Paper, Glass, or Waste

1. All buildings and structures must be at least thirty (30) feet from all property lines.
2. The operation shall be conducted so as not to create a nuisance or cause undue noise, vibration, dust, color, or light to adjacent properties; no junked autos, bodies thereof, or similar materials may be burned on these premises.
3. The entire operation shall be enclosed within a solid fence at least eight (8) feet high with tree plantings.
4. Groundwater Contamination: Salvage yards shall be prohibited in all primary groundwater recharge areas. Groundwater contamination resulting from the operation of any salvage yard shall be prohibited. Contamination of any domestic water supply or surface run-off from the site onto any adjoining land, surface water body, or wetland shall be mitigated by use of holding tanks, settling ponds, or other necessary devices.
5. Removal Upon Discontinuance: All evidence of the salvage yard shall be removed by the property owner promptly after its discontinuance as a business enterprise.
6. Parking areas shall be provided on the premises as determined by the Administrator.

Sec. 260-390 Sanitary Land Fills

1. Establishment by the Commission or responsible authority of finished land elevations to be attained.
2. Assurance shall be given of available soil or rock fill material in quantities sufficient to maintain a cover over the entire operation.
3. There shall be a minimum of six (6) inches of soil cover over all daily filling operations.
4. There shall be a minimum of two (2) feet of soil cover over the final filling operations.
5. The area subject to filling shall be protected by fencing where necessary to prevent debris from spreading onto adjacent properties.
6. A source of water of sufficient quantity to combat fires shall be available at the immediate site of the daily filling.

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7. A performance bond amounting to \$1,000.00 per acre of the premises to be filled shall be filed with the county or the city to ensure the proper finishing of the area.

Sec. 260-400 Self Storage Facilities

1. Storage Only: Mini-warehouses shall be limited to storage use only. No other commercial, wholesale, or industrial use shall be permitted.
2. Plumbing Prohibited: Plumbing shall not be extended to individual storage spaces, and plumbing fixtures such as sinks, toilets, and the like shall not be installed.
3. Minimum Lot Size: Three (3) acres.

Sec. 260-410 Slaughter Houses, Rendering Plants or Similar Uses

1. Submittal of all data required for a Conditional Use Permit.
2. Plans and description of proposed project, plus such other matter as the Commission may require, including bond for performance meeting required standards.

Sec. 260-420 Solid Waste Incinerators (Reserved)

Sec. 260-430 Sports Facilities

1. All buildings and structures shall be at least thirty (30) feet from all property lines.
2. All roads and parking areas shall be of asphalt, concrete or paver blocks.

Sec. 260-440 Veterinary Hospitals and Kennels

1. Number of Animals
The maximum number of animals shall be determined by the appropriate Board of Adjustments in accordance with the area of the kennel, the type of animal to be housed by the kennel, the nature and character of the surrounding neighborhood, and guidelines of recognized organizations concerned with the breeding of animals and prevention of cruelty to animals. The applicant shall present evidence of such guidelines to the Board of Adjustments.
2. Pens and Runs
 - a. All kennels, runs, and other areas where animals are to be kept must be located within soundproof buildings to prevent noise from reaching neighboring properties.
 - b. All kennel pens, runs, and sales areas associated with kennels shall not be located within one hundred (100) feet from all property lines and street rights-of-way lines except if owner of the prospective structure owns land on the other side of the road opposite the location of the proposed structure, at which time the structure need only be setback from street rights-of-way line fifty (50) feet.
 - c. All kennel pens shall be located within an approved enclosed area.
 - d. Exercise runs shall be enclosed on all sides by a sight-obscuring, solid wall at least six (6) feet in height.
3. Odors
There shall be no objectionable odors generated by the use detectable by neighboring properties.

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Sec. 260-450 Wastewater Treatment Plant

1. Yards shall be provided as required in the district in which the plant is located, except that facilities shall not be located within three hundred (300) feet of adjoining property lines.
2. All facilities shall be enclosed within a six (6) feet high woven wire fence, with two strands of barbed wire above on outward projecting arms. Trees or other high plantings shall supplement the fencing.
3. All residues from the treatment plant shall be removed from the premises unless fully enclosed storage facilities are provided and maintained free of nuisance to neighboring properties by reason of odor, sight, or insect breeding.
4. All facilities shall be sufficiently landscaped to screen them from neighboring properties and to blend with the district in which it is located.
5. A Maintenance Bond, to be established by the Board of Adjustments, in an amount equal to not less than 25 percent of the construction cost of the sewage treatment plant shall be kept on file in the zoning office. The amount of the bond is to be subject to semi-annual review and increased where necessary.
6. The name, address, and telephone number of the owner/operator of the sewage treatment facility shall be kept on file in the Administrator's Office and displayed on site.

DIVISION 270 CAPACITY STANDARDS

Sec. 270-010 Establishment of Capacity Standards

The legislative bodies of Oldham County hereby establish a Capacity Standards System to ensure that adequate water supply, wastewater disposal, public schools, and roads are available at the time developments are occupied. A permit for a proposed development shall not be granted unless the appropriate legislative body has determined that the public facilities will be adequate to serve the needs of the development.

Sec. 270-020 Exemptions from Capacity Standards Requirements

The following developments shall be exempt from the Capacity Standards Requirements:

1. Developments approved prior to the enactment of these regulations.
2. Single-family dwellings on a lot of record.
3. Alteration or expansion of a development, or construction of accessory uses, that do not create additional impacts on public facilities.

Sec. 270-030 Responsibility for Capacity Standards Management System

Responsibility for monitoring and maintaining the Capacity Standards Management System and monitoring development activity will be as follows:

1. The Administrator shall monitor development and maintain records including:
 - a. Amended zoning ordinance and subdivision regulations;
 - b. A summary of building permits;
 - c. A summary of demolition permits;
 - d. A summary of certificates of occupancy; and
 - e. An annual report and analysis of development activity.

Sec. 270-040 Road Capacity Standards

Part 1 Purpose

The purpose of the road capacity standards are to maintain an acceptable level of service as defined in Part 2 while allowing new development to occur, to evaluate proposed development impact on existing roads, and to identify future road improvement needs in Oldham County.

Part 2 Road Capacity Defined

Road capacity shall be defined by using the levels of service (“LOS”) of roadways or roadway intersections for post-development traffic conditions that are further defined in Part 7. A traffic impact study may be required to determine the LOS.

For Urban Arterials and Urban Collectors, as identified in the Oldham County Major Thoroughfare Plan:

LOS D and above shall be considered acceptable LOS; and

LOS E and below shall be considered unacceptable LOS unless mitigation is provided.

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For all other roads in Oldham County:

- LOS C and above shall be considered acceptable LOS; and,
- LOS D and below shall be considered unacceptable LOS unless mitigation is provided.

Part 3 Traffic Impact Study Requirements

Traffic impact studies provide the Commission the information necessary to properly understand the transportation infrastructure impacts of a proposed development on existing and planned road capacities. Further, traffic impact studies identify the need for any improvements to the transportation system to reduce congestion, maintain and improve safety, and provide site access and impact mitigation associated with the proposed development.

Any development that does not meet the requirements listed below shall not require either a traffic assessment or a traffic study.

1. Prior to the review and approval of any request for rezoning, major subdivision or development, all development plans shall be reviewed by the Commission's traffic engineer and staff to determine which of the following studies will be required:
 - a. Traffic Assessment
A development 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. A traffic assessment would include Items 1-8 and Item 12 of Part 5. It would not include a level-of-service analysis.
 - b. Traffic Impact Study
A development 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. This study must include all items defined in Part 5.
2. Generally, a traffic impact study will provide operating-capacity and level-of-service analysis for critical roadway segments and/or intersections within an impacted study area. It then analyzes the impacts of the proposed development on the existing road network and proposes mitigation measures, if necessary, to improve any adverse conditions that may result from the proposed development.
3. The applicants can either request the Commission's traffic engineer to prepare a traffic impact study or traffic assessment or the applicant may choose its own traffic engineer to prepare the traffic impact study or traffic assessment.
 - a. If the applicant request the Commission's traffic engineer to prepare a traffic impact study, the applicant shall pay for the expenses associated with conducting such a traffic impact study;
 - b. If the applicants choose their own traffic engineer to prepare the traffic impact study, the following conditions must be met:

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1. The traffic impact study must be prepared and stamped by a professional engineer licensed in the Commonwealth of Kentucky.
 2. The traffic impact study shall be reviewed and approved by the Commission’s traffic engineer;
 3. The applicants shall pay for the expenses associated with such a review by the Commission’s traffic engineer.
4. Changes to the project during development that will result in the increase of traffic or its distribution of over 20 percent or 100 peak-hour trips, whichever is less, on existing or proposed roadways will require that the traffic impact study be revised to reflect the changes.

Part 4 Planning and Zoning Commission Approval Criteria

1. A proposed rezoning, subdivision or development may be denied when the traffic impact study approved by the Commission’s traffic engineer indicates that the LOS at the end of each development year or phase for the existing or proposed roads and intersections is unacceptable as defined in Part 2. The exception may be when the traffic impact study and the proposed mitigation measures demonstrate that the proposed development will not increase the existing delay more than five (5) seconds.
2. Improvements to any existing roadway providing direct access to the proposed development shall be made to a road of higher order in accordance with the following requirements in order to ensure that the geometry of an existing road can safely withstand additional traffic volumes.

Minimum Pavement Width Requirements for Existing Road Improvements	
Road Classification	Pavement Width
Arterial	24 feet
Collector	22 feet
Sub-Collector	20 feet
Local	20 feet
Cul-de-sac	20 feet 18 feet if less than 400 feet in length
Alley	12 feet

3. Under no circumstances shall the pavement width be less than what is stated in the current subdivision regulations.
4. For phased development, the timing of improvements may be allowed to correspond with the phasing schedule of the development.

Part 5 Minimum Information Required for a Traffic Impact Study

1. A site plan and vicinity map.
2. Study purpose and objectives.
3. A description of the proposed land use (size, type, location, phasing).

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4. Determination and identification of the area of influence of the development (impacted study area).
5. Description of existing roadway conditions including physical characteristics of the roadways, pedestrian ways, public transportation, traffic volumes and traffic control devices. Traffic volume data should include current peak-hour traffic volume counts and estimated ADT. Peak-hour traffic volume shall be the highest average peak-hour volume for any weekday 24-hour period when schools are in session. Traffic counts shall be conducted no earlier than nine (9) months prior to the filing for commission review.
6. Projected traffic volume generated by any nearby development approved by the commission but not yet built. This information is available from the Commission's traffic engineer. The appropriate "rate of growth" for an area of development shall be determined by the Commission's traffic engineer.
7. Projection of peak-hour traffic volumes to the full-development year (assuming full build-out and occupancy) composed of all the following:
 - a. Existing traffic volumes
 - b. Non-site traffic volume growth in the corridor between the existing year and the full development year.
 - c. The traffic volume added by the proposed development.
8. A future combined traffic volume diagram for critical peak hours of the development and roadway system with a description of any roadway/intersection improvements which have been assumed as being in place at full development. Any assumed improvements cited shall include the funding or project status as of the date of the report and include scenarios if the assumed improvements are delayed beyond the study's scope.
9. LOS determination during the critical period(s) for the existing, no-build and full-development years for the impacted study area.
10. An assessment quantifying the impact of the development on roadway operating conditions.
11. Recommendations for improvement measures to mitigate the impact of the development to the acceptable LOS.
12. Traffic shed analysis that will include the percentage of development that will use the closest arterial. Additionally, this section should state the current ADT of the arterial and the level of service from the Major Thoroughfare Plan or as provided by the Commission. If improvements are scheduled for the arterials, the schedule should be included in this section.
13. The traffic impact study report should be presented in a straightforward and logical sequence. It should lead the reader step by step through the various stages of the process and to the resulting conclusions and recommendations. Transportation improvements that achieve the needed level of site access and mitigate any adverse effects the development-related traffic may have on the transportation system should be described. Sufficient detail should be included so the reviewing agency will be able to follow the methodology of the analysis, associated findings and recommendations. If more than one intersection is being analyzed, schematic drawings displaying all the intersections with turning movements are required. The report should include a table or diagram summarizing all level of service results for the existing condition, the no-build condition and the build condition.

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14. The traffic impact study shall be provided in paper format in the quantity specified by the Commission and in an electronic format specified by the Commission.

Part 6 Mitigation

The Commission may consider the following mitigation factors potentially altering the overall impact of the proposed development on road capacity:

1. Construction of improvements as identified by the traffic impact study to improve or maintain an acceptable LOS as defined in Part 2.
2. Contribution to a public and private partnership program that will result in the improvements of road capacity in the future and to be used in the area where the traffic impact study indicates deficiencies.

Part 7 Level of Service Definitions

<i>LOS</i>	<i>General Description</i>	<i>Roadways</i>	<i>Signalized Intersections</i>	<i>Unsignalized Intersections</i>
A	Traffic flows with very little delay and speed are optimal. Most vehicles do not stop at all.	Primarily free flow operations at average travel speeds (90% of free flow speed); vehicles seldom impeded in their ability to maneuver; minimal delay at signalized intersections.	Very low control delay per vehicle (up to 10 seconds per vehicle); vehicle progression is extremely favorable, very little stopping.	Very low control delay per vehicle up to 10 seconds per vehicle; very little stopping.
B	Traffic flows with very little delay and speeds may be slightly reduced. Very infrequent and short waits at traffic signals. More vehicles stop at intersections than for LOS "A."	Generally unimpeded operations at average travel speeds (about 70% of free flow speed); ability to maneuver slightly restricted; infrequent delays at signalized intersections not bothersome.	Control delay per vehicle ranging between 10 and 20 seconds; good progression, short cycle lengths; more stopping with increasing levels of average delay.	Control delay per vehicle ranging between 10 and 15 seconds.
C	Traffic speeds continue to slow. Some vehicles may stop at this level, although many vehicles still pass through the intersection without stopping.	Stable flow; ability to maneuver more restricted; lower average speeds (about 50% of free flow speed); longer queues likely to develop at many signalized intersections	Control delay per vehicle ranging between 20 and 35 seconds; fair progression, longer cycle lengths; significant stopping of vehicles at this level; some individual cycles begin to fail.	Control delay per vehicle ranging between 15 and 25 seconds; significant stopping of vehicles at this level.
D	Congestion becomes more noticeable. Many vehicles stop, and the proportion of vehicles not stopping declines.	Bordering unstable flow; still lower average speeds (about 40% of free flow speed); small increases in flow rate or	Control delay per vehicle ranging between 35 and 55 seconds; unfavorable progression or long signal cycles or high V/C ratios	Control delay per vehicle ranging between 25 and 35 seconds.

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		adverse signal progression may cause significant increases in delay.	may result in ever increasing delays; many vehicles stop, and individual cycle failures are noticeable.	
E	Low speeds and traffic backups at intersections. Often considered to be the limit of acceptable delay.	Capacity – Characterized by significant delay and low average speeds (about 33% of free flow speed); aggravated by poor signal progression and high signal density; extensive delays at key signalized locations.	Capacity – Control delay per vehicle ranging between 55 and 80 seconds; often unfavorable progression or long signal or high V/C ratios result in high delay values; and individual cycle failures are frequent occurrences.	Capacity – Control delay per vehicle ranging between 35 and 50 seconds.
F	Very slow speeds and congestion. Long traffic backups. Very likely to wait for multiple greens to get through an intersection. This is considered to be unacceptable to most drivers.	Congestion – Arterial flow at extremely low speeds; frequent intersection congestion at most critical signalized intersections; with long delays and extensive queuing.	Congestion – Control delay per vehicle exceeds 80 seconds; arrival rates exceed capacity; many cycle failures; long delays and extensive queuing are likely.	Congestion – Control delay per vehicle exceeds 50 seconds; arrival rates exceed capacity; long delays and extensive queuing are likely.

Sec. 270-050 School Capacity Standards

Part 1 Purpose

The purpose of this section is to ensure that, to the maximum extent practical, approval of new residential development will be granted by the Commission only when it can reasonably be expected that adequate public school facilities will be available to accommodate such new development.

Part 2 School Capacity Considerations

As part of the consideration to subdivide land, available public school capacity shall be considered. Available school capacity inadequate to accommodate the number of students generated by a project or proposal may be considered grounds for denial of a subdivision plat as not being in compliance with these regulations.

Part 3 School Capacity Defined/Applied

School capacity shall be quantified using figures, data, or other information provided by the Oldham County Board of Education, those figures, data, or other information in a form mutually agreed upon by the Commission and the Oldham County Board of Education. The form and method of arriving at the figures, data, or other information relating to school capacity shall be periodically reviewed (at least once per calendar year) for accuracy and relevancy by the staff of the Commission. As part of this review, the Commission may request from the Oldham County School Board its raw data and formula used to determine school capacity. The Commission through its staff may review this information to determine its accuracy, fairness, and comprehensiveness as well as review for other pertinent factors. The

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Commission may, based on this review and its results, decide to alter, amend, or substitute school capacity figures to be considered but must have a reasonable or generally accepted statistical basis upon which to do so.

Part 4 Students Generated Defined/Applied

The Oldham County Board of Education shall provide the Commission such data as necessary to determine the average number of students generated per dwelling unit in a new development. This average shall be applied by the Commission to development proposals in order to determine the number of students on average to be generated by the development. That figure will be compared to school capacity or planned school capacity available to identify inadequacies. The form and method of arriving at the figures, data, or other information relating to students generated per dwelling shall be periodically reviewed (at least once per calendar year) for accuracy and relevancy by the staff of the Commission. As part of this review, the Commission may request from the Oldham County School Board its raw data and formula used to determine average students generated per dwelling. The Commission through its staff may review this information to determine its accuracy, fairness, and comprehensiveness as well as review for other pertinent factors. The Commission may, based on this review and its results, decide to alter, amend, or substitute the average students generated per dwelling to be considered but must have a statistical basis upon which to do so.

Part 5 Mitigation

The Commission as part of its consideration of school capacity when evaluating a request to subdivide land for residential purposes may also consider the following mitigating factors potentially altering the overall impact of the proposed development on school capacity:

- a. The unique makeup of the residents occupying developments of the type proposed (e.g. a development targeted at retired individuals typically without resident school age children).
- b. Provisions within the proposed development of a school site or other capital improvements as desired by the Oldham County School Board.
- c. Failure of the Oldham County School Board to provide any or all of the data necessary to administer this ordinance may suspend consideration of school capacity as a factor affecting the subdivision of property for residential purposes.
- d. Phasing: Oldham County School Board has adopted the Campus Capacity Worksheet which is a chart that uses the average of the school capacity of the serving campus (campus being the elementary, middle and high school serving the proposed development) and applies a multiplier to generate the number of building permits allowed per calendar year for the proposed development.

Sec. 270-060 Fire Protection Standards

Part 1 Purpose and Intent

The purpose of this section is to ensure the safety of Oldham County citizens by providing the infrastructure elements necessary for fire protection. Fire protection standards for fire department access, fire hydrants, water mains, fire flow, and sprinkler systems shall be met by all applicable new developments.

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Part 2 Definitions and Abbreviations

Accessible by full size fire apparatus: An unobstructed improved surface capable of allowing fire apparatus weighing approximately 60,000 pounds to safely pass through.

GPM: Gallons Per Minute.

NFP: National Fire Protection Association

Private Road: A way open to vehicular ingress and egress established as a right-of-way easement for the benefit of certain adjacent properties and constructed to required standards.

PSI: Pounds per Square Inch.

Part 3 Fire Department Access

1. Buildings built on private roads or shared access easements must be accessible by full-size fire apparatus.
2. Private roads or shared access easements shall be constructed to allow access by fire apparatus and maintained in that condition at all times.
3. Bridges on private roads or shared access easements must be able to support the weight and width of full-size fire apparatus.

Part 4 Fire Hydrants

1. Fire hydrants shall be installed and spacing requirements shall be according to the latest version of the Oldham County Fire Hydrant Ordinance.
2. The Oldham County Fire Hydrant Ordinance shall apply along all private roads and shared access easements.

Part 5 Water Mains

The minimum acceptable water main size shall be six (6) inches with larger sizes required as determined by the hydraulic calculations of the water company serving the area.

Part 6 Fire Flow

1. The water supply system for residential developments must be capable of delivering a minimum sustained fire flow as follows:

Residential Developments	Fire Flow Requirements
Single-family detached residential developments of 1-acre lot or larger with minimum building (including accessory buildings) setback of 30 feet from any property line	500 GPM with a residual pressure of no less than 20 PSI
All other residential developments	750 GPM with a residual pressure of no less than 20 PSI

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2. Commercial, industrial, and institutional developments may require additional fire flow depending upon the occupancy, construction, and fire protection features. Refer to NFPA Standard 1142 latest edition.

Part 7 Mitigation

Buildings on lots that do not meet the above fire protection standards will be subject to approval by the fire chief in the affected jurisdiction. Examples of mitigation may include but not be limited to: the use of sprinklers, cisterns, dry hydrants or other alternative water sources that meet the minimum fire flow requirements.

Sec. 270-070 Wastewater Treatment Facility Standards

Part 1 Purpose

The purpose of this ordinance is to ensure that, to the maximum extent practical, approval of new developments will be granted by the Commission only when it can reasonably be expected that adequate wastewater treatment capacity will be available to accommodate such new developments.

Part 2 Wastewater Treatment Facility and Capacity Considerations

As part of the consideration of any request to rezone property, available wastewater treatment facilities and capacity shall be considered. Available wastewater treatment facilities with capacity inadequate to accommodate the average daily flow of wastewater generated by a proposed project may be considered grounds for denial of a rezoning request.

Part 3 Wastewater Treatment Capacity Defined

Wastewater treatment capacity shall be quantified (in gallons per day) using figures, data, or other information provided by the applicant's licensed engineer.

The Existing Average Daily Flow shall be calculated by using the Average Daily Flow of the subject wastewater treatment facility from the Discharge Monitoring Report (DMR) for the previous twelve (12) months. The Approved Average Daily Flow shall be calculated based on the projected Average Daily Flow for all approved developments not yet connected to the subject wastewater treatment facility. The Proposed Average Daily Flow shall be calculated based on the projected Average Daily Flow of the proposed development.

When calculating wastewater flow generated by an approved or proposed development, the Ten States Standard of four hundred (400) gallons per-day per-housing unit shall apply as the Average Daily Flow except when the applicable sanitary sewer service provider provides the information necessary to establish a different Average Daily Flow for the proposed development. The Commission through its staff will review this information for comprehensiveness as well as other pertinent factors. The projected Average Daily Flow per housing unit to be applied under this ordinance shall not be less than the minimum amount annually established by the Commission in consultation with sanitary sewer service providers for each wastewater treatment facility that serves Oldham County.

Part 4 Criteria for Rezoning Applications

The following are criteria to be applied by the Commission or staff when determining whether an application for rezoning shall be in compliance with these regulations.

If the subject wastewater treatment facility is, at the time of application, under a notice of violation or a sanction with the Kentucky Division of Water, the Commission shall consider only applications that adequately address mitigating factors in accordance with Part 5.

When the combined Existing, Approved and Proposed Average Daily Flow (see Part 3, Paragraph 2) to the subject wastewater treatment facility exceeds one hundred percent (100%) of the average daily design capacity at the time of application, the Commission shall consider only applications adequately address mitigating factors in accordance with Part 5.

Part 5 Mitigation

The Commission, as part of its consideration of wastewater treatment capacity when evaluating a rezoning request, may also consider the following mitigating factors potentially altering the overall impact of the proposed development on wastewater treatment capacity:

1. If the subject wastewater treatment facility is, at the time of application, subject to a notice of violation issued by the Kentucky Division of Water, the applicant must submit a letter from the appropriate sewer agency explaining the nature and extent of the violation and outlining the proposed resolution of the notice of violation.
2. If the subject wastewater facility is under sanction with the Kentucky Division of Water, the applicant must provide documentation that the sanction does not apply to the proposed project in order for the application to be considered.
3. When the combined Existing, Approved, and Proposed Average Daily Flow to the subject wastewater treatment facility exceeds one hundred percent (100%) of design capacity, the applicant must prove each of the following in order for the application to be considered:
 - a. Plans and funding are in place for a new facility to treat wastewater or for improvements to existing wastewater treatment facility systems as desired by the sewer service provider.
 - b. Evidence of preliminary approved by the Kentucky Division of Water (i.e. wasteload allocation) must be provided for the construction of a new facility or improvements to an existing facility.
 - c. The proposed construction of a new facility or improvements to an existing facility will be completed within two (2) years of rezoning approval. In cases where the development has to be phased beyond two (2) years due to other capacity factors the proposed construction and improvement to the subject wastewater treatment facility may be allowed to correspond with the phasing schedule of the development; and
 - d. That the new capacity or increased capacity will be sufficient to serve the proposed development.

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Sec. 270-080 Postal Capacity Standards

The United States Postal Service (USPS) is directed by statute to provide reliable and efficient services and has determined that Centralized Delivery fulfills their responsibility to provide safe, efficient delivery for both customers and the Postal Service. *Postal Operations Manual (POM)* Section 631.2 provides the guidelines used by local postal managers to determine which mode of delivery is to be used including equipment and location of boxes.

All developments must be reviewed by and comply with the recommendations of the USPS.

DIVISION 280 OFF-STREET PARKING AND LOADING REGULATIONS

Sec. 280-010 Off-Street Parking and Loading Regulations: Purpose

The purpose of this Division is to ensure that all existing and future land uses are accompanied by a sufficient amount of off-street parking and loading areas to allow for easy access, convenience, and free flow of parking.

Sec. 280-020 Relationship to the Comprehensive Plan

The off-street parking and loading regulations in this Division are intended to implement the goals, objectives, and policies outlined in the Outlook 2020 Oldham County Comprehensive Plan.

Sec. 280-030 Applicability

The requirements of this Division shall apply to all parking, queuing, and loading areas whether required by this Ordinance or created for the convenience of the property owners or users. No certificate of occupancy shall be provided until the appropriate motor vehicle parking, queuing, and loading facilities are provided in compliance with this Ordinance.

Sec. 280-040 Parking Requirement/Allowances Calculations

1. The minimum and maximum number of parking spaces required/allowed is outlined in tables listed in Sec. 270-050 through Sec. 270-110 and is based on the land use in which motor vehicle parking, queuing, and loading facilities shall occur.
2. The following standards shall apply when any existing use or structure is proposed for an addition (such as dwelling units, floor area, seating capacity, etc.) or expansion that increases the unit(s) of measurement used for computing the required parking facilities for that use.
 - a. When a lawful building or use not in compliance with the requirements for motor vehicle parking, queuing, or loading facilities is increased in gross floor areas by twenty (20) percent or less, then only the portion of the building or use expanded shall be required to meet the standards of this Division.
 - b. When a lawful building or use not in compliance with the requirements for motor vehicle parking, queuing, or loading facilities is increased in gross floor area by more than twenty (20) percent, then both the existing building or use and the addition shall be required to meet the standards of this Division. This provision shall be cumulative and shall apply to any single or group of successive increases that occur after the effective date of this Ordinance.
 - c. When a change of use occurs, the minimum number of parking spaces required by this Division for the new use shall be provided. In those cases where the existing number of parking spaces on the site exceeds the maximum permitted by this Division for the new use, the new use may continue to utilize those parking spaces but may not increase parking without a parking waiver. All parking shall adhere to all Sections of this Division.
3. Parking requirements for use not specifically shown in tables listed in Division 280 shall be determined by the Administrator or his/her designee based upon the standards for the closest

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comparable use and on the particular parking demand and trip generation characteristics of the proposed use.

4. Parking requirements for different use areas shall be calculated based on the primary use on the site. The required or allowed parking for the site shall be the sum of the required/allowed parking for the individual uses where there are two or more separate uses on a site.
5. The required/allowed parking shall be calculated separately for an accessory use when more than twenty (20) percent of the gross floor area of all buildings on a site is in an accessory use. An accessory use constituting twenty (20) percent or less of the gross floor area of all buildings on a site shall be calculated based on the parking requirements for the primary use found in the tables listed in this Division.
6. When the calculation of the number of required or allowed parking spaces results in fractions, any fraction less than one-half shall be disregarded and any fraction of one-half or more shall be rounded up to the next whole number.
7. The minimum number of parking spaces is automatically increased to one if the maximum number of spaces allowed is less than one.
8. The minimum number of parking spaces is automatically increased to one more than the minimum if the maximum number of spaces allowed is less than or equal to the minimum number required.

Sec. 280-050 Industrial and Manufacturing

Use	Minimums	Maximums
Industrial, Manufacturing, Warehouse, and Storage Uses	1.0 space for each 1.5 employees based on combined employment count of the main shift plus the second shift.	1.0 space for each employee based on combined employment count of the main shift plus the second shift.

Sec. 280-060 Institutional

Use	Minimums	Maximums
Bus and Train Stations, Freight Terminals, and Similar Enterprises	To be reviewed and determined by the Administrator.	To be reviewed and determined by the Administrator.
Churches, Synagogues and Other Religious Institutions		
Where Permanent Seats are Installed	1.0 space for each 3.0 seats in the sanctuary or primary assembly area.	125 percent of the minimum number of spaces required.
Where No Permanent Seats are Installed	1.0 space for each 50 sq. ft. of seating area in the sanctuary or primary assembly area.	125 percent of the minimum number of spaces required.
<i>Note: When calculating the required parking for this use, one shall consider all uses associated with the primary use on the site, the hours of operation, and peak-hours of usage to determine the minimum number of parking spaces needed to</i>		

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Use	Minimums	Maximums
<i>adequately serve all uses associated with the primary use.</i>	<i>Note: Where individual seats are not provided, each 20 inches of pews or similar seating shall be considered as one seat.</i>	
Clubhouses and Community Centers	Without Pools: 1.0 space for each 250 sq. ft. of gross floor area. With Pools: Additional 1.0 space for each 100 sq. ft. of water area.	Without Pools: 1.0 space for each 125 sq. ft. of gross floor area. With Pools: Additional 1.0 space for each 60 sq. ft. of water area.
Community Residences, Hospitals, and Institutions for the Treatment or Correction of Addiction, Mental Cases	1.0 space for each 5.0 beds.	1.0 space for each 2.0 beds.
Fire Stations Full-Time Staffing Voluntary Staffing	1.0 space for each 2.0 employees on the maximum shift, plus 3.0 additional spaces. 4.0 spaces for each piece of apparatus or as determined by the Administrator.	1.0 space for each employee on the maximum shift, plus 3.0 additional spaces. 6.0 spaces for each piece of apparatus or as determined by the Administrator.
Funeral Homes and Mortuaries	1.0 space for each 100 sq. ft. of floor area in parlors or assembly areas. A minimum of 25 spaces is required.	1.0 space for each 50 sq. ft. of floor area in parlors or assembly areas. A minimum of 25 spaces is required.
Grade, Elementary, and Middle Schools	2.0 spaces for each classroom, or 1.0 space for each 4.0 seats in the primary assembly area, whichever is greater.	3.0 spaces for each classroom, or 1.0 space for each 3.0 seats in the primary assembly area, whichever is greater.
High Schools	5.0 spaces for each classroom, or 1.0 space for each 4.0 seats in the primary assembly area, whichever is greater.	10.0 spaces for each classroom, or 1.0 space for each 3.0 seats in the primary assembly area, whichever is greater.
Hospitals	1.0 space for every 3.0 patient beds (excluding bassinets), plus 1.0 space for each staff and/or visiting doctor, plus 1.0 space for every two employees at maximum shift.	1.0 space for every 2.0 patient beds (excluding bassinets), plus 1.0 space for each staff and/or visiting doctor, plus 1.0 space for each employee at maximum shift.
Libraries, Museums, Art Galleries, and Similar Uses	1.0 space for each 250 sq. ft. of gross floor area.	1.0 space for each 125 sq. ft. of gross floor area.

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Use	Minimums	Maximums
Nursery Schools, Day Nurseries, Child Care Centers and Similar Uses	2.0 spaces for each employee on maximum shift or 1.0 space for each employee on maximum shift plus an area designated for children drop-off and pick-up that must be approved by the applicable agency.	4.0 spaces for each employee on maximum shift or 2.0 spaces for each employee on maximum shift plus an area designated for children drop-off and pick-up that must be approved by the applicable agency.
Penal and Correctional Facilities	To be determined by the Administrator.	To be determined by the Administrator.
Post Office	1.0 space for each 300 sq. ft. of gross floor area.	1.0 space for each 150 sq. ft. of gross floor area.
Social/Fraternal Clubs or Lodges, Union Halls, and Similar Private Clubs <i>Note: Individual recreational components shall be counted separately.</i>	1.0 space for each 125 sq. ft. of gross floor area.	1.0 space for each 50 sq. ft. of gross floor area.
Trade, Business, and Other Proprietary Schools	1.0 space for each 4.0 classroom seats, plus 1.0 space for each 3.0 employees on maximum shift.	1.0 space or each 2.0 classroom seats, plus 1.0 space for each employee on maximum shift.

Sec. 280-070 Office Use

Use	Minimums	Maximums
Banks and Related Financial Institutions		
Drive-Thru and/or Walk-In Facility	1.0 space for each 300 sq. ft. of gross floor area.	1.0 space for each 200 sq. ft. of gross floor area.
Drive-Thru Only	1.0 space for each 2.0 employees on maximum shift, plus 2.0 additional spaces.	1.0 space for each employee on maximum shift, plus 2.0 additional spaces.
Business and Professional Office	1.0 space for each 300 sq. ft. of gross floor area.	1.0 space for each 200 sq. ft. of gross floor area.
Medical Office/Clinic, Clinics and Immediate Care Centers, and Veterinary Hospitals.	1.0 space for each 200 sq. ft. of gross floor area.	1.0 space for each 100 sq. ft. of gross floor area.

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Studios for Artists, Designers, Photographers, and Similar Professionals	1.0 space for each practitioner occupying the site on a full-time basis, plus 1.0 space for every 3.0 students if classes are conducted on the site.	3.0 spaces for each practitioner occupying the site on a full-time basis, plus 1.0 space for every student if classes are conducted on the site.
Studios for Audio and Video Recording	2.0 spaces plus 1.0 space for each employee on maximum shift.	5.0 spaces plus 1.0 space for each employee on maximum shift.

Sec. 280-080 Non-Retail Commercial/Recreational

Use	Minimums	Maximums
Airport	1.0 space per 5 aircraft tie-downs, plus 1.0 space per 5 aircraft storage areas, plus 2.0 spaces for every 3 employees on the largest shift, plus 1.0 space for every vehicle customarily used in operation.	1.0 space per 4 aircraft tie-downs, plus 1.0 space per 4 aircraft storage areas, plus 1.0 space for every employee on the largest shift, plus 1.0 space for every vehicle customarily used in operation.
Athletic Fields	To be reviewed and determined by the Administrator.	To be reviewed and determined by the Administrator.
Auto Rental Agency	1.0 space for each 400 sq. ft. of gross floor area in the building, plus 1.0 space for each 2.0 employees on maximum shift, with a minimum of 5.0 spaces.	1.0 space for each 200 sq. ft. of gross floor area in the building, plus 1.0 space for each employee on maximum shift.
Auto Repair Establishments	1.0 space for each employee on maximum shift, plus 2.0 spaces for each service bay (service bay may count as 1.0 of the required spaces).	1.0 space for each employee on maximum shift, plus 5.0 spaces for each service bay (service bay may count as 1.0 of the required spaces).
Barber and Beauty Salons	1.0 space for each 250 sq. ft. of gross floor area.	1.0 space for each 100 sq. ft. of gross floor area.
Bowling Alleys	4.0 spaces for each alley or lane.	6.0 spaces for each alley or lane.
Car Washes Conveyor Type Operated by Customer	1.0 space for each conveyor unit or stall, plus 1.0 space for each vacuum unit (if not accessible to queue spaces). <i>Note: Refer to Division for queue space requirements.</i>	2.0 space for each conveyor unit or stall, plus 1.0 space for each vacuum unit (if not accessible to queue spaces). <i>Note: Refer to Division for queue space requirements.</i>

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Use	Minimums	Maximums
Conveyor Type Operated/Washed by Employees	1.0 space for each 1.0 employee on maximum shift. <i>Note: Refer to Division for queue space requirements.</i>	1.0 space for each employee on maximum shift. <i>Note: Refer to Division for queue space requirements.</i>
Self-Service Manual Type	2.0 spaces for each stall, plus 1.0 space for each vacuum unit (if not accessible to queue spaces). <i>Note: Refer to Division for queue space requirements.</i>	3.0 spaces for each stall, plus 1.0 space for each vacuum unit (if not accessible to queue spaces). <i>Note: Refer to Division for queue space requirements.</i>
Catering Kitchen Preparing Food for Off-Site Consumption	2.0 spaces, plus 1.0 space for each 1.5 employees on maximum shift, plus 1.0 space for each business vehicle.	4.0 spaces, plus 1.0 space for each employee on maximum shift, plus 1.0 space for each business vehicle.
Cemetery, Mausoleum, and Crematories	1.0 space per full-time employee.	1.0 space per full-time employee, plus sufficient space to accommodate the largest number of vehicles that may be expected at any one time.
Coliseums, Stadiums, and Similar Sports Arenas	1.0 space for each 4.0 seats or 4.0 people accommodated by maximum capacity.	1.0 space for each 2.5 seats or 2.5 people accommodated by maximum capacity.
Commercial Rifle, Pistol, Skeet, Trap, and Shooting Range	1.0 space per target area.	1.0 space per full-time employee plus 1.0 space per target area.
Drive-In Theater	1.0 space per each vehicle at maximum capacity, plus 3.0 spaces.	1.0 space for each vehicle at maximum capacity, plus 10.0 spaces.
Electronic and Electrical Repair Service Shop	1.0 space for each 300 sq. ft. of gross floor area with a minimum of 3.0 spaces.	1.0 space for each 200 sq. ft. of gross floor area.
Golf Courses	2.0 spaces for each hole, plus 1.0 space for each 2.0 employees on maximum shift.	4.0 spaces for each hole, plus 1.0 space for each employee on maximum shift.
Golf Driving Ranges and Miniature Golf Courses	1.0 space for each 1.5 tees, plus 1.0 space for each 1.5 employees on maximum shift.	1.0 space for each tee, plus 1.0 space for each employee on maximum shift.
Riding Academies and Stables (Commercial)	1.0 space for each horse boarded at the facility.	3.0 spaces for each horse boarded at the facility.

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Use	Minimums	Maximums
Hotels and Motels	1.0 space for each sleeping room or individual suite of sleeping rooms, plus 1.0 space for each 250 sq. ft. of gross floor area within the restaurant/bar/entertainment facility (if applicable).	1.5 space for each sleeping room or individual suite of sleeping rooms, plus 1.0 space for each 100 sq. ft. of gross floor area within the restaurant/bar/entertainment facility (if applicable).
Ice Cream Parlor/Coffee Shop <i>Note: Outside dining area subject to same requirements as indoor dining.</i>	1.0 space for each 200 sq. ft. of gross floor area. <i>Note: Refer to Division for queue space requirements.</i>	1.0 space for each 100 sq. ft. of gross floor area. <i>Note: Refer to Division for queue space requirements.</i>
Indoor Athletic and Exercise Facilities/Health Club/Gymnastic, Karate, Yoga Studios and Similar Facilities	1.0 space for each 300 sq. ft. of gross floor area.	1.0 space for each 100 sq. ft. of gross floor area.
Laundromats and Dry Cleaners	1.0 space for each 300 sq. ft. of gross floor area. <i>Note: Refer to Division for queue space requirements.</i>	1.0 space for each 150 sq. ft. of gross floor area. <i>Note: Refer to Division for queue space requirements.</i>
Marinas and Boat Rental	1.0 space per slip of berth.	1.5 spaces per slip or berth.
Movie Theaters and Cinemas (Indoor)	1.0 space per each 4.0 seats.	1.0 space per 3.0 seats.
Pet Grooming and Kennels	3.0 spaces, plus 1.0 space for each 2.0 employees on maximum shift, plus 1.0 space for each 3.0 pet owners at maximum capacity if animal training is conducted on-site.	5.0 spaces, plus 1.0 space for each employee on maximum shift, plus 1.0 space for each 3.0 pet owners at maximum capacity if animal training is conducted on-site.
Picture Framing, Printing and Lithograph, Tailor Shops, and Similar Service Shops	1.0 space for each 250 sq. ft. of gross floor area with a minimum of 3.0 spaces.	1.0 space for each 150 sq. ft. of gross floor area.
Public Swimming Pools	1.0 space for each 100 sq. ft. of water surface area, plus 1.0 space for each 50 sq. ft. of site area used for spectator seating.	1.0 space for each 60 sq. ft. of water surface area, plus 1.0 space for each 30 sq. ft. of site area used for spectator seating.
Race Track	1.0 space for every 4 seats; one seat is equal to two feet of bench length.	1.0 space for every 3 seats; one seat is equal to two feet of bench length.
Restaurants		

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Use	Minimums	Maximums
Sit-down dining (with or without drive-thru) <i>Note: Outside dining area subject to same requirements as indoor dining.</i>	1.0 space for each 125 sq. ft. of gross floor area. <i>Note: Refer to Division for queue space requirements.</i>	1.0 space for each 75 sq. ft. of gross floor area. <i>Note: Refer to Division for queue space requirements.</i>
Carry-out only (with or without drive-thru) <i>Note: Outside dining area subject to same requirements as indoor dining.</i>	1.0 space for each 200 sq. ft. of gross floor area. <i>Note: Refer to Division for queue space requirements.</i>	1.0 space for each 125 sq. ft. of gross floor area. <i>Note: Refer to Division for queue space requirements.</i>
Roller or Ice Skating Rinks	1.0 space for 300 sq. ft. of gross floor area.	1.0 space for each 150 sq. ft. of gross floor area.
Self Storage Facility	1.0 space per 10 storage units, plus 1.0 space per employee.	1.0 space per 5 storage units, plus 1.0 space per employee.
Tennis Center	1.0 space for each 2.0 employees on maximum shift, plus 4.0 spaces for each court, plus 1.0 space for each 50 sq. ft. of site area used for spectator seating.	1.0 space for each employee on maximum shift, plus 6.0 spaces for each court, plus 1.0 space for each 30 sq. ft. of site area used for spectator seating.
Veterinary Hospital	3.0 spaces for every doctor, plus one space for every additional employee.	5.0 spaces for every doctor, plus one space for every additional employee.
Video Rental Stores	1.0 space for each 250 sq. ft. of gross floor area.	1.0 space for each 200 sq. ft. of gross floor area.

Sec. 280-090 Other/Miscellaneous

Use	Minimums	Maximums
Quarry, Gravel Pit, or Stone Mill Extraction, and Development of Natural Resources	1.5 spaces for each 2.0 employees on maximum shift.	1.0 space for each employee on maximum shift.
Sanitary Landfill	To be determined by the Administrator.	To be determined by the Administrator.

Sec. 280-100 Residential Uses

No person shall keep any auto, truck, trailer, or boat, unlicensed for the current year in any residentially-zoned area unless:

- a. The auto, truck, trailer, or boat is garaged; or
- b. The owner obtains an annual permit from the Oldham County Zoning Administrator for a fee of \$25.00. The administrator shall grant permits using the following guidelines:
 1. Antique vehicles actively undergoing restoration; and
 2. The item is concealed from view from neighboring properties and from the road.

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Use	Minimums	Maximums
Assisted Living Residences	1.0 space for each 2.0 dwelling units, plus 1.0 space for every two employees on maximum shift.	1.0 space for each 2.0 dwelling units, plus one space for each employee on maximum shift.
Duplexes, Condominiums, Single-Family Detached, Townhomes	2.0 spaces for each dwelling unit (driveways, carports, and garages may be used to fulfill this requirement).	No more than 3.0 vehicles owned or leased by a resident may be parked outdoors. This does not include vehicles parked in garages or carports with at least three sides enclosed.
Dwellings for Persons with Disabilities that Preclude Driving	0.25 spaces for each dwelling unit intended for occupancy by persons with disabilities that preclude driving, plus 1.5 spaces for each dwelling unit intended to be occupied by support staff.	0.75 spaces for each dwelling unit intended for occupancy by persons with disabilities that preclude driving, plus 2.0 spaces for each dwelling unit intended to be occupied by support staff.
Multi-Family Dwellings		
Efficiency Dwelling	1.0 space per dwelling unit.	2.0 spaces per dwelling unit.
One Bedroom Dwelling	1.25 spaces per dwelling unit.	2.0 spaces per dwelling unit.
Two Bedroom Dwelling	1.5 spaces per dwelling unit.	2.0 spaces per dwelling unit.
Three or More Bedroom Dwelling	2.0 spaces per dwelling unit.	3.0 spaces per dwelling unit.
Rooming, Boarding, and Lodging Houses, Bed and Breakfast	0.75 spaces for each bedroom	1.5 spaces for each bedroom.
Senior Citizen and Retirement Facilities	0.5 spaces for each dwelling unit, plus 1.0 space for each 2.0 employees on a maximum shift.	1.5 spaces for each dwelling unit, plus 1.0 space for each employee on maximum shift.

Sec. 280-110 Retail

Use	Minimums	Maximums
Book, Art, Gift, Pet, Music, Flower Shops, and Similar Uses (if greater than 50,000 sq. ft., parking requirements for department/discount stores shall apply)	1.0 space for each 250 sq. ft. of gross floor area.	1.0 space for each 150 sq. ft. of gross floor area.
Convenience Stores and Gas Stations	1.0 space for each 200 sq. ft. of gross floor area (parking spaces at	1.0 space for each 150 sq. ft. of gross floor area.

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	gasoline pumps may be used to satisfy these requirements).	
Department/Discount Stores	1.0 space for each 300 sq. ft. of gross floor area, plus the requirements for any outdoor sales areas.	1.0 space for each 200 sq. ft. of gross floor area, plus the requirements of any outdoor sales area.
Furniture Stores	1.0 space for each 400 sq. ft. of gross floor area.	1.0 space for each 200 sq. ft. of gross floor area.
Greenhouses and Plant Nurseries	1.0 space for each 300 sq. ft. of gross floor area, plus the requirements for outdoor sales area.	1.0 space for each 150 sq. ft. of gross floor area, plus the requirements for outdoor sales area.
Grocery Stores	1.0 space for each 250 sq. ft. of gross floor area.	1.0 space for each 200 sq. ft. of gross floor area.
Hardware/Home Improvement Stores	1.0 space for each 300 sq. ft. of gross floor area, plus the requirements for outdoor display or sales area.	1.0 space for each 200 sq. ft. of gross floor area, plus the requirements for outdoor display or sales area.
Manufactured/Modular Home Sales	1.0 space for each employee on maximum shift, plus requirements for offices.	2.0 space for each employee on maximum shift, plus requirements for offices.
Motor Vehicle Sales	1.0 space for each 7,000 sq. ft. of outdoor display/sales area, plus 1.0 space for each 250 sq. ft. of interior display/sales area, plus parking requirements for auto service establishment (if applicable).	1.0 space for each 5,000 sq. ft. of outdoor display/sales area, plus 1.0 space for each 150 sq. ft. of interior display/sales area, plus parking requirements for auto service establishment (if applicable).
Outdoor Display/Sales	1.0 space for each 500 sq. ft. of outdoor display or sales area.	1.0 space for each 300 sq. ft. of outdoor display or sales area.
Pawn Shops	1.0 space or each 300 sq. ft. of gross floor area.	1.0 space for each 200 sq. ft. of gross floor area.
Pharmacies/Drug Stores	1.0 space for each 250 sq. ft. of gross floor area (refer to Division regarding queue space requirements).	1.0 space for each 150 sq. ft. of gross floor area (refer to Division regarding queue space requirements).
Shopping Centers and Malls*		
< 400,000 sq. ft. of gross leasable area**	4.0 spaces for each 1,000 sq. ft. of gross leasable area.	4.5 spaces for each 1,000 sq. ft. of gross leasable area.
400,000 sq. ft. to 600,000 sq. ft. of gross leasable area**	4.5 spaces for each 1,000 sq. ft. of gross leasable area.	5.0 spaces for each 1,000 sq. ft. of gross leasable area.

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> 600,000 sq. ft. of gross leasable area**	5.0 spaces for each 1,000 sq. ft. of gross leasable area.	6.0 spaces for each 1,000 sq. ft. of gross leasable area.
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* A primarily commercial development that includes one or more retail uses. The total gross leasable area must be in excess of 50,000 square feet, in one or more buildings, located on one or more lots which are designed and laid out to function as an interrelated development, as evidenced by both shared driveways and common parking areas.

** Any use or group of uses located within a shopping center as defined herein shall have the option of meeting the parking requirements for the individual uses within the shopping center or the requirements for a shopping center, except that the minimum parking requirements for restaurants and movie theaters should be calculated independently.

Sec. 280-120 Location of Off-Street Parking on a Lot

1. Off-street parking is prohibited in all required building setbacks. An exception for parking for Single-Family Detached residential uses and duplexes is permitted only in the required front, side or street side yard on a hard surface or approved semi-pervious driveway that does not exceed twenty (20) feet in width and that leads to a garage, carport, house, or rear yard.

Sec. 280-130 Off-Site Parking

1. Parking spaces required by this Division may be located off-site in property under the same ownership as the use the parking spaces are intended to serve.
 - a. The off-site property must be properly zoned and have all proper approvals for vehicle parking.
 - b. The off-site parking spaces shall be intended to serve customers and clientele that must be located within five hundred (500) feet and spaces intended to serve employees and staff within one thousand (1,000) feet of the buildings or uses requiring the parking. The five hundred (500) and one thousand (1,000) feet requirements shall be measured by the shortest walking distance from the nearest point of the property on which the parking spaces are located to the nearest point of the property on which the use is located and which the parking is intended to serve.
2. Parking spaces required by this Division may be located off-site on property under separate ownership from the use the parking spaces are intended to serve as long as the following conditions are satisfied:
 - a. The site is properly zoned and has all proper approvals for vehicular parking areas.
 - b. The applicant demonstrates that one or more uses located off-site exceeds the minimum number of parking spaces required by this Division and are willing to allocate a certain number of excess spaces in order for another use to meet its minimum number of required spaces.
 - c. The off-site parking spaces shall be intended to serve customers and clientele that must be located within five hundred (500) feet and spaces intended to serve employees and staff within one thousand (1,000) feet of the building or uses requiring the parking. The five hundred (500) and one thousand (1,000) feet requirements shall be measured by the shortest walking distance

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from the nearest point of the property on which the parking spaces are located to the nearest point of the property on which the use is located and which the parking is intended to serve.

- d. All parties shall execute a properly drawn legal instrument/agreement providing for the use of the off-site parking spaces. This agreement shall be drawn to the satisfaction of the Commission's attorney, shall be executed by all parties concerned assuring the availability of the number of spaces designated for off-site use, and shall be recorded in the County Clerk's Office. No lease, easement, or written agreement of parking spaces shall be cancelled without sixty days prior written notice to the Administrator, and a copy of the signed lease, easement, or written agreement shall be filed with the application. The applicants and their successors shall annually provide certification to the Planning Administrator that the parking spaces associated with the off-site parking agreement are still available. The applicant shall provide the Administrator with immediate written notice at any time that any of the parking spaces associated with the off-site parking agreement become unavailable to provide the required number of parking spaces or to apply for a parking waiver to reduce the required number of spaces. The use's certificate of occupancy shall be conditioned upon the continued availability of the required number of parking spaces.

Sec. 280-140 Shared Parking

The Administrator may approve shared parking facilities for developments or uses with different operating hours or different peak business periods if the shared parking complies with all of the following standards.

1. Location: Shared parking spaces intended to serve customers and clientele must be located with five hundred (500) feet and spaces intended to serve employees and staff within one thousand (1,000) feet of the buildings or uses requiring the parking. The five hundred (500) and one thousand (1,000) feet requirements shall be measured by the shortest walking distance from the nearest point of the property in which the parking spaces are located to the nearest point of the property on which the use is located and which the parking is intended to serve.
2. Shared Parking Study: Applicants wishing to use shared parking as a means of satisfying off-street parking requirements must submit a shared parking analysis to the Administrator and make it available to the public. It must address, at a minimum, the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover, and the anticipated peak parking and traffic loads for uses that will share off-street parking spaces.
3. Covenant for Shared Parking: A shared parking plan will be enforced through an irrevocable, written covenant among all owners of record. The covenant must be recorded in the County Clerk's Office before any building permits may be issued for any use to be served by the shared parking area. A shared parking covenant may be revoked only if all required off-street parking spaces will be provided.

Sec. 280-150 Parking Lot Layout and Design

Except as otherwise expressly provided in this Division, required off-street parking spaces shall be located on the same zoning lot as the principal use.

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1. **Space Size:** The minimum size of each required off-street parking space shall be 9' x 18', exclusive of aisle width, provided that up to twenty (20) percent of the spaces may be 9' x 15' for use by compact cars only. Compact spaces shall be designated by signs.
2. **Markings:** Each required off-street parking space shall be designated by lines or parking blocks.
3. **Surfacing and Maintenance:** All off-street parking areas shall be kept in a dust-free condition at all times. Parking areas for nonresidential uses that are located between a public street and the principal building on the parcel shall be paved.

Sec. 280-160 Accessible Parking for Physically Handicapped Persons

A portion of the total number of required off-street parking spaces in each off-street parking area shall be specifically designated, located, and reserved for use by persons with physical disabilities in accordance with all applicable county, state, and federal standards.

Sec. 280-170 Drive-In Facilities and Queue Space Requirements

1. **Waiting Areas:** All drive-in facilities shall provide on-site waiting areas for vehicles that are awaiting drive-in service. The waiting areas shall provide convenient or continuous access to the drive-in facility. The waiting area shall be located at or before any ticket booth, speaker box, or the like if included in the drive-in facility.
2. **By-Pass Aisle:** All drive-in facilities shall include a by-pass aisle.
3. **Speaker Boxes:** All speaker boxes used in conjunction with any drive-in facility shall be operated in conformance with the noise standards of this Zoning Ordinance. All speaker boxes located within three hundred (300) feet of any residential uses shall be oriented away from the residential use.
4. **Traffic Hazards:** Drive-in facilities and accessory drive-thru car washes shall be so located and designed that they will not create a traffic hazard or nuisance because of their location in relation to similar uses, buildings, or proposed buildings on or adjacent to the building site and the traffic patterns from such uses or buildings.
5. **Accessory Drive-Thru Car Washes:** An accessory drive-thru car wash shall not be considered a drive-in facility. An accessory drive-thru car wash shall be clearly incidental to the principal use, shall be fully automated so that the driver remains in the vehicle while the vehicle is being washed, shall have no speaker box, and a minimum of three waiting spaces shall be provided.

Sec. 280-180 Off-Street Loading

1. Every new building or structure intended for use in wholesale or retail business shall provide not less than one (1) off-street or off-alley loading and unloading space that will accommodate vehicles serving that business while loading and unloading merchandise. The loading and unloading space shall have access to a public street or alley.
2. **No use of public right-of-way:** At no time shall goods be loaded or unloaded from the right-of-way. No part of any vehicle shall be allowed to extend into the ultimate right-of-way.
3. **Location:** Plans for location, design, and layout of all loading spaces shall be indicated on required site plans.

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4. Design:
 - a. Space Size: Off-street loading spaces, excluding maneuvering areas, shall be at least ten (10) feet wide and twenty-five (25) feet long unless off-street loading will involve the use of semi-tractor/trailer combinations or other vehicles in excess of twenty-five (25) feet in length, in which case the minimum space size shall be 12' x 65'.
 - b. Surfacing and Maintenance: Loading areas located between a public street and the principal building on the parcel shall be paved.

Sec. 280-190 Waivers

Upon application, the Commission may grant a waiver of requirements of this Division. The Commission may delegate authority to grant waivers to a committee of the Commission. At the discretion of the Commission or its committee, a public hearing may be required prior to deciding a request for waiver.

DIVISION 290 SIGN REGULATIONS

Sec. 290-010 Purpose

The purpose of this sign ordinance is to:

1. Support the focus and direction of the Comprehensive Plan.
2. Promote a healthy business climate by encouraging signage to be compatible with the surrounding area and promote the effective use of signs.
3. Reduce clutter and enhance the aesthetic environment of the county to ensure the protection of property values and protect the character of various neighborhoods.
4. Eliminate safety hazards due to collapse, fire, collision, decay or abandonment.
5. Promote the safety of persons and property by requiring that signs do not create traffic hazards by distracting or confusing motorists, or impairing motorist's ability to see pedestrians, other vehicles, obstacles, or to read traffic signs.

Sec. 290-020 Applicability

The requirements of this Section shall apply to all businesses, private entities, or individuals erecting signs in Oldham County. Certain signs that are exempt from the requirements of this Section are addressed in Section 290-060.

1. This division must be interpreted in a manner consistent with the First Amendment guarantee of free speech.
2. All signs must comply with the regulations of the zoning district in which it is located.
3. Signs not permitted as being allowed by right or by permit under this division, may be reviewed by the Board of Adjustments as a Conditional Use Permit.
4. Signs shall be maintained in a safe and secure condition. If the Code Enforcement Officer is of the opinion that a sign is not secure, safe, or in good state of repair, written notice of this fact shall be given to the business owner. If the business owner can not be reached the ultimate responsibility for the sign falls to the property owner. If the defect in the sign is not corrected within the time permitted by the Code Enforcement Officer, the Officer may revoke the sign permit thus placing the sign owner in violation of the Sign Ordinance.
5. When the location of a sign falls within the LaGrange Historic District, or any other such body, approval from that body must be obtained prior to filing a sign permit with the Oldham County Planning & Zoning Office.
6. No sign shall be placed in any public or private right-of-way or easement without written permission from the jurisdiction that has ownership of the right-of-way or easement.

Sec. 290-030 Sign Definitions

Abandoned Sign A permitted sign which was erected on property in conjunction with a particular use, that use having been subsequently discontinued for a period of 12 months or more, or a permitted temporary sign for which the permit has expired.

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Above-roof Sign	A sign displayed above the peak or parapet of a building.
Animated or Moving Sign	Any sign or part of a sign that changes physical position or light intensity by any movement or rotation or that gives the visual impression of such movement or rotation.
Architectural, Historic District or Scenic Corridor	An area that contains unique architectural, historic, or scenic characteristics that require special regulations to ensure that signs displayed within the area enhance its visual character and are compatible with it.
Awning	A cloth, plastic, or other nonstructural covering that either is permanently attached to a building or can be raised or retracted to a position against the building when not in use. Backlit awning signs are prohibited.
Bench Sign	A sign painted, located on, or attached to any part of the surface of a bench, seat, or chair placed on or adjacent to a public place or roadway.
Building Frontage	The side of a building abutting a street. It is possible for a structure to have multiple building frontages.
Changeable Copy Sign	Changeable message means a portion of a sign which message copy is changed manually or automatically in the field through the utilization of attachable letters, numbers, symbols and other similar characteristics. This portion of a sign is included in the maximum area allowed.
Directional/Information Sign	An on-premise sign giving directions, instructions or facility information such as parking or exit and entrance signs.
Directory Sign	A sign listing the tenants or occupants of a building or group of buildings and that may indicate their respective professions or business activities
Double-Faced Sign	A sign with two faces which are back-to-back and have a common set of supports.
Electronic Sign	Sign whose alphabetic, numeric, pictographic, or symbolic informational content can be changed or altered on a fixed display screen composed of electronically illuminated segments; includes LED (Light Emitting Diode), LCD (Liquid Crystal Display) and other similar technologies.

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External Illumination	Sign whose alphabetic, numeric, pictographic, or symbolic informational content can be changed or altered on a fixed display screen composed of electronically illuminated segments; includes LED (Light Emitting Diode), LCD (Liquid Crystal Display) and other similar technologies.
Flag	An exhibit made of flexible material which is mounted on a pole or similar device and which represents or symbolizes an organization, group, cause, event, activity, or unit of government.
Flashing Sign	Any directly or indirectly illuminated sign that exhibits changing natural or artificial light or color effects by any means whatsoever.
Free-Standing Sign	Any non-movable sign not affixed to a building. Free-standing signs may include pole signs, ground signs, billboard signs, bench signs, construction signs, directional signs, directory signs, monument signs, off-premises signs, and on-premises signs. The free-standing sign shall not create a public safety hazard.
Frontage	The side of a lot abutting a street. It is possible for a lot to have multiple frontages.
Governmental Sign	A sign erected and maintained pursuant to and in discharge of any governmental functions or required by law, ordinance, or other governmental regulation.
Ground Sign	See Monument Sign.
Identification Sign	A sign giving the nature, logo, trademark, or other identifying symbol; address; or any combination of the name, symbol, and address of a building, business, development, or establishment on the premises where it is located.
Illuminated Sign	A sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed toward the sign.
Inflatable Sign	Any display capable of being expanded by air or other gas and used on a permanent or temporary basis to advertise a product or event.
Mansard Roof	A sloped roof or roof-like façade architecturally comparable to a building wall. For the purpose of this sign regulation, a sign on a mansard roof shall be considered a roof sign.
Monument Area	The supporting framework, bracing or structure of the monument not including the sign area.

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Monument Sign A free standing business sign with a base width of at least eighty percent (80%) of the width of the sign cabinet or sign face.



Multi-Tenant Sign A sign that includes the names of two or more businesses, places, organizations, buildings, or persons it identifies.

Nonconforming Sign A sign that was lawfully constructed or installed prior to the adoption or amendment of this regulation and was in compliance with all of the provisions of the sign regulation then in effect, but which does not presently comply with this regulation.

Normal Average Grade The lower of existing average grade prior to construction/installation or the newly established average grade after onstruction/installation.

On-Site Informational Sign A sign commonly associated with, and not limited to, information and directions necessary or convenient for visitors coming on the property, including signs marking entrances and exits, parking areas, circulation direction, rest rooms, and pickup and delivery areas.

Parapet The extension of the main walls of a building above the roof level.

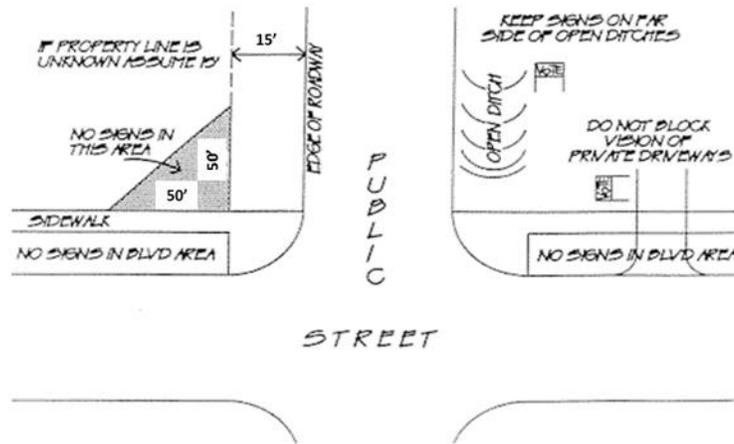
Pennant Any lightweight plastic, fabric, or other material with or without a logo, suspended from a rope, wire, string or two corners, in series with like materials, creating an impression of a line, and designed to move in the wind

Permanent Sign A sign or advertising display constructed of durable materials attached to a building, structure or the ground and intended to be displayed for the duration of time that the use or occupant is located on the premises.

Pole Sign A sign that is mounted on a free-standing pole or poles or other support so that the bottom edge of the sign face is above normal grade.

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- Political Sign** A temporary sign announcing or supporting political candidates or issues in connection with any national, state, or local election. See also KRS 117.235 regarding campaign-free zones.
- Portable Sign** A sign that is not permanent, affixed to a building, structure, or the ground.
- Projecting Sign** A sign that is wholly or partly dependent upon a building for support and that projects more than twelve inches from such building. Projecting signs may include hanging signs, suspended signs, awning signs, canopy signs, and marquee signs.
- Property Line** A line of record bounding a lot that divides one lot from another lot or from a public or private street or any other public space.
- Right-of-Way** A strip of land determined on a site-specific basis that includes a roadway, sidewalk or railroad to accommodate traffic and safety requirements, utilities, environmental issues, and maintenance.



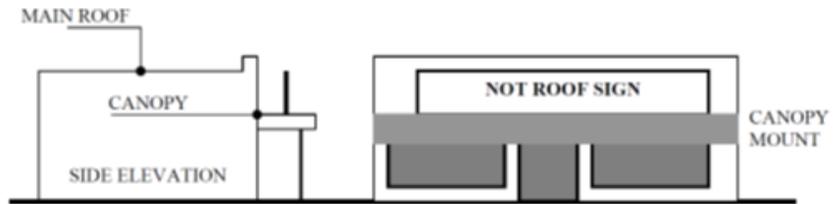
- Roof Sign** A sign that is displayed above the eave, parapet or deck line of a roof and under the peak of a building or roof. For the purpose of this sign regulation, a sign on a mansard roof shall be considered a roof sign.

Examples of Roof Signs:

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Examples of Wall Signs (Not Considered Roof Signs):



Sign	Any object, device, display, or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination, or projected images.
Sign Area	The entire face of a sign, including the advertising surface and any framing, trim, or molding but not including the supporting structure.
Sign Face	The area or display surface used for the message.
Sign Height	The distance from grade to the highest point on the sign structure. Any raised landscaped bed or foundation the sign may rest upon shall be included in the total sign height.
Sign Permit	Document issued by the Planning & Zoning Office to the sign applicant granting permission to construct or install a sign.
Snipe Sign	Temporary sign of six square feet or less made of vinyl, polyboard, coroplas, corrugated plastic, plastic core, wood, or plywood, including signs with wood or wire framing, posts, or stakes.
Temporary Sign	A sign or advertising display that is portable, and/or constructed of cloth, canvas, fabric, plywood, or other light material.

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Vehicle Sign	A sign on a vehicle not customarily and regularly used to transport persons or properties.
Wall Sign	A sign fastened to or painted on the wall of a building or structure. For the purpose of this sign regulation, a sign on a mansard roof shall be considered a roof sign.
Window Sign	A sign applied, painted or affixed to or in the window of a building. A window sign may be permanent or temporary.

Sec. 290-040 Procedure

A sign permit shall be obtained prior to the construction or erection of any new allowable sign and the fee will be required in conjunction with said application. Sign permits are not required for the replacement of sign cabinets, as long as the sign area, height and location are not being changed. A sign permit shall be obtained prior to the re-use of an Abandoned Sign (see definition), and must comply with the current sign regulations.

Sec. 290-045 Sign Permits

Oldham County Planning and Development Services issue permits for all signs outside of the city limits of LaGrange and Pewee Valley. The City of LaGrange follows the regulations outlined in this division and issues sign permits for sign requests within the city limits of LaGrange. The City of Pewee Valley has adopted their own sign ordinance and issues sign permits for sign requests within the city limits of Pewee Valley.

The following information shall be included along with the application and fee (refer to the current fee schedule in the Planning & Zoning Office) at the time of submittal:

1. Name, address and telephone number of the applicant. Name, address and signature of the owner of property on which the sign is to be located.
2. The location, size, height and type of each existing sign to remain on the property;
3. A site plan of the property on which the sign is to be erected showing property lines, existing structures, right-of-way lines and proposed location of the sign.
4. A drawing of the proposed sign showing display area dimensions, height of sign, and information to be conveyed on sign.
5. The estimated cash value of the sign.
6. If the sign is temporary the following applies:
 - a. The length of time anticipated for use of the sign;
 - b. A statement by the applicant in which he or she agrees to remove temporary signs within the time limit herein established.

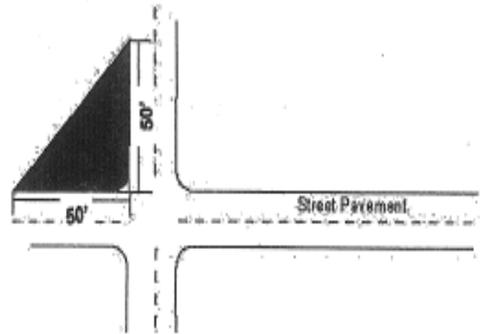
Sec. 290-050 Sign Requirements/Allowances Calculations

1. For the purposes of this ordinance:
 - a. The front setback is measured from the right-of-way or the front property line.

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- b. If a parcel has multiple frontages, then the parcel has multiple front setbacks.
 - c. The side yard setback is measured from the side property line.
2. The height of a sign shall be computed as the distance from the base of the sign at normal average grade to the top of the highest attached component of the sign. Normal average grade shall be construed to be the lower of: existing-grade prior to construction or installation, or the newly established grade after construction or installation.
3. The area of a sign shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed. Supporting framework, bracing or structure shall not be included in computation of sign area.
4. Unless otherwise stated, the total area of a sign having two or more sides or faces shall be calculated according to the following:
 - a. Double-faced signs: the sign area is of one sign face only.
 - b. "V" shaped signs with two sides or faces: the sign area is the sum of the areas of the two sign faces.
 - c. Signs with three or more sides or faces: the sign area is the sum of the areas of all sides or faces.
5. Clear sight triangles shall be maintained at all street intersections for a minimum of 50 feet as measured along the curb or pavement edge. No free-standing signs shall be allowed in the clear sight triangle.

Sight Triangle at Intersecting Streets



Sec. 290-060 Exempt Sign Standards

The following types of signs are not required to obtain a sign permit and shall not be counted towards the total number of signs and allowable sign area, but must meet the following limitations:

1. Wall signs of two square feet or less.
2. Free standing sign of six square feet or less and with a height of two feet or less. One per road frontage is permitted with consent of the property owner.
3. On-Site Directional/Information Sign of six square feet or less— Must not be a public safety hazard.
4. Public signs, notices or traffic signs required by law, or any sign relating to an emergency.
5. Signs carried by a person – Must not be a public safety hazard. —
6. Signs integrated into or on a coin-operated machine, vending machine, gasoline pump, or telephone booth.
7. Signs within a ballpark, field or diamond shall be oriented toward the field or diamond and shall not be higher than the fences.

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8. Traffic signs-traffic control signs that comply with the “Manual of Uniform Traffic Control Devices for Streets and Highways”.
9. 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.
10. Flags, symbolic in nature, for non-commercial, non-promotional purposes:
 - a. The total area of all flags on a lot shall not exceed 60 square feet in area.
 - b. No flag shall be flown from a pole that exceeds 35 feet in height.
 - c. If a flag is mounted to a building, the vertical clearance from ground level when limp shall not be less than 9 feet.
 - d. No flag shall be mounted above the roofline of a structure.
11. Electronic signs not exceeding 4 square feet provided that there is no more than one such sign per business establishment (not applicable in LaGrange).
12. 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.

Sec. 290-070 Signs Prohibited

The following signs are 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 or 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 seasonal 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 obstruct or detract from the visibility of any traffic sign 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 use of 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 the existence of danger.
7. Permanent use of portable signs, such as snipe signs, folding signs, “A” frame signs, or any other similar temporary sign.
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.

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10. Any sign erected or maintained upon a utility pole, traffic control device or tree; 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. Above-roof signs.
13. Signs on vehicles or trailers which are parked or located for the primary purpose of displaying said sign.
14. Backlit awning signs.

Sec. 290-080 Sign Lighting

1. Signs may be internally illuminated, backlit, or illuminated by downlighting or by ground-mounted light fixtures that illuminate the sign face and base only.
2. Illumination of the sign face by ground-mounted light fixtures shall not exceed 50 foot-candles as measured on the sign face.
3. Illumination for temporary signs is prohibited.
4. Signs shall not have exposed bare-bulb or flashing illumination.
5. In the city of LaGrange internally illuminated signs other than changeable copy signs shall have opaque backgrounds with translucent letters, symbols and logos unless the background is integral to the design of a corporate image or registered trademark.
6. In the city of LaGrange the use of neon window signs is prohibited, and illuminated banding on buildings shall be limited to one band.

Sec. 290-090 Electronic Signs

Electronic Signs Prohibited:

1. Electronic Signs shall be prohibited in the following zoning districts: IPD District, AG-1, CO-1, T, R-1, R-1A, R-2, R-2A, R-3 and R-4A Zoning Districts.
2. Electronic Signs displayed as wall signs, projecting signs, or roof signs in any zoning district are prohibited.
3. Electronic Signs with continuous scrolling, flashing, blinking or oscillating messages are prohibited.
4. Electronic Signs with displaces other than alpha-numeric messaging are prohibited.

Electronic Signs Permitted:

R-4 (Professional Office Use Only), C-1, C-2, C-3, C-4, I-1, I-2 Zoning Districts: Electronic Signs shall be permitted in these zoning districts subject to the following (permitted only in C-3, C-4, I-1 and I-2 Zoning Districts in the city of LaGrange):

1. Electronic Signs shall only be displayed on allowable freestanding or monument signs and shall not exceed allowable height requirements (excluding electronic transmitter devices) for the zoning districts in which the sign is located.

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2. Square footage of the Electronic Sign shall not exceed 50% of the total allowable square footage for freestanding or monument signs for the zoning district in which the sign is located or shall not exceed 24 square feet, whichever is lesser.
3. Alpha-numeric message shall change in increments not less than 60 second intervals and the change must be complete in one second.
4. No more than one Electronic Sign shall be attached to a permitted, conforming freestanding or monument sign per parcel or business.
5. Electronic Signs shall not be added to any legal non-conforming freestanding or monument signs.

Sec. 290-100 Permanent Signage

1. AG-1, CO-1, T, R-1, R-1A, R-2, R-2A, R-3, R-4 and R-4A Zoning Districts
 - A. Two identification signs are allowed at a major entrance of a subdivision, apartment or condominium complex, not to exceed 48 square feet in sign area for each sign.
 - i. Signs shall have a maximum height limit of 12 feet (6 feet in LaGrange).
 - ii. Signs shall have a setback of 15 feet from any public right-of-way.
 - B. All other signs in the above zoning districts must meet a minimum of 15 feet front setback and shall not be larger than 24 square feet in area and shall not be taller than 8 feet in height (6 feet in LaGrange). Only one sign per lot is allowed.
 - C. Roof signs are not allowed in the above zoning districts.
 - D. In the city of LaGrange all free-standing signs in the above zoning districts shall be either monument signs or mounted on two posts.
2. Property zoned R-4 with the intended use of Professional Offices may be allowed signage under the following constraints:
 - A. Professional Offices may be allowed two identification signs, only one of which may be separated from the building.
 - B. Free-standing signs-Professional offices:
 - i. Minimum front setback of 5 feet.
 - ii. Maximum area of 24 square feet.
 - iii. Maximum height of 8 feet (6 feet in LaGrange). (In the city of LaGrange all free-standing signs in the R-4 zoning district shall be either monument signs or mounted on 2 posts.)
 - C. Wall Signs-Professional Offices:
 - i. The maximum area shall be one square foot for each lineal foot of the building frontage owned/leased by the applicant, or 50 square feet, whichever is less.
 - ii. Not higher than roof or parapet line.
 - iii. May not extend over 1/3 of public sidewalk.
 - D. Projecting Signs-Professional Offices:
 - i. The maximum area shall be one square foot for each lineal foot of building frontage owned/leased by the applicant, or 15 square feet, whichever is less.
 - ii. Not higher than roof or parapet line.
 - iii. May not extend over 1/3 of public sidewalk.

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E. Roof Signs are not allowed in the R-4 zoning district.

3. O-1 and O-2 Office Districts, C-N Commercial Neighborhood District may allow no more than two identification signs per parcel, one of which may be separated from the principal building.

A. Free-Standing Signs

- i. No signs shall be any closer than 5 feet from any property line.
- ii. No lot frontage shall have a free-standing sign unless the frontage is at least 50 feet wide and the building situated on that lot is set back at least 15 feet from the street right-of-way line.
- iii.

Front Sign Setback	Max Sign Height	Max Sign Area
5' to less than 10'	10'	12 Sq. Ft.
10' to less than 15'	15'	16 Sq. Ft.
15' to less than 20'	20'	25 Sq. Ft.
20' or more	25'	25 Sq. Ft.

<i>City of LaGrange: only monument signs are allowed</i>			
Front Sign Setback	Max Sign Height	Max Sign Area	Maximum Monument Area
5' to less than 10'	6'	20 Sq. Ft.	4 Sq. Ft.
10' to less than 15'	8'	24 Sq. Ft.	8 Sq. Ft.
15' to less than 20'	10'	28 Sq. Ft.	12 Sq. Ft.
20' or more	12'	40 Sq. Ft.	20 Sq. Ft.

- iv. For a multi-tenant building or development, the maximum sign area may be increase by up to 50% if all occupants share the same sign and no other free-standing signs are displayed on the premises.
- v. In the city of LaGrange all free-standing signs in the above zoning districts shall be a monument sign.

B. Wall Signs

- i. The maximum area shall be one square foot for each lineal foot of building frontage owned/leased by the applicant or 50 square feet, whichever is less.
- ii. Not higher than roof or parapet line.
- iii. May not extend more than 12 inches from wall.

C. Projecting Signs

- i. The maximum area shall be one square foot for each lineal foot of building frontage owned/leased by the applicant or 15 square feet, whichever is less.
- ii. Shall not be higher than roof or parapet line.
- iii. May not extend over 1/3 of public sidewalks.

D. Roof Signs: Roof signs are not allowed in the O-1, O-2 and C-N zoning districts.

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4. C-1 Local Business District may allow no more than two identification signs per parcel, one of which may be separated from the principal building. Additional signs may be allowed if:
- i. A parcel has a total street frontage exceeding 600 feet in which case a second free-standing sign shall be allowed. Each free-standing sign shall be allowed to have a sign area up to the maximum allowable sign area for the zoning district. However, the distance between the two free-standing signs shall be no less than 300 feet.
 - ii. A parcel has frontage on two or more streets in which case one wall sign for each frontage shall be allowed.

A. Free-Standing Signs:

- i. No sign shall be any closer than five feet from any property line.
- ii. No lot frontage shall have a free-standing sign unless the frontage is at least 50 feet wide and the building situated on that lot is set back at least 15 feet (20 feet in LaGrange) from the street right-of-way line.

iii.

Front Sign Setback	Max Sign Height	Max Sign Area
5' to less than 10'	15'	12 Sq. Ft.
10' to less than 15'	20'	16 Sq. Ft.
15' to less than 20'	25'	25 Sq. Ft.
20' or more	30'	25 Sq. Ft.

<i>City of LaGrange: only monument signs are allowed</i>			
Front Sign Setback	Max Sign Height	Max Sign Area	Maximum Monument Area
5' to less than 10'	6'	20 Sq. Ft.	4 Sq. Ft.
10' to less than 15'	8'	24 Sq. Ft.	8 Sq. Ft.
15' to less than 20'	10'	28 Sq. Ft.	12 Sq. Ft.
20' or more	12'	40 Sq. Ft.	20 Sq. Ft.

- iv. For a multi-tenant building or development, the maximum sign area may be increased by up to 50% if all occupants share the same sign and no other free-standing signs are displayed on the premises.
- v. In the city of LaGrange all free-standing signs in the above zoning district shall be monument signs.

B. Wall Signs:

- i. The maximum area shall be one square foot for each lineal foot if building frontage owned/leased by the applicant or 50 square feet, whichever is less.
- ii. Shall not be higher than roof or parapet line.
- iii. May not extend more than 12 inches from wall.

C. Projecting Signs:

- i. The maximum area shall be one square foot for each lineal foot of building frontage owned/leased by the applicant or 15 square feet, whichever is less.
- ii. Shall not be higher than roof or parapet line.
- iii. May not extend over 1/3 of public sidewalks.

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D. Roof Signs:

- i. The maximum area shall be one square foot for each lineal foot of building frontage owned/leased by the applicant or 24 square feet, whichever is less.
- ii. The maximum height measured from the bottom of the sign to the top of the sign shall be 36”.
- iii. Top of sign shall not extend higher than the peak of the roof.
- iv. A roof sign shall not extend higher than the maximum building height requirement.
- v. Roof signs are not allowed in the city of LaGrange.

5. C-2 Community Business District may allow no more than two identification signs per parcel, one of which may be separated from the principal building. Additional signs may be allowed if:

- i. A parcel has a total street frontage exceeding 600 feet in which case a second free-standing sign shall be allowed. Each free-standing sign shall be allowed to have a sign area up to the maximum allowable sign area for the zoning district. However, the distance between the two free-standing signs shall be no less than 300 feet.
- ii. A parcel has frontage on two or more streets in which case one wall sign for each frontage shall be allowed.

A. Free-Standing Signs:

- i. No sign shall be any closer than 5 feet from the property line.
- ii. No lot frontage shall have a free-standing sign unless the frontage is at least 50 feet wide and the building situated on that lot is set back at least 15 feet from the street right-of-way line.

Front Setback	Max Sign Height	Max Sign Area
5’ to less than 10’	15’	24 Sq. Ft.
10’ to less than 15’	20’	32 Sq. Ft.
15’ to less than 20’	25’	40 Sq. Ft.
20’ or more	30’	50 Sq. Ft.

<i>City of LaGrange: only monument signs are allowed</i>			
Front Sign Setback	Max Sign Height	Max Sign Area	Maximum Monument Area
5’ to less than 10’	6’	20 Sq. Ft.	4 Sq. Ft.
10’ to less than 15’	8’	24 Sq. Ft.	8 Sq. Ft.
15’ to less than 20’	10’	28 Sq. Ft.	12 Sq. Ft.
20 ‘ or more	12’	40 Sq. Ft.	20 Sq. Ft.

- iii. For a multi-tenant building or development. The maximum sign area may be increased by up to 50% if all occupants share the same sign and no other free-standing signs are displayed on the premises.
- iv. In the city of LaGrange, all free-standing signs in the above zoning district shall be monument signs.

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B. Wall Signs:

- i. One square foot for each lineal foot of building frontage owned/leased by the applicant is the maximum area not to exceed 150 square feet.
- ii. Shall not be higher than roof or parapet line.
- iii. May not extend more than 12 inches from the wall.

C. Projecting Signs:

- i. The maximum area shall be one square foot for each lineal foot of building frontage owned/leased by the applicant or 50 square feet, whichever is less.
- ii. Shall not be higher than roof or parapet line.
- iii. May not extend over 1/3 of public sidewalk.

D. Roof Signs:

- i. The maximum area shall be one square foot for each lineal foot of building frontage owned/leased by the applicant or 24 square feet, whichever is less.
- ii. The maximum height measured from the bottom of the sign to the top of the sign shall be 36".
- iii. Top of sign may not extend higher than the peak of the roof.
- iv. A roof sign may not extend higher than the maximum building height requirement.
- v. Roof signs are not allowed in the city of LaGrange.

6. C-3 General Business District may allow no more than two identification signs per parcel, one of which may be separated from the principal building. Additional signs may be allowed if:

- i. A parcel has a total street frontage exceeding 600 feet in which case a second free-standing sign shall be allowed. Each free-standing sign shall be allowed to have a sign area up to the maximum allowable sign area for the zoning district. However, the distance between the two free-standing signs shall be no less than 300 feet.
- ii. A parcel has frontage on two or more streets in which case one wall sign for each frontage shall be allowed.

A. Free-Standing Signs:

- i. No sign shall be any closer than 5 feet from any property line.
- ii. No lot frontage shall have a free-standing sign unless the frontage is at least 50 feet wide and the building situated on that lot is set back at least 15 feet (30 feet in LaGrange) from the street right-of-way line.

Front Setback	Max Sign Height	Max Sign Area
5' to less than 10'	15'	32 Sq. Ft.
10' to less than 15'	20'	40 Sq. Ft.
15' to less than 20'	25'	50 Sq. Ft.
20' to less than 25'	30'	60 Sq. Ft.
25' or more	35'	75 Sq. Ft.

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<i>City of LaGrange: only monument signs are allowed</i>			
Front Sign Setback	Max Sign Height	Max Sign Area	Maximum Monument Area
5' to less than 10'	8'	32 Sq. Ft.	8 Sq. Ft.
10' to less than 15'	10'	38 Sq. Ft.	12 Sq. Ft.
15' to less than 20'	15'	54 Sq. Ft.	21 Sq. Ft.
20' to less than 25'	18'	60 Sq. Ft.	30 Sq. Ft.
25' or more	20'	75 Sq. Ft.	45 Sq. Ft.

- iii. For multi-tenant building or development, the maximum sign area may be increased by up to 50% if all occupants share the same sign and no other free-standing signs are on the premises.
- iv. In the city of LaGrange all free-standing signs in the above zoning district shall be monument signs.

B. Wall Signs:

- i. One square foot for each lineal foot of building frontage owned/leased by the applicant is the maximum area.
- ii. Shall not be higher than roof or parapet line.
- iii. May not extend more than 12 inches from wall.

C. Projecting Signs:

- i. The maximum area shall be one square foot for each linear foot of building frontage owned/leased by the applicant or 75 square feet, whichever is less.
- ii. Shall not be higher than roof or parapet line.
- iii. May not extend over 1/3 of public sidewalk.

D. Roof Signs:

- i. The maximum area shall be one square foot for each lineal foot of building frontage owned/leased by the applicant or 24 square feet whichever is less.
- ii. The maximum height measured from the bottom of the sign to the top of the sign shall be 36".
- iii. Top of the sign may not extend higher than the peak of the roof.
- iv. A roof sign may not extend higher than the maximum building height requirement.
- v. Roof signs are not allowed in the city of LaGrange.

- 7. C-4 Highway Service District may allow no more than two identification signs per parcel, one of which may be separated from the principal building. Additional signs may be allowed if:
 - i. A parcel has a total street frontage exceeding 600 feet in which case a second free-standing sign shall be allowed. Each free-standing sign shall be allowed to have a sign area up to the maximum allowable sign area for the zoning district. However, the distance between the two free-standing signs shall be no less than 300 feet.
 - ii. A parcel has frontage on two or more streets in which case one wall sign for each frontage shall be allowed.

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A. Free-Standing Signs

- i. No sign shall be any closer than 5 feet from any property line.
- ii. No lot frontage shall have a free-standing sign unless the frontage is at least 50 feet wide and the building situated on that lot is set back at least 15 feet from the street right-of-way line.
- iii.

Front Sign Setback	Max Sign Height	Max Sign Area
5' to less than 10'	15'	32 Sq. Ft.
10' to less than 15'	20'	40 Sq. Ft.
15' to less than 20'	25'	50 Sq. Ft.
20' to less than 25'	30'	60 Sq. Ft.
25' to less than 30'	35'	75 Sq. Ft.
30' to less than 40'	40'	90 Sq. Ft.
40' and more	45'	100 Sq. Ft.

<i>City of LaGrange</i>			
Front Sign Setback	Max Sign	Max Sign Area	Maximum Monument Area
5' to less than 10'-Only monument signs allowed	8'	34 Sq. Ft.	6 Sq. Ft.
10' to less than 15'- Only monument signs allowed	10'	40 Sq. Ft.	10 Sq. Ft.
15' to less than 20'- Only monument signs allowed	15'	54 Sq. Ft.	21 Sq. Ft.
20' to less than 25'- Only monument signs allowed	18'	56 Sq. Ft.	24 Sq. Ft.
25' to less than 30'-Only 2-pole signs allowed	26'	96 Sq. Ft.	
30' to less than 40'-Only 2-pole signs allowed	32'	100 Sq. Ft.	
40' or more-Only 2-pole signs allowed signs allowed	32'	110 Sq. Ft.	

- iii. For a multi-tenant building or development, the maximum sign are may be increased by up to 50% if all occupants share the same free-standing sign and no other free-standing signs are displayed on the premises.
- iv. For aesthetic purposes within the city of LaGrange all free-standing pole signs in the above zoning district shall use round or rectangular poles within a minimum diameter or width of 20 inches.

B. Wall Signs:

- i. One square foot for each lineal foot of building frontage owned/leased by the applicant is the maximum area.
- ii. Shall not be higher than the roof or parapet line.
- iii. May not extend more than 12 inches from wall.

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C. Projecting Signs:

- i. The maximum area shall be one square foot for each lineal foot of the building frontage owned/leased by the applicant or 100 square feet, whichever is less.
- ii. Shall not be higher than roof or parapet line.
- iii. May not extend over 1/3 of public sidewalk.

D. Roof Signs:

- i. The maximum area shall be one square foot for each lineal foot of building frontage owned/leased by the applicant or 24 square feet, whichever is less.
- ii. The maximum height measured from the bottom of the sign to the top of the sign shall be 36".
- iii. Top of sign may not extend higher than the peak of the roof.
- iv. A roof sign may not extend higher than the maximum building height requirement.
- v. Roof signs are not allowed in the city of LaGrange.

8. I-1 Light Industrial District, I-2 Heavy Industrial District may allow no more than two identification signs per parcel, one of which may be separated from the principal building.

Additional signs may be allowed if:

- i. A parcel has a total street frontage exceeding 600 feet in which case a second free-standing sign shall be allowed. Each free-standing sign shall be allowed to have a sign area up to the maximum allowable sign area for the zoning district. However, the distance between the two free-standing signs shall be no less than 300 feet.
- ii. A parcel has frontage on two or more streets in which case one wall sign for each frontage shall be allowed.

A. Free-Standing Signs:

- i. No sign shall be any closer than 5 feet from any property line.
- ii. No lot frontage shall have a free-standing sign unless the frontage is at least 50 feet wide and the building situated on that lot is set back at least 15 feet from the street right-of-way line.
- iii.

Front Sign Setback	Max Sign Height	Max Sign Area
5' to less than 10'	15'	32 Sq. Ft.
10' to less than 15'	20'	40 Sq. Ft.
15' to less than 20'	25'	50 Sq. Ft.
20' to less than 25'	30'	60 Sq. Ft.
25' or more	35'	75 Sq. Ft.

<i>City of LaGrange: only monument signs are allowed</i>			
Front Sign Setback	Max Sign Height	Max Sign Area	Maximum Monument Area
5' to less than 10'	8'	26 Sq. Ft.	6 Sq. Ft.
10' to less than 15'	8'	30 Sq. Ft.	10 Sq. Ft.
15' to less than 20'	8'	46 Sq. Ft.	36 Sq. Ft.
20' or more	8'	54 Sq. Ft.	26 Sq. Ft.

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- iv. For a multi-tenant building or development, the maximum sign area may be increased by up to 50% if all occupants share the same sign and no other free-standing signs are displayed on the premises.
- v. In the city of LaGrange all free-standing signs in the above zoning district shall be monument signs.

B. Wall Signs:

- i. One square foot for each lineal foot of building frontage owned/leased by the applicant is the maximum area.
- ii. Shall not be higher than the roof or parapet line.
- iii. May not extend more than 12 inches from wall.

C. Projecting Signs:

- i. The maximum area shall be one square foot for each linear foot of building frontage owned/leased by the applicant or 75 square feet, whichever is less.
- ii. Shall not be higher than roof or parapet line.
- iii. May not extend over 1/3 of public sidewalk.

D. Roof Signs:

- i. The maximum area shall be one square foot for each lineal foot of building frontage owned/leased by the applicant or 24 square feet, whichever is less.
- ii. The maximum height measured from the bottom of the sign to the top of the sign shall be 36”.
- iii. Top of the sign may extend higher than the peak of the roof.
- iv. A roof sign may not extend higher than the maximum building height requirement.
- v. Roof signs are not allowed in the city of LaGrange.

9. IPD Industrial Park District may allow no more than two identification signs per parcel, one of which may be separated from the principal building. Additional signs may be allowed if:

- i. A parcel has a total street frontage exceeding 600 feet in which case a second free-standing sign shall be allowed. Each free-standing sign shall be allowed to have a sign area up to the maximum allowable sign area for the zoning district. However, the distance between the two free-standing signs shall be no less than 300 feet.
- ii. A parcel has frontage on two or more streets in which case one wall sign for each frontage shall be allowed.

A. Free-Standing Signs:

- i. A single free-standing sign may be installed per lot. Free-standing signs shall be designed and installed as a monument style sign.
- ii. Free-Standing Sign Minimum Setbacks:
- iii. Front Yard – 10 feet
- iv. Side Yard – 15 feet
- v. A free-standing sign cannot obstruct the view of vehicular traffic at street intersections or driveway entrances. Free-standing signs shall not encroach into any determined clear site triangle.

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- vi. Free Standing Sign Size:
- vii. Maximum Sign Height: 6 feet
- viii. Maximum Sign Area 60 square feet per side (120 square feet total)

B. Wall-Mounted Signs:

A wall-mounted sign may be installed per every building façade facing a public right-of-way,

- i. Wall Sign Size:
- ii. Maximum Sign Area – one square foot of sign area for each lineal foot of building facing the public's right-of-way.
- iii. Wall signs shall not extend above the roof line of the building façade in which they are located.

C. Prohibited Signs:

The following types or styles of signs shall be prohibited:

- i. Electronic signs with changing advertisements or display faces.
- ii. Flashing signs.
- iii. Mechanical signs with movement.
- iv. Portable signs.
- v. Roof signs.

Sec. 290-120 Temporary Signage

A temporary sign permit shall be obtained prior to the placement of any combination of signs, banners, posters, pennants, portable signs, flags, inflatable devices, or other similar devices. The Planning & Zoning Office reserves the right to revoke a temporary sign permit at any time. The following rules apply to temporary sign permits.

Sign Requirements/Allowances

1. Temporary wall signs of two square feet or less and temporary free-standing signs of six square feet or less are allowed and do not require a sign permit. One per road frontage is permitted.
2. Permits are valid for 30 days and no more than one such permit may be issued per property per calendar quarter (Jan-March, Apr-June, July-Sept, Oct-Dec).
3. The area of the temporary sign attached to a building or structure may be equal but not greater than one square foot for every lineal foot of building frontage owned/leased by the applicant, not to exceed 32 square feet.
4. Free-standing signs must comply with the front setback, height and area requirements for the zoning district in which they are located, not to exceed 32 square feet.
5. More than one temporary sign may be permitted simultaneously as long as the total area of all temporary signs does not exceed the maximum sign area.
6. Various types of portable signs may be used on a temporary basis by permit (not allowed in the city of LaGrange).
7. Temporary signs may not have internal or external lighting.

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

Sec. 290-130 Areas of Special Character

The Commission may approve a special sign regulation for an Area of Special Character following notice and hearing. The special sign regulations in Areas of Special Character shall be consistent with the purposes of this ordinance and the character of the Area of Special Character.

Special sign regulations for Areas of Special Character shall supersede and may be either more or less restrictive than the sign regulations contained in this ordinance.

1. Historic Districts: A historic district may establish a special sign regulation.
2. Municipalities: Each municipality may establish a special sign regulation.
3. Planned Unit Development Districts: A Planned Unit Development may establish a special sign regulation.

Sec. 290-140 Programs for Signs

1. Purpose: A Program for Signs is a creative incentive for a unified visual statement that integrates the design of signs with the design of the building on which they will be displayed and with the surrounding area.
2. When allowed: The owners of one or more adjacent premises, or one or more occupants of a shopping center or multi-use building, may submit a Program for Signs to the Commission that need not comply with some or all of the requirements of this ordinance. The Program for Signs shall contain a visual representation of the lettering, illumination, color, size, height, placement, and location of the signs proposed for display.
3. Standards for Approval: The Commission may approve a Program for Sign following notice and the Commission hearing if the signs visually represented in the program are:
 4. Consistent with the purposes of this ordinance; and
 5. Compatible with the theme, visual quality, and overall character of the surrounding area or an Area of Special Character, if the signs included in the Program for Signs are located in such an area; and
 6. Appropriately related in size, shape, materials, color, illumination, and character to the function and architectural character of the building or premises on which they will be displayed, and are compatible with existing adjacent activities.
7. Display of Signs: A premises or occupancy for which a Program for Signs has been approved by the commission may only display signs that comply with the approved program, which shall supersede and replace the regulations for signs in this ordinance.

Sec. 290-150 Signs along Scenic Corridors

Scenic Corridors Designated: The following road segments in Oldham County are designated as Scenic Corridors and have associated signage requirements:

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1. Interstate 71 Corridor

For the purpose of this sign regulation, the Interstate 71 Corridor shall be defined as shown below. (A map showing the boundary of the Interstate 71 Corridor is available at the Planning and Zoning Office).

Signs located along the Interstate 71 corridor, shall meet the following design standards in addition to the standards in the zoning district in which the sign is located:

- a. No billboards shall be located within fifteen hundred (1,500) feet of the center of the nearest travel lane of Interstate 71. A billboard, also known as an off-premise sign, is defined as a sign that directs attention to a business, commodity, service, or entertainment conducted, sold or offered at a location other than the premise on which the sign is located. Billboards are not allowed in the city of LaGrange.
- b. No roof signs shall be located within six hundred sixty (660) feet of the center of the nearest travel lane of Interstate 71. Roof signs are not allowed in the city of LaGrange.
- c. No free-standing signs, banners or wall signs shall be located within three hundred (300) feet of the center of the nearest travel lane of Interstate 71.
- d. No free-standing signs shall exceed eighty (80) square feet in area on one side and one hundred sixty (160) square feet in area on all sides when located between three hundred (300) and six hundred sixty (660) feet of the center of the nearest travel lane of Interstate 71.
- e. No signs located within fifteen hundred (1,500) feet of the center of the nearest travel lane of Interstate 71 may be constructed or installed prior to being reviewed and approved by the Kentucky Transportation Cabinet.

Sec. 290-160 Nonconforming Signs

Any sign legally in existence on the effective date of this sign regulation may continue in existence as a matter of right with the following limitations. A change in copy is not an alternation for the purposes of this subsection.

Non-conforming Sign Not to Expand. Non-conforming signs may not expand.

Non-conforming Sign Not to Rebuild. Any non-conforming sign which has been damaged to the extent of 50 percent of its current fair cash value, as estimated immediately prior to damage, shall not be repaired or reconstructed, except in conformity with this ordinance.

Abandoned Sign, Discontinued or Obsolete Non-Conforming Sign Not to Re-establish after One Year. No non-conforming sign shall be re-established after having been discontinued or obsolete for twelve (12) months. Vacating of premises or building, non-operative status, or not advertising or identifying a bona fide business conducted on the property or product sold shall be evidence of a discontinued or obsolete sign.

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Ordinary Repair and Maintenance. Work may be done on ordinary repair and maintenance, or on repair or replacement of sign fixtures or framing, sign writing, or sign face. Nothing in this ordinance shall be deemed to prevent the strengthening or restoring to be a safe condition of a sign or other structure in accordance with the order of an appropriate public agency, and who declares such sign or other structure to be unsafe and orders its restoration to be a safe condition.

Sec. 290-170 Variances

The Commission or the appropriate Board of Adjustments may grant variances from this sign regulation if they find the variance requested by special or unique hardship.

A variance may be granted:

1. To permit a setback for a sign that is up to 25 percent less than the required setback; or
2. To permit the height of a sign to be increased by up to 25 percent more than the maximum height (variances for height are not allowed in the city of LaGrange).

Sec. 290-180 Severability Clause

The invalidation of any section, subsection, clause, or phrase of this ordinance by any court of competent jurisdiction shall not affect the validity of the remaining portions of this ordinance.

DIVISION 300 LANDSCAPING REGULATIONS

Sec. 300-010 Landscaping Regulations: Purpose

The purpose and intent of this Division is to preserve and promote the health, safety, and general welfare of the public; to facilitate the creation of an attractive and harmonious community; to protect, preserve, and promote the aesthetic appeal, character, and value of surrounding neighborhoods; to conserve properties and their values; to preserve the character of an area by preventing the harmful effects of potentially dissimilar uses; to encourage the appropriate use of land; and to conserve the natural resources.

More specifically, this Division is intended to minimize the impact of dissimilar uses on adjoining or nearby uses by requiring a screen or buffer between the uses in order to lessen the impact of noise, dust and other debris, motor vehicle headlight glare or other artificial light intrusion, and other objectionable activities or impacts conducted on or created by an adjoining or nearby use

Additionally, this Division is intended to require the landscaping of parking lots in order to reduce the harmful effects of wind and air turbulence, heat and noise, and the glare of motor vehicle lights; to preserve underground water resources and to permit the return of precipitation to the ground water strata; to act as a natural drainage system and ameliorate storm water drainage problems; to reduce the level of carbon dioxide and return oxygen to the atmosphere; to prevent soil erosion; to provide shade; and to enhance the appearance of parking lots. Additionally, this Division is intended to require the preservation and planting of trees on sites being developed to provide an appropriate percentage of tree cover within ten (10) years.

Sec. 300-020 Relationship to the Comprehensive Plan

The landscape design regulations in this Division are intended to implement the goals, objectives, and policies outlined in the Oldham County Comprehensive Plan.

The 2017 update of the Landscape Regulations is in response to Objective E-2-6 of the 2014 Comprehensive Plan, which calls for the improvement of these standards to guide the preservation of on-site woodlands, provide appropriate buffers from adjacent uses, increase the urban and suburban tree canopy, provide a vegetative buffer to riparian corridors, mitigate the effect of flooding and stormwater run-off, and improve the visual appearance of structures, stormwater and parking facilities.

Sec. 300-030 Applicability

1. No site development, building, structure of Vehicular Use Area shall be created unless landscaping is provided as required by the provisions of this Division. No building permit may be issued for any lot or use subject to the requirements of this Division unless all requirements have been met and approved by Planning Staff; or until financial instruments, as may be required by the Administrator, to ensure timely compliance with this Division, have been put in place. Prior to occupancy of the site, the required landscaping shall be installed in conformance with the approved

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Plan, unless a full cash bond or an irrevocable letter of credit from a banking institution with offices in Kentucky has been posted.

2. Failure to implement the landscape plan, or maintain the lot or use in conformance with this Division and the approved plan, is cause for fines and penalties as established in Sec. 300-120 this ordinance. In addition, all landscape is subject to periodic inspection.
3. No additional items or replacement of removed items is allowed in the right-of-way without an Encroachment Permit.
4. Any building, structure, or Vehicular Use Area (VUA) that in its entirety is removed and reconstructed, or relocated to a new on-site location, shall be required to meet the standards of this Division.
5. Existing development is subject to this Division as defined below:
 - a. Any construction resulting in an increase/expansion in the area of an existing building/structure's square footage by twenty (20) percent or more.
 - b. Any construction resulting in an increase/expansion of an existing vehicular use area (VUA) square footage by twenty (20) percent or more.
 - c. On small sites of one-half acre or less (1/4 acre or less within the city of LaGrange), where the area of expansion of existing buildings, structures and/or VUAs is less than 50 percent, no landscaping shall be required.
 - d. Change in the use of property from a use not required to provide landscaping and buffering to a use that is regulated by this Division shall necessitate the provision of landscaping and buffering as required by this Division.
 - i. If the existing landscaping meets or exceeds the required landscaping, there will be no additional requirement.
6. Single family residential lots are exempt. See Section 300-050 B. Landscaping in Residential Properties for requirements for residential developments.
7. Phased development shall construct landscaping at each phase.
8. Institutional uses shall comply with all sections of this Division except for Section 300-050, C. Perimeter Landscape Buffer Areas (PLBAs), unless the Commission requires VULBAs to be added as the result of the Community Facility Review process.

Sec. 300-040 General Standards

Plant Materials:

1. All plant materials proposed to meet landscaping requirements shall be living plants.
2. Plants from the same plant category (trees, shrubs or vines) may be substituted for plants as shown on the approved plan, as long as the substituted plant is similar to the approved plant in regard to its size and the opacity it provides. The approval by the Commission staff shall be necessary in order to change plants from one category to another, and this change must be reflected on a revised plan or in a change order submitted to the Commission.
3. Plant materials used in conformance with provisions of this Ordinance shall conform to the standards of the American Standard for Nursery Stock and shall have passed any inspections required under state regulations.

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4. When selecting plant materials, refer to the (2016) Metro Louisville Approved/Prohibited Tree Species Planting List (Appendix A) for a list of plants that meet height requirements, in addition to plants that will not be accepted to meet the requirements of Division 300.
5. To encourage variation and ensure that an entire landscape is not susceptible to blight, disease or other disaster, the number of species required as part of the required landscaping is found below in Table 300.1:

Table 300. 1 Species Mix

Required Number of Trees/Shrubs	Number of Species Required
0-5	1
6-10	2
11-30	3
31+	4

Screening Materials:

1. Plants used to meet screening requirements must be a minimum three (3) feet in height at maturity. Note that in areas requiring site distance for vehicular circulation, shrubs shall not exceed two (2) feet in mature height.
2. Walls or fences used to satisfy screening requirements shall be at least 80% opaque.
3. All wall sides shall be finished and shall be constructed of natural stone, brick, or other weatherproof materials in a linear, serpentine or other alignment and shall be continuously maintained in good condition and proper alignment by the property owner.
4. Chain-link fencing may not under any circumstances be used to meet any screening requirements of this regulation. Chain link fencing may be installed in the required landscaped area only if it is in addition to the required continuous planting, hedge fence, wall, or earth mound.
5. Walls and fences designed to meet the requirements of this Division shall not be used for the erection or display of any sign or other advertising device without a permit.
6. Where possible, plant materials shall be installed between the sidewalk and the wall to provide a softening effect of the wall.

Maintenance and Installation:

1. Newly-planted trees are subject to the following standards:

Table 300. 2 Tree Installation and Planting Standards

Tree Size Type Based on Height at Maturity	Min. Buffer Area or Green Verge Width	Min. Spacing between Trees (of same size)
Class A (Large): 50'+	8 feet	30 feet
Class B (Medium): 25'-50'	3 feet	15 feet
Class C (Small): 0-25'	3 feet	10 feet

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***Note: See Appendix 300.6 Approved Plant List for trees that fit size requirements: Class A, B, or C. When planting new trees near existing mature trees, leave a minimum distance of half of the new tree’s mature spread between the new tree and the existing trees.**

2. Tree species whose roots are known to cause damage to public roadways or other public works shall not be planted closer than fifteen (15) feet to such public works, unless the tree root system is completely contained within an impenetrable root barrier that runs the length of the planting area, and reaches a minimum depth of at least eighteen inches (18”). See the Approved/Prohibited Tree Species Planting List (Sec. 300-130 Appendix) for trees appropriate for streets and parking lots.
3. No tree shall be planted closer than 5 feet to any fireplug, utility pole or similar utility structure. Plants must be specified, located, and maintained so as to not interfere with public utilities.
4. Light poles, sidewalks, benches, or other site amenities are permitted in landscaped areas provided they do not occupy more than 25% of any one interior landscape area or reduce the width of any planted area to less than 5 feet. Trees shall be located a minimum of 20 feet from light poles. Provision of such facilities does not reduce the number of required trees.
5. Where overhead power lines exist, the type and/or location of street trees shall be adjusted to avoid conflict as trees mature.
6. Utilities easements (e.g., drainage, sewer, gas/electric) are allowed to encroach into as much as 50% of the required landscape areas, with the written approval of the utility agency, provided the required screening can still be achieved and the design of such facilities is compatible with the Intent of Division 300.
7. All required plant material shall meet the following minimum size criteria at the time of installation:

Evergreen Trees	6 feet high
Sod	N/A
Large Tree (over 50 feet in height at maturity)	1 ¾ inch caliper
Medium Tree (25 to 50 feet at maturity)	1 ¾ inch caliper
Shrubs (when required for 6-8 foot screening)	36 inches high
Shrubs (when required for 3 foot screening)	18 inches high
Small Tree (less than 25 feet in height at maturity)	6 feet high
Vines	12 to 15 inches

8. Ground covers, other than grass, used shall be in a finished appearance and complete coverage within three (3) year of planting.
9. Grass areas may be sodded, plugged, sprigged or seeded and shall present a uniform healthy stand of the specified grasses following the first full growing season after installation.
10. Any tree that is not nursery stock and is to be moved in order to meet requirements of this regulation shall be transplanted in accordance with sound planting guidelines adequate to sustain vigorous and healthy growth.

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11. Earth mounds/berms shall be physical barriers that block or screen the view, similar to a hedge, fence or wall. Any berm built to satisfy these requirements shall be constructed at a minimum height of 1 ½ feet and a minimum crown of 2 feet measured on a horizontal plane. All berms shall be landscaped.
12. To prevent erosion, mounds with side slopes greater than 2.5:1 shall be planted with a groundcover that does not require mowing.
13. Earth mounds/berms, that do not hold back water, over 3 feet in height landscaped with woody plant material shall be permitted if the applicant demonstrates to the satisfaction of the Commission Staff that adequate measures will be taken to allow the proposed plants to thrive.
14. A sight triangle will be observed at all street intersections including intersections of alleys or driveways.
15. All landscape materials shall be installed in a sound, professional manner. All unhealthy or dead plant material required to be planted or preserved shall be replaced within one year, or by the next planting period, whichever comes first.

Sec. 300-050 Landscape Buffer Areas (LBA) and Plantings

Objective E-2-3 of the Comprehensive Plan encourages the use of innovative landscaping and buffer techniques to increase the urban and suburban tree canopy, green infrastructure practices and preservation of scenic resources including on-site woodlands, wetlands, riparian and other natural buffers. Landscape Buffer Areas standards have been updated to minimize the potential for nuisances created when zoning districts or land uses of varying intensities abut, and regulate the adverse impacts of residential, commercial, or industrial development. Landscape Buffer Area requirements shall be applied along property or right-of-way lines and at the perimeter of Vehicular Use Areas.

General Standards:

1. Where a vacant parcel is proposed to be developed adjacent to an existing developed or non-developed parcel, the developer or property owner of the proposed development shall provide all the perimeter landscaping requirements.
2. When more than one landscape buffer area applies, the more restrictive standards shall be used.
3. LBAs may contain walks, trails, or other similar elements, provided that the required plant material is not eliminated. LBAs shall be free from all other development including buildings, parking, driveways or other structures except those required for public utility service within a dedicated easement. Outdoor storage or stockpiling of materials is not permitted within an LBA.
4. LBA screening requirements can be met using fences or walls, evergreen shrubs, evergreen trees, or berms, individually or in combination. Continuous screens may be broken or staggered for visual interest provided the result is a visually continuous screen.
5. All landscaped islands shall be designed to apply sustainable techniques.

Landscaping in Residential Properties:

1. In an effort to meet the objectives of Goal E-2 of the 2014 Comprehensive Plan, all projects are subject to the requirements of Sec. 300-080 Tree Preservation and Sec. 300-100 Tree Protection during Construction and Maintenance.

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2. Single- family Developments: are encouraged, but not required, to comply with all remaining sections of this division. When the Planning Commission assigns Binding Elements related to landscaping, a landscape plan must be submitted in accordance with the requirements of this Division.
3. Multi-family Developments: shall follow all applicable Sections of this Division if it adjoins a property of lower zoning classification, or adjoins a public or private right-of-way.
4. Landscape Buffer Areas as required by this Division or a Development or Preliminary Subdivision Plan approved by the Planning Commission must be maintained by the property owner. Any unauthorized removal of trees in an approved landscape plan shall be subject to Sec. 300-160 Code Enforcement and Fines.

Perimeter Landscape Buffer Areas (PLBA) shall be applied along all property boundaries of sites affected by this Division except for those boundaries adjacent to streets. PLB Area requirements vary according to the zoning district/land use of both the proposed site to be developed, and the property or properties adjacent to it. Plants used to meet screening requirements must be a minimum three (3) feet in height at maturity.

Planting Requirements for Perimeter Landscape Buffers (PLBA):

A landscaped strip shall be provided where a property abuts a property of a lesser density or zoning district, except between commercial areas abutting commercial areas, and industrial areas abutting industrial areas.

Table 300. 3 PLBA Planting Requirements

Land Use	Minimum Width of LBA	Minimum Screen Height	Minimum Number of Trees
Industrial adjacent to Residential, Agricultural or Conservation	50 feet	7 foot high continuous screen	1 large tree per 40 linear feet
Industrial adjacent to Commercial or Office	30 feet	5 foot high continuous screen	1 large or medium tree per 50 linear feet
Commercial or Office adjacent to Residential, Agricultural or Conservation	15 feet	6 foot high continuous screen	1 large tree per 40 linear feet
Multi-family Residential adjacent to Single-family Residential, Agricultural, or Conservation	15 feet	3 foot high continuous screen	1 large or medium tree per 40 linear feet

***Note: See Appendix 300.6 Approved Plant List for trees that fit size requirements: Class A, B, or C.**

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Vehicular Use Area Perimeter Landscape Buffer Areas (VULBA) have been established to reduce the visual impact of Vehicular Use Areas including, but not limited to, parking lots, loading docks, and service areas. Staff may determine that both PLBAs and VULBAs may be necessary to produce appropriate screening.

General Requirements:

1. Areas shall be a minimum of ten (10) feet in width. Within the city of LaGrange, areas shall be a minimum of five (5) feet in width. These minimums do not include curbs or vehicle stops.
2. VULBAs shall not be required between a VUA and the adjoining property in the instance of a property line that divides a driveway used for common access by the adjoining properties or when both of the following conditions exist:
 - a. the VUAs fulfill the parking requirements for both properties, or are for the common use of both properties (as substantiated by a reciprocal parking and access agreement);
 - b. the Commission has approved a final development plan for the properties.

Planting Requirements:

A landscaped VULBA shall be provided in the following circumstances:

Table 300. 4 VULBA Planting Requirements

Land Use	Distance of VUA from property line is less than or equal to 30 feet	Distance of VUA from property line is greater than 30 feet but less than 50 feet	Distance of VUA from property line is greater than or equal to 50 feet	Min. Number of Trees
VUA adjacent to any residential use	7 foot high continuous screen	6 foot high continuous screen	5 foot high continuous screen	1 large tree every 40 linear feet or 1 medium tree every 30 feet
Any loading area adjacent to any use of lower intensity	7 foot high continuous screen	6 foot high continuous screen	6 foot high continuous screen only if adjacent to residentially zoned parcel	1 large tree every 40 linear feet or 1 small or medium tree every 30 feet
VUA adjacent to rights-of-way	3 foot high continuous screen	3 foot high continuous screen	N/A	1 large tree every 40 linear feet or 1 small or medium tree every 30 linear feet

Sec. 300-060 Interior Landscaping Areas (ILA) for Vehicular Use Areas

Interior Landscaping Area (ILA) regulations have been updated to accomplish Objective E-2-3 of the Comprehensive Plan, which encourages the use of innovative landscaping techniques increase the urban and suburban tree canopy, green infrastructure practices and preservation of scenic resources. Interior Landscaped Areas (ILA) requirements shall be provided within all Vehicular Use Areas to fragment large impervious areas and allow for a greater distribution of tree canopy coverage. Dimensional requirements have been established to insure that Interior Landscape Areas serve the intended goals and provide enough ground area to support required plant material.

General Standards:

1. VUAs exempt from ILA requirements are loading, unloading, and outdoor storage areas in industrial zones I-1, I-1, IPD and the same areas in commercial zones C-N, C-1, C-2, C-3, and C-4 when improvements create an area not accessible or visible to the general public. Note that these areas shall be subject to both VUA and property perimeter landscape buffering.
2. The standard curbed area may be included in the 150 square foot minimum ILA. Smaller Interior Landscape Areas are not prohibited but will not count toward ILA requirements.
3. ILAs larger than the maximums stated in Table 300.4 are permitted provided that any ILA exceeding the maximum shall not count toward fulfilling the requirements of this Division.
4. VUAs less than 12,000 sq. ft. in size or less than 20 parking spaces shall not have a maximum distance between Interior Landscape Areas.
5. In VUAs of 12,000 sq. ft. or more, or 20 or more parking spaces, there shall be a minimum of one (1) island for every ten (10) spaces.
6. Note that parked vehicles may hang over the ILA no more than two and one-half (2½) feet. Wheel stops shall be provided in order to limit vehicle overhang or penetration of the landscaped area.
7. Deciduous trees shall have a clear trunk to at least six (6) feet above the ground at time of planting.
8. The ground plane of the ILA shall be landscaped with shrubs, turf, mulch, or groundcover.
9. All end islands of parking rows and all other areas not used for ingress, egress, aisles or parking must be landscaped, except in cases where landscaping would create a hazard.

Planting Requirements

1. In an effort to improve water quality, reduce stormwater runoff and associated impacts, and lessen the heat island effect; green infrastructure such as bioswales, rain gardens, vegetated swales, or infiltration planters, may be substituted for ILA requirements with the approval of the MS4 Coordinator and the County Engineer. The size of these systems must meet the minimum square footage of the ILA required by this Division. These improvements may also serve as the VULBA listed in Section 300-500 Item C., provided screening is adequate.
2. If Green Infrastructure systems are not chosen, ILAs must strictly adhere to the planting requirements in Table 300.5:

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Table 300. 5 Planting Requirements for Interior Landscaping Islands (ILAs)

VUA Size (no. of spaces)	Min. ILA Size (square feet)	Max ILA Size (square feet)	ILA Calculation	Trees Required
5-10	150	350	5 square feet for every 100 square feet of VUA Note: For VUAs that have an ILA calculation less than 150 square feet, no ILAs are required.	1 tree every 150 square feet
11-50	150	350	5 square feet for every 100 square feet of VUA	1 tree per 250 square feet
51-100	150	500	10 square feet for every 100 square feet of VUA	1 tree 250 square feet
100+	150	1,500	10 square feet of every 100 square feet of VUA	1 tree 500 square feet

Sec. 300-070 Tree Preservation

Retention of existing vegetation to meet the landscaping requirements is strongly encouraged. Single-family residential developments should preserve as many trees as possible that do not adversely affect site grading, infrastructure installation and house construction.

As required in Sec. 300-140.2.e & f, regarding Landscaping Plan Submission and Approval, existing trees and areas of vegetation that are to be retained as part of required landscaping, as well as existing significant trees (diameter breast height of 24" or greater) that are proposed to be removed, shall be shown on the Landscape Plan.

Criteria for using existing landscape material: Any plant material in satisfactory condition proposed for use in fulfilling the requirements in whole or in part, may be used when, in the opinion of the Commission Staff, such materials meet the requirements and achieve the objectives of this Division.

Substitution of existing trees for newly planted trees: The following criteria shall be used where existing healthy trees are being substituted for newly planted trees:

1. An existing 6"-12" caliper tree surrounded by a minimum of 150 square feet of landscape area may be substituted for two (2) new trees of the required minimum size.
2. An existing 12"-24" caliper tree surrounded by a minimum of 250 square feet of landscape area may be substituted for three (3) new trees of the required minimum size.
3. An existing tree greater than 24" caliper surrounded by a minimum of 300 square feet of landscape area may be substituted for four (4) new trees of the required minimum size.
4. For all trees to be preserved, tree protection fencing has to be shown on the tree preservation plan.

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5. When the preserved trees do not survive the first three years since construction begins, replacements for these trees have to be made at the property owner's expense at the same rate they were credited.

Sec. 300-080 Tree Protection during Construction and Maintenance

In an effort to meet the objectives of Goal E-2 of the 2014 Comprehensive Plan, all projects are subject to the requirements of this section.

1. Prior to any clearing and land disturbing activities that require a Soil Erosion and Sediment Control Permit, a durable and visible tree protection fence at least 3 feet in height and approved by the Administrator or designee shall be erected around all tree preservation areas and around any other areas of vegetation being preserved to meet the requirements of these regulations. All barriers shall be located at the edge of the area to be preserved, which is a minimum of 3 feet outside the drip line of the protected tree, and shall remain in place until construction is completed.
2. No clearing, grading, or other land-disturbing activities shall be allowed within the area enclosed by the tree protection barrier.
3. Root pruning shall be kept to an absolute minimum.
4. To prevent compaction of the soil or root system, no vehicles, material or equipment shall be stored or placed, or construction activities permitted, within the boundaries of the constructed barrier or vegetative buffers, beyond that allowed for preliminary site investigation work.
5. Attachment of rope, wire, nails, advertising posters, or other means, and deposition, placement, or storage of stone, brick, sand, concrete, or other materials which may impede the free passage of water, air, or fertilizer to the root system is prohibited for any tree as referenced in paragraph 1 that are shown to be protected as a requirement of an approved landscape or tree preservation plan.
6. The property owner shall be responsible for the continued proper maintenance of all landscaping materials, and shall keep them in a proper, neat and orderly appearance free from refuse and debris at all times.
7. Topping trees, or the severe cutting of limbs to stems larger than three (3) inches in diameter, within the tree crown, and to such a degree as to remove the normal canopy, shall not be considered proper or permitted for the maintenance of trees as required by this Division.

Sec. 300-090 Screening Requirement for Service Structures

For the purposes of this Division, service structures shall include propane tanks, dumpsters, and other waste containers.

A continuous fence or wall with opaque gate shall enclose any service structure on all sides. The height of the fence or wall shall be one (1) foot greater than the height of the enclosed structure, but shall not be required to exceed eight (8) feet in height. Whenever a service structure is located next to a building wall, the wall may fulfill the screening requirement for that side of the service structure provided that the wall or screening material is of a height sufficient to meet the height requirement set out in this section.

Sec. 300-100 Landscaping Plan Submission and Approval

The property owner or developer shall submit a Landscape Plan to the Commission whenever any property is affected by these landscape requirements. The requirements of this Division shall be followed in approving or disapproving any Landscape Plan required by this Division or by the Planning Commission.

1. For any property where a Vehicular Use Area (VUA) is proposed that accommodates 40 or more vehicles or is of a size over 12,000 square feet, the Landscape Plan shall be prepared and signed by a landscape designer certified as a Kentucky Certified Nurseryman, or prepared, sealed and signed by a landscape architect licensed to practice in the Commonwealth of Kentucky. All landscape materials shall be installed in a sound, professional manner. All unhealthy or dead plant material required to be planted or preserved shall be replaced within one year, or by the next planting period, whichever comes first.
2. The content of the plan shall include the following:
 - a. A vicinity map clearly identifying the subject site.
 - b. Title block with developer name and address, project name and full site address, parcel number, property owner, design firm preparing the drawings, scale, total area of site, land use/zoning district, date of preparation, and north point arrow.
 - c. Final grading contours at two (2) foot intervals unless waived by the Commission staff.
 - d. A scaled development plan or plans, not less than 50 scale (1" = 50') or other scale agreeable to the Commission staff, showing and labeling, by name and dimensions, all existing and proposed property lines including metes and bounds, easements, buildings, walks, structures, ILAs, and all above ground and underground utility lines. Show and label VUAs, including parking stalls, driveways, service areas, and drainage outlets. The plan must indicate the number of parking stalls and the square footage of both the VUAs and ILAs. Show and label the adjacent property owners, the adjacent land use/zoning district, and the rights-of-way.
 - e. If existing landscape material is to be used to meet the requirements of Division 300, a Tree Preservation and Protection Plan that complies with Sections 300-070 and 300-080 shall be made a part of the Landscape Plan submittal. Show and label the location, species and caliper of existing trees and areas of vegetation that are to be retained as part of the required landscaping. Provide calculations that demonstrate how existing trees and vegetation to be retained, will meet the requirements of Sec. 300-070.
 - f. The location, species and caliper of existing significant trees (having a diameter breast height of 24" or greater) on the site that are proposed to be removed shall also be shown.
 - g. A complete and accurate plant schedule that includes plant key, botanical and common plant name, species of plant, installation size, mature plant size, notation for evergreen plants, on-center spacing dimensions where applicable, quantities and any specific planting notes.

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- h. Calculations that contain the total square footage of Vehicular Use Areas (VUAs) and related Interior Landscape Areas (ILAs), as required under Sec. 300-060. Indicate square footage required for ILAs, and the total square footage provided.
- i. Irrigation systems may be required for all non-residential developments and residential developments other than single family residential.
- j. Plants used to comply with this Division shall conform with American Standard for Nursery Stock typical standards, and shall have passed any inspections required under state regulations. This note must be shown on the Plan.
- k. Screening required under Sec. 300-090 for dumpsters and all other service structures shall be shown and labeled on the Plan.
- l. Proposed landscape material, keyed in accordance with the plant schedule, and areas for sod, seed, mulch, or groundcover should be located on the plan. Plant material shall be drawn to scale at its mature size.
- m. Data used to determine compliance with the requirements of Landscape Buffer Area and Planting requirements as per Sections 300-050.

Sec. 300-110 Alternative Compliance, Permits and Waivers

1. It is not the intent of this Division to discourage innovative, aesthetically pleasing landscaping design. Thus, the developer may choose to submit a Landscape Plan of Alternative Compliance that conforms to the spirit and intent of this Division, while varying from its specific requirements. The Plan presented must be deemed a substantial improvement over the minimum requirements of this Division by the Planning Staff and not violate any of the County Ordinances; or when one of the following conditions are met:
 - a. Topography, soil, vegetation, drainage, spatial limitations, or other site conditions are such that full compliance is not practical.
 - b. Improved environmental quality would result from the alternative compliance of the provisions of this Article.
2. Staff may defer any Alternative Compliance request to the Commission for consideration as a waiver of this division.
3. When proposed perimeter screening conflicts with utility installations, the Administrator may waive the requirement for the use of plant materials only if more substantial screening, such as a wall or fence is constructed at an appropriate height to be determined by the Administrator. Brick or stone columns with fencing materials between the columns may be acceptable.
4. Upon application, the Commission may grant a waiver of other requirements of this Division.

Sec. 300-120 Code Enforcement and Fines

1. Once the landscaping updates have been installed, the landscape design professional shall submit a signed statement of completion before staff will do the final inspection to ensure conformance with the approved Landscape Plan.
2. Staff shall have the right to enter onto any property to inspect the health and general condition of plant material that is located either within the rights- of-way, part of an approved development/landscape plan, or reported as a public hazard.

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3. Any landscape materials, including grasses, which fail to meet the minimum approved requirements at time of installation, as set forth in this Division, shall be removed and replaced with acceptable materials within ninety days or the property owner will be subject to a Code Enforcement Violation and any fines associated with non-compliance, to be determined by the Code Enforcement Board.
4. Landscaping that has never been installed, been removed, damaged or diseased, either deliberately or inadvertently, must be replaced within ninety days or the property owner will be subject to a Code Enforcement Violation and any fines associated with non-compliance, to be determined by the Code Enforcement Board.

Sec. 300-130 Metro Louisville Approved/Prohibited Tree Species Planting List Updated 2016

Note: Louisville Metro and Paul Capiello, Ph.D. gave Oldham County permission to use the list, which is designed to provide developers, designers, homeowners and tree planters within the region to select appropriate species for planting in a variety of conditions. The list was developed as a joint effort of the Louisville Metro Tree Advisory Commission and the following individuals and institutions:

Erin Thompson, Urban Forester, Louisville (KY) Metro

Paul Capiello, Ph.D., Executive Director, Yew Dell Botanical Gardens

Michael Hayman, Community Tree Activist, Whitehall House and Gardens

John A. Swintosky, Landscape Architect, Louisville (KY) Metro Parks & Recreation

To make tree selection easier on those who prefer a shorter list, the most commonly planted tree species are listed in enlarged and bold typeface.

The letter designations in the Size column refer to size classes in the Louisville Metro Land Development Code:

A - 50'+

B - 25'-50'

C - up to 25'

This list will be reviewed and updated periodically by the office of the Urban Forester

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Family	Genus	Specific Epithet	Cultivar	Common Name	Size Class	Plant Shape	Comments	Street & Parking Lot Trees	Narrow Space
Pinaceae	Abies	cilicica		cilician fir	A	conical			
Pinaceae	Abies	concolor		white fir	A	conical	silver/blue foliage		
Pinaceae	Abies	firma		Momi fir	A	conical			
Pinaceae	Abies	fraseri		fraser fir	A	conical			
Pinaceae	Abies	homolepis		nikko fir	A	conical			
Pinaceae	Abies	koreana		Korean fir	A	conical			
Pinaceae	Abies	nordmanniana		Nordmann fir	A	conical	darkest green foliage		
Pinaceae	Abies	veitchii		Veitch fir	A	conical			
Aceraceae	Acer	buergerianum		trident maple	B	oval upright		X	
Aceraceae	Acer	campestre		hedge maple	B	broad rounded			
Aceraceae	Acer	carpinifolium		hornbeam maple	B	oval upright			
Aceraceae	Acer	circinatum		Oregon vine maple	C	oval upright			

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Aceraceae	Acer	xfreemanii		Freeman maple	A	oval upright	many quality hybrids available	X	
		xfreemanii	Armstrong		A	broad columnar		X	X
		xfreemanii	Bowhall		A	columnar		X	X
Aceraceae	Acer	ginnala		Amur mample	C	broad rounded	*** potential invasive problem		
Aceraceae	Acer	glabrum		Rocky Mountain maple	A	oval upright			
Aceraceae	Acer	griseum		paperbark maple	C	oval upright	and A. griseum hybrids		
Aceraceae	Acer	henryi		Henry maple	B	oval upright			
Aceraceae	Acer	leucoderme		chalk-bark maple	A	oval upright		X	
Aceraceae	Acer	mandschuricum		Manchurian maple	B	oval upright			

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Aceraceae	Acer	maximowiczianum		Nikko maple	B	oval upright			
Aceraceae	Acer	miyabei		Miyabe maple	A	oval upright		X	
Aceraceae	Acer	nigrum		black maple	A	oval upright		X	
Aceraceae	Acer	palmatum		Japanese maple	C	broad rounded			
Aceraceae	Acer	pensylvanicum		Moosewood	C	oval upright			
	Acer	rubrum			A	oval upright		X	
		rubrum	Columnaris		A	columnar		X	X
Aceraceae	Acer	saccharinum		silver maple	A	oval upright	for naturalizing only - weak wooded		
Aceraceae	Acer	saccharum		sugar maple	A	oval upright		X	
Aceraceae	Acer	tataricum		tatarian maple	C	upright arching			
Aceraceae	Acer	tegmentosum		Manchustriped	B	oval			

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				maple		upright			
Aceraceae	Acer	triflorum		three-flower maple	B	oval upright			
Aceraceae	Acer	truncatum		purpleblow maple	B	round		X	
Hippocastanaceae	Aesculus	chinensis		Chinese buckeye	A	oval upright		X	
Hippocastanaceae	Aesculus	glabra		Ohio buckeye	B	oval upright		X	
Hippocastanaceae	Aesculus	flava		yellow buckeye	A	oval upright		X	
Hippocastanaceae	Aesculus	hippocastanum		horsechestnut	A	oval upright		X	
Hippocastanaceae	Aesculus	parviflora		bottlebrush buckeye	C	broad spreading			
Hippocastanaceae	Aesculus	turbinata		Japanese horsechestnut	B	oval upright		X	
Hippocastanaceae	Aesculus	xcarnea		red horsechestnut	B	oval upright		X	
Hippocastanaceae	Aesculus	pavia		red buckeye	C	oval upright			

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Betulaceae	Alnus	glutinosa		European alder	B	oval upright		X	
Betulaceae	Alnus	cordata		Italian alder	B	oval upright		X	
Betulaceae	Alnus	incana		gray alder	B	oval upright			
Rosaceae	Amelanchier	arborea		downy serviceberry	C	oval upright		X	
Rosaceae	Amelanchier	laevis		Alleghaney serviceberry	C	oval upright		X	
Rosaceae	Amelanchier	canadensis		shadblow serviceberry	C	oval upright			
Rosaceae	Amelanchier	xgrandiflora		apple serviceberry	C	oval upright			X
Betulaceae	Betula	lenta		sweet birch	A	oval upright	ssp. uber superior form in KY		
Betulaceae	Betula	nigra		river birch	A	upright arching			
Betulaceae	Betula	populifolia		gray birch	B	oval upright			

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Family	Genus	Specific Epithet	Cultivar	Common Name	Size Class	Plant Shape	Comments	Street & Parking Lot Trees	Narrow Space
Cupressaceae	Calocedrus	decurrrens		California incensecedar	B	columnar			
Betulaceae	Carpinus	betulus		European hornbeam	B	broad rounded	including columnar forms	X	
Betulaceae	Carpinus	caroliniana		American hornbeam	B	broad rounded		X	
Betulaceae	Carpinus	cordata		heartleaf hornbeam	B	broad rounded		X	
Betulaceae	Carpinus	japonica		Japanese hornbeam	B	broad rounded		X	
Juglandaceae	Carya	cordiformis		bitternut hickory	A	oval upright		X	
Juglandaceae	Carya	glabra		pignut hickory	A	oval upright			
Juglandaceae	Carya	illinoensis		pecan	A	broad rounded			
Juglandaceae	Carya	ovata		shagbark hickory	A	oval upright			
Juglandaceae	Carya	tomentosa		mockernut hickory	A	round			
Fagaceae	Castanea	mollissima		Chinese	B	broad			

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				chestnut		rounded			
Fagaceae	Castanea	dentata hybrids		hybrid chestnut	A	oval upright	American Chestnut Foundation and Dunstan hybrids		
Bignoniaceae	Catalpa	speciosa		northern catalpa	A	oval upright		X	
Bignoniaceae	Catalpa	bignonioides		southern catalpa	B	broad rounded		X	
Pinaceae	Cedrus	atlantica		Atlas cedar	A	conical			
Pinaceae	Cedrus	libani var. stenocoma		cedar of Lebanon	A	conical			
Ulmaceae	Celtis	occidentalis		common hackberry	A	oval upright		X	
Ulmaceae	Celtis	laevigata		sugar hackberry	A	oval upright		X	
Cercidiphyllaceae	Cercidiphyllum	japonicum		katsuratree	B	round			
Fabaceae	Cercis	canadensis		Eastern redbud	C	round		X	
Cupressaceae	Chamaecyparis	obtusa		hinoki falsecypress	C	conical			

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Cupressaceae	Chamaecyparis	pisifera		Japanese falsecypress	B	conical			
Cupressaceae	Chamaecyparis	thyoides		Atlantic whitecedar	A	columnar			
Cupressaceae	Chamaecyparis	nootkatensis		Alaska cedar	A	oval upright			
Oleaceae	Chionanthus	virginicus		fringetree	C	round			
Oleaceae	Chionanthus	retusus		Chinese fringetree	C	broad rounded			
Fabaceae	Cladrastis	kentukea		American yellowwood	B	broad rounded		X	
Cornaceae	Cornus	alternifolia		pagoda dogwood	C	round			
Cornaceae	Cornus	florida		flowering dogwood	C	broad spreading			
Cornaceae	Cornus	kousa		kousa dogwood	C	broad rounded			
Cornaceae	Cornus	mas		corneliancherry dogwood	C	broad rounded			

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Cornaceae	Cornus	officinalis		Japanese cornel dogwood	C	oval upright			
Cornaceae	Cornus	xrutgersensis		Rutgers hybrid dogwood	C	broad rounded			
Cornaceae	Cornus	x		hybrid dogwood	C	broad rounded	various hybrids such as Venus®		
Betulaceae	Corylus	columna		Turkish filbert	A	conical		X	
Betulaceae	Corylus	fargesii		Farge's filbert	A	oval upright		X	
Anacardiaceae	Cotinus	coggyria		smokebush	C	oval upright			
Anacardiaceae	Cotinus	obovatus		American smoketree	C	oval upright			
Rosaceae	Crataegus	crusgalli		cockspur hawthorne	C	broad spreading			
Rosaceae	Crataegus	laevigata		English hawthorne	C	broad rounded			
Rosaceae	Crataegus	mollis		downy hawthorne	C	broad rounded		X	

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Family	Genus	Specific Epithet	Cultivar	Common Name	Size Class	Plant Shape	Comments	Street & Parking Lot Trees	Narrow Space
Rosaceae	Crataegus	phaenopyrum		Washington hawthorne	C	oval upright		X	
Rosaceae	Crataegus	viridis		green hawthorne	C	broad rounded		X	
Taxodiaceae	Cryptomeria	japonica		Japanese cryptomeria	A	conical			
Taxodiaceae	Cunninghamia	lanceolata		Chinafir	A	conical			
Ebenaceae	Diospyros	virginiana		common persimon	B	oval upright			
Eucommiaceae	Eucommia	ulmoides		hardy rubber tree	B	oval upright		X	
Fagaceae	Fagus	grandifolia		American beech	A	broad rounded			
Fagaceae	Fagus	sylvatica		European beech	A	oval upright			
Theaceae	Franklinia	alatomaha		Franklin tree	C	broad rounded	limited cold tolerance		
Ginkgoaceae	Ginkgo	biloba		maidenhair tree	A	round	specify males to avoid seed	X	

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Fabaceae	Gleditsia	triacanthos	var. inermis	thornless common honeylocust	A	round	thornless forms only recommended	X	
Fabaceae	Gymnocladus	dioicus		Kentucky coffeetree	A	oval upright	use male forms		X
Fabaceae	Gymnocladus	dioicus		female	A	oval upright			
Styracaceae	Halesia	tetraptera		Carolina silverbell	B	oval upright			
Styracaceae	Halesia	diptera		two-winged silverbell	B	oval upright			
Styracaceae	Halesia	monticola		mountain silverbell	B	oval upright			
Hamamelidaceae	Hamamelis	japonica		Japanese witchhazel	C	oval upright			
Hamamelidaceae	Hamamelis	mollis		Chinese witchhazel	C	oval upright			
Hamamelidaceae	Hamamelis	virginiana		common witchhazel	C	round			
Hamamelidaceae	Hamamelis	xintermedia		hybrid witchhazel	C	oval upright			

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Family	Genus	Specific Epithet	Cultivar	Common Name	Size Class	Plant Shape	Comments	Street & Parking Lot Trees	Narrow Space
Rhamnaceae	Hovenia	dulcis		Japanese raisintree	B	oval upright			
Aquifoliaceae	Ilex	decidua		possumhaw	C	round			
Aquifoliaceae	Ilex	opaca		American holly	B	conical			
Aquifoliaceae	Ilex	xattenuata	Fosteri	Foster holly	C				
Juglandaceae	Juglans	cinerea		butternut	A	oval upright			
Juglandaceae	Juglans	nigra		black walnut	A	round			
Juglandaceae	Juglans	regia		English walnut	A	round			
Cupressaceae	Juniperus	chinensis		Chinese juniper	A	conical			
Cupressaceae	Juniperus	virginiana		eastern redcedar	B	oval upright			
Araliaceae	Kalopanax	septemlobus		castor aralia	A	oval upright		X	
Sapindaceae	Koelreuteria	paniculata		goldenraintree	B	round	potential invasiveness problem	X	
Lythraceae	Lagerstroemia	indica		common crepemyrtle	C	upright arching			

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Family	Genus	Specific Epithet	Cultivar	Common Name	Size Class	Plant Shape	Comments	Street & Parking Lot Trees	Narrow Space
Lythraceae	Lagerstroemia	faurei		crepemyrtle	C	upright arching			
Pinaceae	Larix	decidua		European larch	A	conical			
Pinaceae	Larix	kaempferi		Japanese larch	A	conical			
Hamamelidaceae	Liquidambar	styraciflua		sweetgum	A	oval upright		X	
		styraciflua	Slender Silhouette		A	columnar		X	X
Magnoliaceae	Liriodendron	tulipifera		tuliptree	A	oval upright		X	
Fabaceae	Maackia	amurensis		Amur maackia	B	round		X	
Moraceae	Maclura	pomifera		thornless osage orange	B	round	thornless forms only for cultivated areas	X	
Magnoliaceae	Magnolia	acuminata		cucumber magnolia	A	oval upright		X	
Magnoliaceae	Magnolia	denudata		Yulan magnolia	B	pyramidal			
Magnoliaceae	Magnolia	grandiflora		southern magnolia	A	oval upright			

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Magnoliaceae	Magnolia	hybrids		hybrid magnolia		various			
Magnoliaceae	Magnolia	kobus		kobus magnolia	C	oval upright			
Magnoliaceae	Magnolia	liliflora		lily magnolia	C	round			
Magnoliaceae	Magnolia	xloebneri		Loebner magnolia	C	oval upright			
Magnoliaceae	Magnolia	macrophylla		bigleaf magnolia	B	round			
Magnoliaceae	Magnolia	xsoulangiana		saucer magnolia	B	round			
Magnoliaceae	Magnolia	sieboldii		oyama magnolia	C	oval upright			
Magnoliaceae	Magnolia	stellata		star magnolia	C	oval upright			
Magnoliaceae	Magnolia	tripetala		umbrella magnolia	B	round			
Magnoliaceae	Magnolia	virginiana		sweetbay magnolia	B	oval upright			

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Rosaceae	Malus			crabapple	C		look for most disease-resistant cultivars	X	
				crabapple	C		fruitless/upright cultivars	X	X
Taxodiaceae	Metasequoia	glyptostroboides		dawn redwood	A	conical		X	
Nyssaceae	Nyssa	aquatica		water tupelo	A	oval upright			
Nyssaceae	Nyssa	sylvatica		black tupelo	A	oval upright		X	
Betulaceae	Ostrya	japonica		Japanese hophornbeam	B	broad spreading		X	
Betulaceae	Ostrya	virginiana		American hophornbeam	B	round		X	
Ericaceae	Oxydendrum	arboreum		sourwood	B	oval upright			
Hamamelidaceae	Parrotia	persica		Persian parrotia	B	oval upright		X	
		persica	Vanessa		B	broad columnar		X	X

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Hamamelidaceae	Parrotia	subaequalis		Chinese parrotia	B	round			
Rutaceae	Phellodendron	amurense		Amur corktree	B	broad spreading			X
Pinaceae	Picea	abies		Norway spruce	A	conical			
Pinaceae	Picea	glauca		white spruce	A	conical			
Pinaceae	Picea	omorika		Serbian spruce	A	conical			
Pinaceae	Picea	orientalis		Oriental spruce	A	conical			
Pinaceae	Picea	pungens		Colorado spruce	A	conical			
Pinaceae	Pinus	bungeana		lacebark pine	B	oval upright			
Pinaceae	Pinus	densiflora		Japanese red pine	A	broad rounded			
Pinaceae	Pinus	flexilis		limber pine	A	broad rounded			
Pinaceae	Pinus	koraiensis		Korean pine	A	conical			
Pinaceae	Pinus	nigra		Austiran pine	A	oval upright			

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Pinaceae	Pinus	parviflora		Japanese white pine	A	broad spreading			
Pinaceae	Pinus	rigida		pitch pine	B	irregular			
Pinaceae	Pinus	strobiformis		Mexican white pine	A	conical			
Pinaceae	Pinus	strobus		white pine	A	oval upright			
Pinaceae	Pinus	sylverstris		Scotch pine	B	oval upright			
Pinaceae	Pinus	thunbergii		Japanese black pine	B	irregular			
Pinaceae	Pinus	virginiana		Virginia pine	A	oval upright			
Pinaceae	Pinus	wallichiana		Himalayan pine	A	broad rounded			
Pinaceae	Pinus	xacayahuite		hybrid pine	A	oval upright			
Anacardiaceae	Pistacia	chinensis		Chinese pistache	B	round		X	
Platanaceae	Platanus	xacerifolia		London planetree	A	round			X

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Platanaceae	Platanus	occidentalis		sycamore	A	round	for naturalizing, anthracnose susceptible	X	
Flacourtiaceae	Poliothyrsis	sinensis		poliothyrsis	B	oval upright			
Salicaceae	Populus	deltoides		eastern cottonwood	A	oval upright		X	
Rosaceae	Prunus	cerasifera	Atropurpurea	purple leaf plum	C	oval upright		X	
Rosaceae	Prunus	padus		European birdcherry	B	round		X	
Rosaceae	Prunus	sargentii		Sargent cherry	B	round		X	
		sargentii	Columnaris		B	columnar		X	X
Rosaceae	Prunus	serrulata		Japanese flowering cherry	C	broad rounded		X	
		serrulata	Kwanzan		C	broad rounded		X	
Rosaceae	Prunus	subhirtella	Pendula	Weeping Higan cherry	B	round	many cultivars available		

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Family	Genus	Specific Epithet	Cultivar	Common Name	Size Class	Plant Shape	Comments	Street & Parking Lot Trees	Narrow Space
Rosaceae	Prunus	xyedoensis		Yoshino cherry	B	broad rounded		X	
Rosaceae	Prunus			hybrid cherries	C	various	avoid most disease susceptible selections		
Pinaceae	Pseudolarix	amabilis		golden larch	B	conical			
Pinaceae	Pseudotsuga	menziesii		douglasfir	A	conical			
Fagaceae	Quercus	acutissima		sawtooth oak	A	broad rounded		X	
Fagaceae	Quercus	alba		white oak	A	broad rounded		X	
Fagaceae	Quercus	bicolor		swamp white oak	A	oval upright		X	
Fagaceae	Quercus	coccinea		scarlet oak	A	oval upright		X	
Fagaceae	Quercus	dentata		Daimyo oak	A	oval upright		X	
Fagaceae	Quercus	ellipsoidalis		northern pin oak	A	oval upright		X	
Fagaceae	Quercus	falcata		southern red	A	round		X	

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				oak					
Fagaceae	Quercus	hybrids					many quality hybrids available	X	
			Crimson Spire		A		Columnnar	X	X
			Regal Prince		A		Columnnar	X	X
			Bonnie & Mike		A		Columnnar	X	X
Fagaceae	Quercus	imbricaria		shingle oak	A	pyramidal		X	
Fagaceae	Quercus	lyrata		overcup oak	A	oval upright		X	
Fagaceae	Quercus	macrocarpa		bur oak	A	oval upright		X	
Fagaceae	Quercus	marilandica		blackjack oak	C	oval upright		X	
Fagaceae	Quercus	muehlenbergii		chinkapin oak	A	oval upright		X	
Fagaceae	Quercus	nigra		water oak	A	oval upright		X	

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Fagaceae	Quercus	nuttallii		Nuttall oak	A	oval upright		X	
Fagaceae	Quercus	palustris		pin oak	A	oval upright		X	
		palustris	Pringreen (Green Pillar™)		A	columnar		X	X
Fagaceae	Quercus	phellos		willow oak	A	oval upright		X	
Fagaceae	Quercus	prinus/montana		chestnut oak	A	oval upright		X	
Fagaceae	Quercus	robur		English oak	A	broad rounded		X	
		robur	Fastigiata		A	columnar		X	X
Fagaceae	Quercus	rubra		red oak	A	round		X	
Fagaceae	Quercus	shurmardii		Shumard oak	A	oval upright		X	
Fagaceae	Quercus	stellata		post oak	B	oval upright		X	
Rhamnaceae	Rhamnus	caroliniana		Carolina buckthorn	C	round			

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Fabaceae	Robinia	pseudoacacia		black locust	A	oval upright			
Lauraceae	Sassafras	albidum		common sassafras	B	oval upright		X	
Pinaceae	Sciadopitys	verticillata		umbrella pine	B	conical			
Rosaceae	Sorbus	alnifolia		Korean moutnainash	B	oval upright			
Theaceae	Stewartia	koreana		Korean stewartia	C	oval upright			
Theaceae	Stewartia	malacodendron		silky stewartia	C	oval upright			
Theaceae	Stewartia	monadelpha		tall stewartia	C	pyramidal			
Theaceae	Stewartia	rostrata			C	oval upright			
Theaceae	Stewartia	ovata		mountain stewartia	C	oval upright			
Theaceae	Stewartia	pseudocamellia		Japanese stewartia	C	oval upright			
Fabaceae	Styphnolobium	japonicum		scholartree	B	round		X	
Styracaceae	Styrax	japonicus		Japanese	C	broad			

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Family	Genus	Specific Epithet	Cultivar	Common Name	Size Class	Plant Shape	Comments	Street & Parking Lot Trees	Narrow Space
				snowbell		rounded			
Styracaceae	Styrax	obassia		fragrant snowbell	C	oval upright			
Oleaceae	Syringa	pekinensis		Pekin lilac	C	oval upright		X	
Oleaceae	Syringa	reticulata		Japanese tree lilac	C	oval upright			X
Taxodiaceae	Taxodium	ascendens		pondcypress	A	conical		X	
Taxodiaceae	Taxodium	distichum		common baldcypress	A	conical			X
Taxaceae	Taxus	baccata		English yew	C	round			
Taxaceae	Taxus	cuspidata		Japanese yew	C	variable			
Taxaceae	Taxus	xmedia		Anglojap yew	C	variable			
Cupressaceae	Thuja	occidentalis		Eastern arborvitae	B	columnar			
Cupressaceae	Thuja	plicata		giant arborvitae	A	conical			
Tiliaceae	Tilia	americana		basswood	A	oval upright		X	
Tiliaceae	Tilia	cordata		littleleaf linden	A	oval		X	

Oldham County Comprehensive Zoning Ordinance
Division 300 Landscaping Regulations

Family	Genus	Specific Epithet	Cultivar	Common Name	Size Class	Plant Shape	Comments	Street & Parking Lot Trees	Narrow Space
						upright			
Tiliaceae	Tilia	petiolaris		pendant silver linden	A	oval upright		X	
Tiliaceae	Tilia	xeuchlora		Crimean linden	A	oval upright		X	
Tiliaceae	Tilia	xeuropa		European linden	A	oval upright		X	
Tiliaceae	Tilia	tomentosa		silver linden	A	oval upright		X	
Pinaceae	Tsuga	canadensis		Canadian hemlock	A	conical			
Pinaceae	Tsuga	chinensis		Chinese hemlock	A	conical			
Pinaceae	Tsuga	diversifolia		northern Japanese hemlock	A	conical			
Pinaceae	Tsuga	heterophylla		western hemlock	A	conical			
Pinaceae	Tsuga	mertensiana		mountain hemlock	A	conical			
Pinaceae	Tsuga	caroliniana		Carolina	A	conical			

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Division 300 Landscaping Regulations

Family	Genus	Specific Epithet	Cultivar	Common Name	Size Class	Plant Shape	Comments	Street & Parking Lot Trees	Narrow Space
				hemlock					
Ulmaceae	Ulmus	alata		winged elm	B	round		X	
Ulmaceae	Ulmus	americana		American elm	A	upright arching	only disease resistant selections such as 'Princeton'	X	
Ulmaceae	Ulmus	crassifolia		cedar elm	A	round		X	
Ulmaceae	Ulmus	propinqua			A	oval upright		X	
		propinqua	Emerald Sunshine		A			X	
Ulmaceae	Ulmus	hybrids		hybrid elm	A	oval upright	disease-resistant hybrids	X	
			Jefferson		A	upright arching		X	
			Patriot		A	upright arching		X	
			Triumph		A	upright arching		X	
Ulmaceae	Zelkova	serrata		Japanese	A	oval		X	

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Division 300 Landscaping Regulations

Family	Genus	Specific Epithet	Cultivar	Common Name	Size Class	Plant Shape	Comments	Street & Parking Lot Trees	Narrow Space
				zelkova		upright			
		serrata	Musashino		A	columnar		X	X
Ulmaceae	Zelkova	carpinifolia		elm zelkova	A	oval upright		X	
Ulmaceae	Zelkova	sinica		Chinese zelkova	A	oval upright		X	
Ulmaceae	Ziziphus	jujuba		Chinese date	B	oval upright			
Prohibited Tree List									
Aceraceae	Acer	platanoides		Norway maple	A	round	invasive		
Simaroubaceae	Ailanthus	altissima		tree of heaven	A	oval upright	invasive		
Fabaceae	Albizia	julibrissin		mimosa	C	round	invasive		
Elaeagnaceae	Elaeagnus	angustifolia		Russian olive	C	oval upright	invasive		
Elaeagnaceae	Elaeagnus	umbellata		autumn olive	C	round	invasive		

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Family	Genus	Specific Epithet	Cultivar	Common Name	Size Class	Plant Shape	Comments	Street & Parking Lot Trees	Narrow Space
Oleaceae	Fraxinus	species		ash	A		emerald ash borer susceptible		
Moraceae	Morus	alba		white mulberry	C	round	invasive		
Scrophulariaceae	Paulownia	tomentosa		royal paulonia	A	oval upright	invasive		
Rosaceae	Pyrus	calleryana		callery pear	C	oval upright	invasive; including 'Bradford' and other callery pear hybrids		
Rhamnaceae	Rhamnus	cathartica		common buckthorn	C	oval upright	invasive		
Rhamnaceae	Rhamnus	frangula		tall buckthorn	C	oval upright	invasive		
Euphorbiaceae	Triadica	sebifera		Chinese tallow tree	B	upright oval	invasive		
Ulmaceae	Ulmus	pumila		Chinese elm	B	upright oval	invasive		

KEY:

A – Large Tree

B – Medium Tree

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- C – Small Tree-Large Shrub
- D – Shrub
- E – Vine
- F – Groundcover

DIVISION 305 ALL NONCONFORMING USES AND STRUCTURES

Sec. 305-010 Continuation and Maintenance

Any lawful use of land or structure existing at the time of adoption of the Zoning District Regulations of this Ordinance, or subsequent amendment of this ordinance, may be continued.

Work may be done on ordinary repair and maintenance, or on repair or replacement of non-bearing walls, fixtures, wiring, or plumbing. Nothing in this ordinance shall be deemed to prevent the strengthening or restoring to a safe condition of a building or other structure in accordance with the order of an appropriate public agency, who declares such building or other structure to be unsafe, and orders its restoration to a safe condition.

Sec. 305-020 Expansion of Nonconforming Use

Non-conforming uses may not expand. Residential uses on lots of more than one (1) acre are exempt from this provision.

Sec. 305-030 Restoration of a Damaged Structure or Building

Any non-conforming building or structure which has been damaged to the extent of fifty (50) percent of its current fair cash value, as estimated immediately prior to damage, shall not be repaired or reconstructed except in conformity with this ordinance; provided, however, that non-conforming residential structure may be rebuilt in the same general yard area if the damage was due to fire or natural cause, and if a building permit has been issued within twelve (12) months of the date of damage and rebuilt within twelve (12) month of the issuance of the building permit.

Sec. 305-040 Abandonment of Nonconforming Use

No non-conforming use shall be reestablished after having been discontinued for twelve (12) months. Vacating of premises or building, or non-operative status shall be evidence of a discontinued use.

Sec. 305-050 Substituting Nonconforming Use

No non-conforming use may be substituted for any other non-conforming use except when the use is typical of that permitted in a more restricted zone and is permitted by the Board of Adjustments after a public hearing.

Sec. 305-060 Regulating Manufactured Homes and Manufactured Home Parks

Any previous decision by the Commission or Board of Adjustments where permission, or conditional permission, was granted is hereby not affected. Non-conforming manufactured homes may continue as non-conforming uses, provided that if a manufactured home is removed from its lot and not relocated thereon for a period of three (3) months, then it shall not be relocated without the approval of the Board of Adjustments. Any expansion of existing manufactured home parks shall be in conformance with these regulations.

Oldham County Comprehensive Zoning Ordinance
Division 305 All Nonconforming Uses and Structures

Sec. 305-070 Additions to Nonconforming Structures and Buildings

Any proposed addition or substantial remodeling of a non-conforming structure may be granted, after public hearing as a dimensional variance, by the appropriate Board of Adjustments. The Board of Adjustments shall first determine whether the proposed addition or substantial remodeling will facilitate or expand a non-conforming use.

DIVISION 310 LIGHTING REGULATIONS

Sec. 310-010 Purpose and Intent

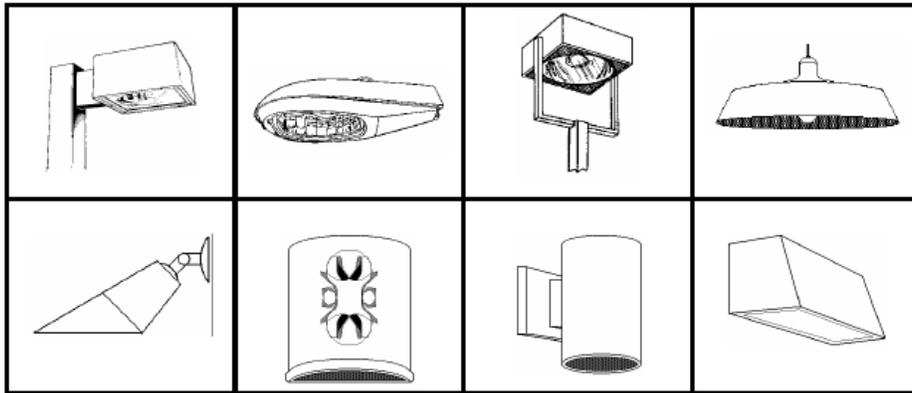
The purpose and intent of this Division is to appropriately regulate outdoor lighting in Oldham County to minimize the effects of light pollution, glare, and light trespass, to save energy, and to provide a safe nighttime environment for pedestrians, motorists, and properties while protecting the public's ability to view the night sky.

Sec. 310-020 Applicability

The lighting regulations contained herein shall apply to all exterior lighting and to interior lighting to the extent that it impacts the outdoor environment including lighted signs. In the event of conflict between the regulations set forth in this Division and any other applicable regulations, the more stringent limitation and requirement shall govern.

Sec. 310-030 Definitions

1. **Foot-Candle:** A quantitative unit of measurement equal to one lumen per square foot measured at ground level.
2. **Fully-Shielded Light Fixture (also known as Full Cutoff):** A light fixture constructed in such a manner that all light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the fixture, is projected below the horizontal plane. The following are examples of fully-shielded light fixtures:



3. **Glare:** The effect produced by a light source within the visual field that is sufficiently brighter than the level to which the eyes are adapted, to cause annoyance, discomfort or loss of visual performance and ability.
4. **IESNA:** The Illuminating Engineering Society of North America, a non-profit professional organization of lighting specialists that has established recommended design standards for various lighting applications.
5. **Illuminance:** The area density of the luminous flux incident at a point on the surface. It is a measure of light incident on a surface, expressed in lux or foot-candles.

Oldham County Comprehensive Zoning Ordinance
Division 310 Lighting Regulations

6. Light Fixture (Luminaire): A complete lighting unit consisting of a lamp or lamps and ballasting (when applicable) together with the parts designed to distribute the light, to position and protect the lamps, and to connect the lamps to the power supply.
7. Light Pollution: Any adverse effect of manmade lighting; light where it is not needed or wanted; and wasted light.
8. Light Trespass: Light from an artificial light source that is intruding into an area where it is not wanted or does not belong.
9. Lumen: A quantitative unit measuring the amount of light emitted by a light source.

Sec. 310-040 General Requirements:

All public and private outdoor lighting shall meet the following standards:

1. Light fixtures, except as otherwise permitted herein, are required to be fully shielded (full cutoff). Fully-shielded light fixtures result in a light distribution pattern where no light is permitted at or above a horizontal plane at the bottom of the fixture.
2. Light fixtures shall be installed and maintained in a manner consistent with the intended application and as approved in the lighting plan. Fully-shielded light fixtures may not be tilted or aimed in a manner that results in light distribution above the horizontal plane.
3. Lighting associated with canopies, including but not limited to fuel islands, seasonal outdoor sales areas, shopping malls, theaters, drive-through bays of any kind, hotels and pavilions shall meet the following additional standards:
 - a. All light fixtures mounted on or recessed into the lower surface of canopies shall be fully shielded and utilize flat lenses;
 - b. All light emitted from the canopy shall be substantially confined to the ground directly beneath the perimeter of the canopy.
 - c. The level of lighting shall not exceed fifty (50) foot-candles at any point beneath a canopy.
 - d. No lighting of any kind, except as permitted by sign regulations, shall be allowed on the top or sides of a canopy.
4. Exterior sports or recreational facilities (public or private) may use any light fixtures permitted by this Division provided all of the following conditions are met:
 - a. Light fixtures shall be fully shielded.
 - b. The height of the post shall not exceed 50 feet.
 - c. All lights used for the purpose of illuminance of the playing area shall be turned off following the conclusion of the final event of the night. The remainder of the facility lighting, except for reasons of security, shall be turned off within one hour after the event and remain extinguished until one hour prior to the commencement of the next event.
 - d. Illumination of any playing area within five-hundred (500) feet of any residential use shall not be permitted between 11:00 p.m. and 7:00 a.m. unless an event normally expected to end before 11:00 p.m. is prevented from concluding at such time due to specific circumstance.
 - e. Exterior sports or recreational facilities shall submit a lighting plan for review and approval by the Planning and Zoning Commission. The plan shall document the effect of lighting on adjacent residential areas. The Planning and Zoning

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Commission may require modification of the lighting plan or impose conditions on its approval as necessary to mitigate the impacts of the lighting.

5. Illuminance of a parking lot shall meet the following additional conditions:
 - a. Light fixtures shall be fully shielded.
 - b. The use of horizontal lamps is recommended for pole mounted light fixtures in parking lots.
 - c. The maximum parking lot pole height (includes base and fixture) shall be:
 - i. 24 feet when fixture is located within 75 feet of the site’s boundary; and
 - ii. 40 feet when the fixture is located beyond 75 feet from the site’s boundary provided that for mounting heights in excess of 24 feet, the distance of the fixture to the site’s boundary is not less than three times the mounting height.
 - iii. 14 feet when a non-residential property is adjacent to a residential or agricultural zoning district or use.
 - d. A maximum of two light fixtures per pole is recommended for parking lots not exceeding two hundred (200) stalls except for perimeter lighting, which should be limited to one fixture per pole.
 - e. When a parking lot adjoins a residential zoning district or residential use, all light fixtures shall be fitted with shielding on the residential side to reduce the impact of light trespass and glare.
 - f. Illumination Levels: Open parking lots should be lit to meet current standards issued by the Illuminating Engineering Society of North America (IESNA). The following guidelines should be used:

	Highest Activity Levels	Medium Activity Levels	Low Activity Levels
Typical Activities	<i>fast food restaurants</i> <i>gas stations</i> <i>convenience stores</i> <i>cultural/institutional facilities</i>	community shopping centers hospital parking areas educational facilities banks, other services	local merchants industrial employee parking multi-family parking lots
Average maintained illumination levels	2.0-3.0 footcandles	1.0-2.0 footcandles	.05-1.0 footcandles
Uniformity Ratios	3:1 average/minimum (.66 f.c minimum) 12:1 maximum/minimum (8.0 f.c. maximum)	3:1 average/minimum (.33 f.c minimum) 12:1 maximum/minimum (4.0 f.c. maximum)	4:1 average/minimum (.125 f.c minimum) 15:1 maximum/minimum (2.5 f.c. maximum)
Maximum light at property boundary adjoining a residential zoning district or lot containing a residential use	0.5 (one-half) footcandle	0.5 (one-half) footcandle	0.5 (one-half) footcandle
Maximum light at property boundary adjoining a nonresidential zoning district or lot containing a nonresidential use or at the right-of-way line	1 .0 footcandle	1 .0 footcandle	1 .0 footcandle

6. Illumination of a building façade to enhance architectural features may be permitted. Downlighting is preferred, provided wall-mounted fixtures are used and illuminance is contained completely within the vertical face of the building and does not spill off the building edge. Uplighting may be permitted provided no illuminance escapes the façade. Building facades may be illuminated to a maximum of 20 foot-candles as measured on the

Oldham County Comprehensive Zoning Ordinance
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façade. Lights mounted on poles for the purpose of illuminating the building façade are not permitted.

7. Pedestrian facilities (sidewalks, paths, etc.) including area leading from a building to parking facilities shall not exceed an average lighting level of two and one-half (2.5) foot-candles. Light fixtures for pedestrian facilities shall not be mounted higher than fifteen (15) feet from the finished grade of the walking surface.
8. Bollards, or similar light fixtures that do not exceed four feet in height, intended to illuminate landscape features or walkways, may be permitted as part of the overall lighting plan. The total combination of lamps shall not exceed 900 lumens per bollard or light fixture. A maximum of two fixtures per bollard and one lamp per fixture is recommended.
9. Illumination of a flag on a flagpole is permitted provided a narrow spread light fixture is used and aimed to only illuminate the top of the flagpole. The top of the light fixture must be shielded in a manner so as not to be visible from adjoining properties.
10. The source of light from any fixture, including interior fixtures visible through windows, shall not create disability glare on adjoining properties.
11. All lights, except those required for security as provided herein, shall be reduced to security levels within one hour after the end of business until one hour prior to the commencement of business. Security lighting at entrances, stairways and loading docks, as well as limited parking lot lighting, is permitted. The use of motion sensors for security lighting is strongly encouraged. Security lighting shall comply with all applicable provisions contained herein.
12. The level of lighting resulting from light fixtures installed on a subject site shall not exceed:
 - a. one-half (0.5) foot-candle at any property line adjoining a residential zoning district or a lot containing a residential use; and/or
 - b. one (1.0) foot-candle at any property line adjoining a nonresidential zoning district or lot containing a nonresidential use or at the right-of-way line.
 - c. Maximum of eight (8.0) footcandles anywhere on site.
13. If the existing light level at any property boundary exceeds the maximum footcandle prior to the development of a site, then the level of lighting resultant from luminaries installed on that site shall not increase the light level at the property boundary by more than one-half footcandle.

Sec. 310-050 Exceptions

1. Airport lighting for air traffic control and warning purposes. All other lighting at airports, including that used for loading areas, hangars, terminal aprons, parking areas, etc., shall conform to all applicable standards of this Division.
2. Traffic lights and other lighting for public safety on streets and ways.
3. Temporary use of low-wattage lighting for public festivals or events, and the observance of holidays.
4. Lighting required temporarily for emergency purposes or repairs in the right-of-way.
5. Lighting of less than 2,400 lumens (2,400 lumens is equal to about 180 watts of an incandescent lamp; and about 28 watts of a high-pressure sodium lamp) per fixture for single-family detached residential areas and agriculture areas, except as prohibited herein.

Sec. 310-060 Sign Lighting

1. All signage must comply with the sign regulations in the Oldham County Comprehensive Zoning Ordinance.
2. All lighted signs shall also comply with the provisions of this Division.

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3. Signs may be internally illuminated, backlit, or illuminated by downlighting or by ground-mounted light fixtures that illuminate the sign face and base only.
4. Illumination of the sign face by ground-mounted light fixtures shall not exceed 50 foot-candles as measured on the sign face.
5. It is suggested that the design of internally illuminated cabinet signs consist of lighter lettering on a darker background in order to maximize visibility.

Sec. 310-070 Prohibited Lighting:

The following is a list of lighting that is prohibited except when used by civil authorities for public safety, health and welfare.

1. Blinking, flashing or changing intensity lights including those proposed for signage.
2. Lighting of a type, style, or intensity determined to interfere with the safe flow of traffic.
3. Strobe lights, searchlights, beacons and laser light, or similar upward- or outworking-oriented lighting.
4. Exposed neon, exposed LED, or similar exposed lighting.
5. Lighting creating a public hazard, including lighting that creates disability glare, particularly where such disability glare has a detrimental effect on motor vehicle traffic.
6. Light fixtures mounted on poles for the purpose of illuminating the building façade.
7. High-intensity floodlighting except as approved for sports facility lighting.
8. Fixtures with drop or sag lens lighting.
9. Any lighting that shines directly on an adjoining property.

Sec. 310-080 Lighting Plan Requirements

The Planning and Zoning Commission may seek assistance from a professional lighting engineer to evaluate lighting plans. The applicant shall pay costs associated with such a review.

Category 1 Development Plan

Prior to the approval of any Category 1 Development Plan, the applicant shall submit a lighting plan that complies with the provisions of this division. Compliance with the approved lighting plan shall be determined following a site inspection that includes field verification of light levels.

A lighting plan shall be depicted on a site plan, indicating the location of each current and proposed outdoor lighting fixture and include the following:

1. Identification of all light fixture locations including notations on whether they are pole-, ground- or building-mounted.
2. Mounting height with distance noted to the nearest property line for each luminaire.
3. Elevation of the poles and fixtures, and position of the lamp within the fixture.
4. Type and number of luminaire fixtures. A copy of the manufacturers catalog sheet, which includes photographs of the fixtures, including the certified cut-off characteristics, product number, and IESNA-type description.
5. Lamp source type (bulb type, i.e. high pressure sodium), lumen output, and wattage for each fixture.
6. Description of light-level-reduction controls for each fixture or grouping of fixtures and resulting after-hours light levels.
7. A note stating that no substitutions, additions, or changes may be made without prior approval of Oldham County Planning & Development Services.

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8. Such additional information as the Planning and Zoning Administrator may determine is necessary to ensure compliance with this Division.

Category 2 & 3 Development Plan

Prior to the approval of any Category 2 and 3 Development Plan, Non-residential use abutting a residential or agricultural use, or Multi-family Preliminary Plan, the applicant shall submit a photometric plan that complies with the provisions of this division. Submittal and drawings shall be signed by a licensed professional engineer or architect taking responsibility for the design. The name and company information for the plan preparer shall be clearly stated on the submittal drawings. Compliance with the approved photometric plan shall be determined following a site inspection that includes field verification of light levels.

A photometric plan shall be depicted on a site plan, indicating the location of each current and proposed outdoor lighting fixture, and include the following:

1. Footcandle distribution, plotting the light levels in footcandles on the ground for the entire lot and at least ten feet beyond the project property lines, at the designated mounting heights for the proposed fixtures. Maximum illuminance levels should be expressed in the footcandle measurements on a grid of the site showing footcandle readings in every five or ten-foot square. The grid shall include light contributions from all sources (i.e. pole mounted, wall mounted, sign, and street lights).
2. Identification of all light fixture locations including notations on whether they are pole-, ground- or building-mounted.
3. Mounting height with distance noted to the nearest property line for each luminaire.
4. Total square feet of areas to be illuminated.
5. The plan must include a key to the proposed lighting that provides the following information:
 - a. Type and number of luminaire fixtures. A copy of the manufacturers catalog sheet, which includes photographs of the fixtures, including the certified cut-off characteristics, product number, and IESNA-type description.
 - b. Lamp source type (bulb type, i.e. high pressure sodium), lumen output, and wattage for each fixture.
 - c. Elevation of the poles and fixtures, and position of the lamp within the fixture.
 - d. Description of light-level-reduction controls for each fixture or grouping of fixtures, proposed hours when each fixture will be operated, and resulting after-hours light levels.
6. Photometric calculations providing the following statistics:
 - a. Average to minimum;
 - b. Uniformity ratio of maximum to minimum;
 - c. Average foot-candles;
 - d. Minimum footcandles;
 - e. Maximum footcandles.
7. A note stating that no substitutions, additions, or changes may be made without prior approval of Oldham County Planning & Development Services.
8. Such additional information as the Planning and Zoning Administrator may determine is necessary to ensure compliance with this Division.

Sec. 310-090 Inspections of Site, Building or Sign Lighting Installation

1. When inspecting light fixtures the inspector shall do a visual evaluation to determine whether the fixture meets the requirements established in the provisions of this Division.
2. When inspecting light trespass complaints, the inspector shall use an IESNA approved instrument to take a foot-candle reading to determine whether the light brightness exceeds the standards. The inspector shall stand at the property line and hold the detector approximately three (3) feet off the ground. The average of the vertical and horizontal measurements shall be used to determine compliance with applicable standards.

Sec. 310-100 Nonconforming Uses

No light fixture which was lawfully installed prior to the enactment of this Division shall be required to be removed or modified except as expressly provided herein. However no modification or replacement shall be made to a nonconforming fixture unless the fixture thereafter conforms to the provisions of this Division. In the event that an outdoor lighting fixture is abandoned (discontinuation of use for a period of six months) or is damaged to the point of requiring repairs for safe operation, the repaired or replacement fixture shall comply with the provisions of this Division.

Sec. 310-110 Permits and Waivers

Upon application, the Planning and Zoning Commission may grant a waiver of requirements of this Division.

DIVISION 320 ACCESS MANAGEMENT REGULATIONS

Sec. 320-010 Intent and Applicability

This division presents design guidelines for managing vehicular access to land development, while preserving traffic flow in terms of safety, capacity and speed. Major thoroughfares and collectors serve as the primary network for moving people and goods. These corridors also provide access to businesses and homes and have served as the focus for commercial and residential development. The design principles described herein are intended to balance the right of reasonable access to private property with the right of the citizens of Oldham County to safe and efficient travel.

Sec. 320-020 Relationship to the Comprehensive Plan

This division is intended to assist in implementing the Goals, Objectives and Plan Elements of the Comprehensive Plan.

Sec. 320-030 Access Classification System and Standards

- A. The Administrator, in consultation with the County Engineer, Kentucky Transportation Cabinet and other appropriate permitting agencies, is responsible for approving the number and location of curb cuts. The permitting agency issues encroachment permits in accordance with the design principles presented in this division, AASHTO standards and good engineering practice.
- B. Roadway maps within Oldham County are classified for the purposes of access management as shown in the map, “Roadway Classification and Projected Corridors.”
- C. Separation between access points on all County maintained roadways should meet or exceed the following minimum standards for that classification.
- D. Table 1: Oldham County Access Classification System & Standards*

Functional Classification	Driveway Spacing	Spacing of Median Openings or Major Intersections**	Signal Spacing
Arterial	600 ft.***	1,200 ft.***	¼ mile
	400 ft.****	600 ft.****	
Collector	300 ft.	300 ft. to 600 ft.	¼ mile

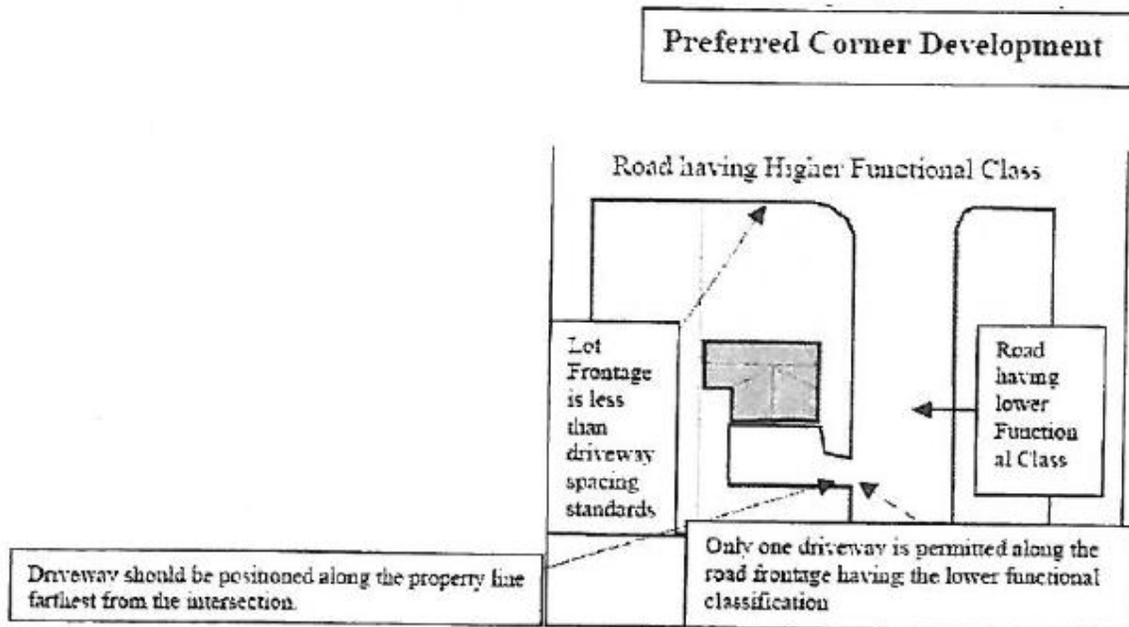
* It is recognized that some locations, due to existing development characteristics, may not meet the standards provided in this section. Access to such properties is allowed to continue.
 ** Applies to full median openings on roadways with medians. Directional median opening spacing shall be ¼ mile on all major arterials.
 *** Applies to facilities with a speed of 45 mph or greater. Speed refers to posed speed or 85th percentile speed, whichever is lower.
 **** Applies to facilities with a speed of less than 45 mph. Speed refers to posted speed or 85th percentile speed, whichever is lower.

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Division 320 Access Management Regulations

1. To provide reasonable flexibility in administration, some deviation from access spacing standards may be permitted, if the Administrator finds that a property is otherwise unable to meet minimum driveway spacing standards and allowing such a deviation would not create a safety hazard on the public road.
 - a. Deviation from the driveway spacing will not create a public safety hazard;
 - b. A joint-use driveway will be established wherever feasible, to serve to abutting building sites, with cross-access easements provided in accordance with Section 320-050;
 - c. The building site is designed to provide cross access and unified circulation with abutting sites;
 - d. The property owner shall agree to close any pre-existing curb-cuts that are nonconforming on the building site, after the construction of both sides of the joint-use driveway.

Sec. 320-040 Corner Clearance

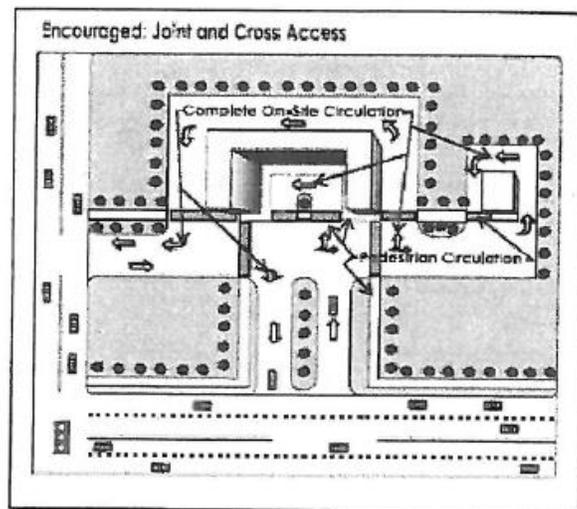
- A. Locate new driveways outside the functional area of an intersection, as defined by the driveway spacing standards of this article. Exceptions to this standard may be approved if the Administrator finds that:
 1. No other reasonable access to the property is available, including joint and cross access with adjacent properties, and
 2. The connection does not create a safety or operation problem, upon review of a site-specific study for the proposed connection prepared by a qualified professional.
- B. If the permitting agency finds that no other alternatives exist and provided appropriate site distance standards are met, a driveway within the functional area of the intersection may be constructed. It shall be located as close to the property line and as far from the intersection as site conditions allow. Only one driveway will be permitted and it shall access the road frontage from the street having the lower functional classification, unless the Administrator determines that this would create a safety or operational problem on the public street system.



Oldham County Comprehensive Zoning Ordinance
Division 320 Access Management Regulations

Sec. 320-050 Joint and Cross Access

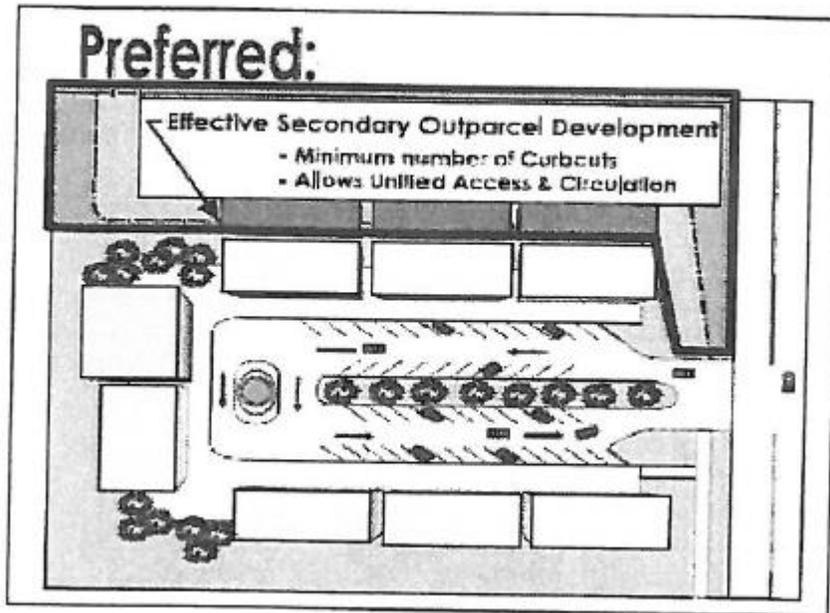
- A. Properties located on arterial or collector roadways should provide a cross access drive and pedestrian access to allow circulation between adjacent sites. Such connection is generally required in retail commercial use adjacent to other commercial, office, industrial or multi-family developments.
- B. Required cross-access corridors shall be shown on any subdivision or site plan. A system of joint use driveways and cross-access easements shall be required to provide unified access and circulation among parcels and assist in local traffic movement. In such cases, the building site shall incorporate the following:
 - 1. A continuous cross-access or service drive with sufficient width to accommodate two-way travel aisles for automobiles, service vehicles, and loading areas.
 - 2. Stub-outs and other design features to make it visually obvious that abutting vacant properties should be tied in to provide cross-access at the time they are developed.
 - 3. Building sites shall be designed to ensure parking, access and circulation may be easily tied in to future adjacent development.
- C. Where joint and cross-access is provided pursuant to this section, property owners shall:
 - 1. Record an easement in the office of the Clerk of Oldham County Kentucky, allowing cross-access to and from other properties served by the joint use driveways or service drive, which shall be a covenant running with the land;
 - 2. Record an agreement in the office of the Clerk of Oldham County Kentucky that any pre-existing curb-cuts providing for access in the interim shall be closed and eliminated after construction of the joint-use driveway, which shall be a covenant running with the land;
 - 3. Record a joint maintenance agreement in the office of the Clerk of Oldham County Kentucky defining maintenance responsibilities of property owners that share the joint use driveway and cross access system, which shall be a covenant running with the land.
 - 4. Items described in paragraphs 1-3, above, shall be recorded prior to requesting a building permit; if no new construction, the items shall be recorded before requesting a certificate of occupancy.



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Sec. 320-060 Requirements for Unified Access and Circulation

- A. In the interest of promoting unified access and circulation systems, integrated development sites comprised of more than one building or more than one lot are not considered separate properties in relation to the access management standards of this code. This will also apply to phased development plans. In addition, the following standards apply:
1. The number of curb cuts permitted shall be the minimum number necessary to provide reasonable access to the overall site and not the maximum available for that frontage. Reasonable access shall be determined by the Administrator.
 2. All necessary easements, agreements, and stipulations required under Section 1.5 (c) shall be met. Subsequent owners and lessees within the affected area are responsible for compliance with these requirements.
 3. Outparcels should be accessed via the shared circulation system of the principal development or retail center. Access to outparcels should be designed to avoid excessive movement across parking aisles and queuing across surrounding parking and driving aisles.
- B. Where abutting properties are in different ownership and not part of an overall development plan, cooperation between the various owners to create a unified access and circulation system is encouraged. Abutting properties shall provide unified access and circulation at the time that they are developed, or are redeveloped as provided in Section 320-080.



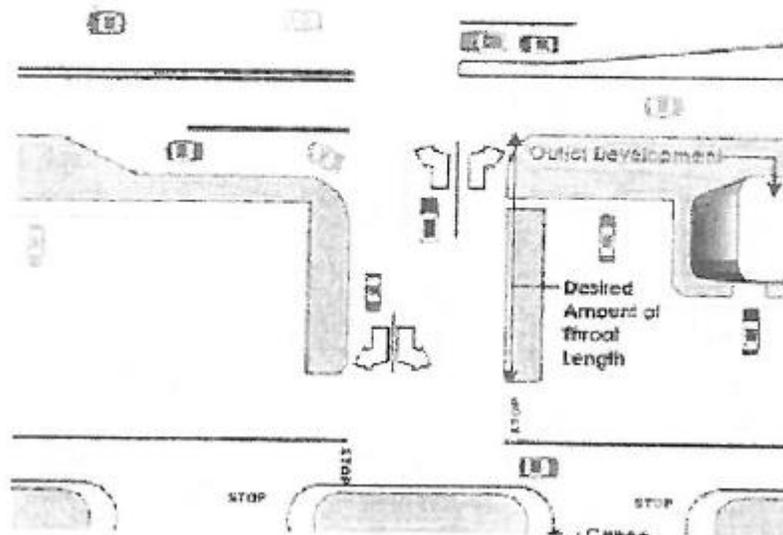
Sec. 320-070 Driveway Location and Design

- A. Sight distance at driveway approaches must be located and designed in conformance with appropriate AASHTO, ITE and other applicable standards.
- B. The permitting agency may require deceleration or storage lanes where deemed necessary due to traffic volumes, speed limits, or where there may be a safety or operational problem. The design of left-turn and right-turn deceleration/storage lanes shall conform to appropriate agency standards.

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- C. Due to the potential for vehicular weaving conflicts and crashes, construction of driveways along acceleration or deceleration lanes, left turn storage lanes and tapers is to be avoided, unless no other access to the property is available.
- D. Driveways across from median openings should be consolidated wherever feasible, to coordinate access to the median opening.
- E. Driveways on undivided roadways should be aligned directly opposite driveways on the opposite side of the road, or offset from each other in accordance with applicable County of State Highway Standards, due to the potential for conflicting left turns or jog maneuvers and resulting safety or operational problems.
- F. Driveway width and return radius or flare shall be adequate to serve the volume of traffic and provide the efficient movement of vehicles onto and off of the major thoroughfare. However, the width of driveways shall not be so excessive as to pose safety hazards for pedestrians and bicycles. The Administrator may require longer radii and/or wider throats where deemed necessary to accommodate trucks.
- G. Driveways with more than two lanes should incorporate channelization features. Double-yellow lines may be considered instead of medians where truck off-tracking is a problem.
- H. Driveways shall be designed with adequate on-site storage for entering and existing vehicles.

Preferred:



Sec. 320-080 Redevelopment

Access connections to roadways in place as of the date of the adoption of this article that do not conform with the standards herein are considered nonconforming. Properties with nonconforming connections should be brought into compliance with this article as changes to the roadway design allow or when an existing development is changed in any of the following ways (a site plan is filed):

- A. Existing structure is replaced by new structure or improvements;
- B. An addition/expansion that will contain more than 2,500 square feet of building/structure area;
- C. A new parking area is established;

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- D. Existing structure or parking area is expanded by more than twenty (20) percent of more beyond the size existing at the effective date of this regulation (incremental changes that cumulatively increase the size by twenty (20) percent fall within the regulated activities of this paragraph);
- E. An addition/expansion that will contain more than fifty (50) percent of the original square footage of the building/structure area for sites one-half acre or less;
- F. An existing use is changed to a use for which the Zoning Ordinance specifies a higher parking ratio.

See Section 390 for complete details on site plan requirements.

Sec. 320-090 Corridor Access Management Overlay Zones

- A. Segments of a roadway corridor may be designated as corridor access management zones for the purpose of applying special access management controls that exceed the requirements and standards in this article. The purpose of this designation is to avoid significant traffic congestion problems, reduce vehicular and pedestrian conflict areas, and to ensure appropriate development within the designated area in accordance with the Oldham County Comprehensive Plan.
- B. The controls in such districts are not intended to be substituted for other general zoning district provisions but can be superimposed over such district provisions and should be considered additional requirements.
- C. Corridor access management zones shall be designated and approved in accordance with the public involvement and public hearing requirements of Oldham County that govern the creation of all land use designations and zoning districts.

Sec. 320-100 Access to Homes and Subdivisions

- A. When a residential subdivision is proposed that abuts an arterial or collector roadway, it shall be designed to provide lots abutting the roadway with access only from an interior local road or frontage road.
- B. Direct driveway access to individual one and two family dwellings on arterial and collector roadways are prohibited unless the Planning Commission determines that there is no acceptable access alternative.

DIVISION 330 EXCEPTIONS AND MODIFICATIONS

Sec. 330-010 Height Requirements

1. The height requirements as prescribed in these regulations shall not apply except as noted in (3) below to belfries, chimneys, church spires, conveyors, cooling towers, elevator bulkheads, fire towers, flag poles, monuments, ornamental towers and spires, smoke stacks, scenery lofts, tanks, and water towers.
2. Except as noted in (3) below, public, semi-public or public services buildings, hospitals, educational institutions, or schools may be erected to a height not exceeding forty-five feet (45'), and churches and temples may be erected to a height not exceeding seventy-five feet (75') when permitted in a district with a lower height regulation, provided the required yards are each increased one foot for each one foot of additional building height above the height regulations for the district.
3. No building or structure of any kind may be built or erected so as to project into the "glide angle space" of any officially established airport runway, as determined by current FAA Landing Space Requirements.

Sec. 330-020 Yard Requirements

1. In any district where the average depth of existing front yard of the nearest existing buildings, located within one hundred feet (100') on each side of a lot and within the same block as such lot, is greater than prescribed by this ordinance, then in such cases the depth of the front yard on such lot shall not be less than the average depth of said existing front yards. If there is only one such building within one hundred feet (100'), the depth shall not be less than the average depth of the front yard of such building and the depth specified in this ordinance for the district or area in which the lot is located.
2. Where forty percent (40%) or more of the frontage on one side of a street between two intersecting streets or where forty percent (40%) or more of the frontage within two hundred feet (200') of a lot (when an intersecting street is at a greater distance) is improved with buildings which have observed an average front yard with a variation in depth of not more than ten feet (10'), which is more or less than the required front yard for the district, any building hereafter erected or altered in this block shall not be located closer to the front property line than this established line. This regulation shall not be interpreted to require a front yard in excess of sixty feet (60').
3. On double frontage lots, the required front yard shall be provided on each street.
4. When a commercial or industrial zoned property abuts a residential zoned property, the more restrictive setback applies to any shared property line.
5. Whenever a lot abuts an alley, one-half (1/2) of the alley width may be considered as a portion of the required yard.
6. Every part of required yard shall be open to the sky except as authorized by this section and the ordinary projection of sills, belt courses, cornices, and ornamental features, which may project a distance not to exceed thirty inches (30") into the required yard.

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7. Free-standing gasoline pumps and pump islands at vehicle service stations may occupy the required front and street side yards, provided however, that they are not less than fifteen feet (15') from property lines.
8. 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.

9. A porte-cochere or canopy may project into a required side yard provided every part of such porte-cochere or canopy is unenclosed and shall not be less than five feet (5') from the lot line.
10. For the purpose of the side yard regulations, a two-family dwelling, or a multiple-family dwelling, shall be considered as one building occupying one lot.
11. Open or lattice-enclosed fire escapes, outside stairways, balconies opening upon fire towers, and the ordinary projections of chimneys and flues into the rear yard may be permitted by the Building Inspector for a distance of not more than five feet (5'), but only where the same are placed so as not to obstruct light and ventilation.
12. In the R-4 District or any location where constructed, the least dimension of a side yard on which the principal entrances or exits of a multiple-family dwelling face shall be twenty feet (20').
13. It shall be unlawful to erect, enlarge or reconstruct any building or addition thereto on property lying within a building setback required yard except as permitted by the appropriate Board of Adjustments after a public hearing.

Sec. 330-040 Sight Triangle

On any corner lot in all districts there shall be no obstruction to traffic visibility within thirty-five feet (35') of the intersection of the two street property lines of the corner lot.

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Sec. 330-050 Sell-Off Approval (Future Rights-of-Way Reservation)

In the interest of public convenience, safety, welfare, and to accommodate the improvement of existing narrow state, county, and city roads where probable new development will occur, all landowners proposing to sell-off any portion of their existing properties fronting on said roads shall be required to dedicate to public use, to accommodate future road improvements, sufficient road rights-of-way along the frontage of any proposed sell-off to provide for one-half of a sixty foot (60') road rights-of-way in front of the sell-off.

Sec. 330-060 Water Supply and Sewage Disposal

Other than agricultural and accessory buildings without water supply, it shall be unlawful to construct any building in any zoning district without proper sanitary facilities approved by the appropriate agency. The use of septic tanks or other on-site systems will not be allowed unless such is contained on a lot or parcel of one acre or more.

A property owner can build on existing platted lots of less than one (1) acre if the Health Department approves sewage treatment and the lot size and proposed building otherwise meet zoning district requirements.

Where multifamily units are allowed by this Ordinance, the required lot area for such units without sanitary sewers shall be no less than one-fourth acre (10,890 square feet) per unit. No multifamily structure, however, shall be placed on a lot without sewers that is less than one acre in size. The Oldham County Health Department shall review all on-site waste disposal systems for multifamily units. Health Department approval is required and may impose stricter standards than those stated here due to soil types or other limitations.

Wherever water or sewer mains are accessible, buildings shall be connected to such mains. A new building shall not be occupied until water and sewer facilities are in working order.

DIVISION 340 ANTENNA TOWERS FOR TELECOMMUNICATION SERVICES OR PERSONAL COMMUNICATIONS SERVICES

Sec. 340-010 Planning Commission Review Required

An antenna tower for telecommunications services or personal communications services may be allowed in any district after receiving Planning Commission review and approval in accordance with this section. The Commission may approve the proposed antenna tower only upon finding that the proposal complies with the Comprehensive Plan and the zoning regulations, including this section. Reasonable attempts to co-locate additional transmitting or related equipment are required.

Any request for review of a proposal to construct or co-locate such an antenna tower shall be made only in accordance with this section. If the property is subject to an existing approved development plan or to an existing Conditional Use Permit, the property owner shall obtain approval of the appropriate amendment or modification request. Such request shall be filed simultaneously with the antenna tower for telecommunications services or personal communications services request filed pursuant to this section. The property owner shall be responsible for making alternative provisions for any alteration of the district development plan or Conditional Use Permit or shall obtain a variance or waiver of the specific plan or Permit requirement affected by the location of the tower on the site.

Sec. 340-020 Documentation

Every utility or a company that is engaged in the business of providing the required infrastructure to a utility the proposes to construct an antenna tower for telecommunications services or personal communications within Oldham County shall submit a completed form application to the Commission which shall include the following:

1. A grid map showing the location of all existing telecommunication antenna towers and indicating the general position of proposed construction sites for new telecommunication antenna towers within an area that includes:
 - a. All of the planning unit's jurisdiction; and
 - b. A one-half (0.5) mile area outside the boundaries of the planning unit's jurisdiction, if that area contains either existing or proposed construction sites for telecommunication antenna towers.
2. The full name and address of the applicant;
3. The applicant's articles of incorporation, if applicable;
4. A geotechnical investigation report, signed and sealed by a professional engineer registered in Kentucky, including boring logs and foundation design recommendations;
5. A written report, prepared by a professional engineer or land surveyor, of findings as to the proximity of the proposed site to flood hazard areas;
6. Directions from the county seat to the proposed site, including highway numbers and street names if applicable, with the telephone number of the person who prepared the directions;

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7. The lease or sale agreement for the property on which the tower is proposed to be located, except that, if the agreement has been filed in abbreviated form with the County Clerk, an applicant may file a copy of the agreement as recorded by the County Clerk, and, if applicable, the portion of the agreement demonstrating compliance with KRS 100.987(2);
8. The identify and qualifications of each person directly responsible for the design and construction of the proposed tower;
9. A site development plan that shows the proposed location of the tower and all easements and existing structures within five hundred (500) feet of the proposed site on the property on which the tower will be located, and all easements and existing structures within two hundred (200) feet of the access drive, including the intersection with the public street system;
10. A vertical profile sketch of the tower, signed and sealed by a professional engineer registered in Kentucky, indicating the height of the tower and the placement of all antennas;
11. The tower and foundation design plans and a description of the standard according to which the tower was designed, signed, and sealed by a professional engineer registered in Kentucky;
12. A map, drawn to a scale no less than one inch equals two hundred feet (1"=200'), that identifies every structure and every owner of real estate within five hundred (500) feet of the proposed tower;
13. A statement that every person who, according to the records of the Property Valuation Administrator, owns property within five hundred (500) feet of the proposed tower or property contiguous to the site upon the tower is proposed to be constructed, has been:
 - a. Notified by certified mail, return receipt requested, of the proposed construction which notice shall include a map of the location of the proposed construction;
 - b. Given the telephone number and address of the local planning commission; and
 - c. Informed of his or her right to participate in the Commission's proceedings on the application;
14. A list of the property owners who received the notice, together with copies of the certified letters sent to the listed property owners;
15. A statement that the Chief Executive Officer of the affected local governments and their legislative bodies have been notified, in writing, of the proposed construction;
16. A copy of the notice sent to the Chief Executive Officer of the affected local governments and their legislative bodies;
17. A statement that:
 - a. A written notice, of durable material at least two feet by four feet in size, stating the "[Name of Applicant] proposed to construct a telecommunications tower on this site" and including the address and telephone numbers of the applicant and the Commission, has been posted and shall remain in a visible location on the proposed site until final disposition of the application, and
 - b. A written notice, at least two feet by four feet in size, stating that "[Name of Applicant] proposes to construct a telecommunications tower near this site" and including the address and telephone numbers of the applicant and the Commission, has been posted on the public road nearest the site;

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18. A statement that notice of the location of the proposed construction has been published in a newspaper of general circulation in the county in which the construction is proposed;
19. A brief description of the character of the general area in which the tower is proposed to be constructed, which includes the existing land use for the specific property involved;
20. A statement that the applicant has considered the likely effects of the installation on nearby land uses and values and has concluded that there is no more suitable location reasonably available from which adequate service to the area can be provided, and that there is no reasonably available opportunity to locate its antennas and related facilities on an existing structure, including documentation of attempts to locate its antennas and related facilities on an existing structure, if any, with supporting radio frequency analysis, where applicable, and a statement indicating that the applicant attempted to locate its antennas and related facilities on a tower designed to host multiple wireless service providers' facilities or on an existing structure, such as a telecommunications tower or other suitable structure capable of supporting the applicant's antennas and related facilities; and
21. A map of the area in which the tower is proposed to be located, that is drawn to scale, and that clearly depicts the necessary search area within which the antenna tower should, pursuant to radio frequency requirements, be located.

Sec. 340-030 Notice

Written notice of the meeting at which the applicant to construct an antenna tower will be considered shall be given to the owner of every parcel of property adjoining at any point or across the street from the property on which the antenna tower is proposed to be constructed at least ten (10) calendar days prior to the meeting.

Sec. 340-040 Procedure

After an applicant's submission of a completed uniform application to construct an antenna tower, the Commission shall:

1. Review the uniform application in light of its agreement with the Comprehensive Plan and the Zoning Regulations;
2. Make its final decision to approve or disapprove the uniform application; and
3. Advise the applicant in writing of its final decision within sixty (60) days commencing from the date that the completed uniform application is submitted to the Commission or within a date certain specified in a written agreement between the Commission and the applicant. If the Commission fails to issue a final decision within sixty (60) days and if there is no written agreement between the Commission and the applicant to a specified date for the Commission to issue a decision, the uniform application shall be deemed approved. If the Commission disapproves of the proposed construction, it shall state the reasons for disapproval in its written decision and may make suggestions which, in its opinion, better accomplish the objectives of the Comprehensive Plan and Zoning Regulations. No permit for construction of a telecommunication or personal communications services antenna tower shall be issued until the Commission approves the uniform application of the sixty (60) day time period has expired and the

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Commission has failed to issue a decision. The Commission may require the applicant to make a reasonable attempt to co-locate additional transmitting or related equipment. The Commission may provide the location of existing telecommunication antenna towers on which the Commission deems the applicant can successfully co-locate its transmitting and related equipment. If the Commission requires the applicant to attempt co-location, the applicant shall provide the Commission with a statement indicating that the applicant:

- a. Successfully attempted to co-locate on towers designed to host multiple wireless service providers' facilities or existing structures such as a telecommunications tower or another suitable structure capable of supporting the applicant's facilities, and that identifies the location of the tower or suitable structure on which the applicant will co-locate its transmission and related facilities; or
 - b. Unsuccessfully attempted to co-locate on towers designed to host multiple wireless service provider's facilities or existing structures such as a telecommunications tower or another suitable structure capable of supporting the applicant's facilities. The state shall include:
 - i. The location of the towers or other structures on which the applicant has attempted to co-locate; and
 - ii. The reasons why the co-location attempts were unsuccessful in each instance.
4. The Commission may deny a uniform application to construct a telecommunication antenna tower based on an applicant's unwillingness to attempt to co-locate additional transmitting or related equipment on any new or existing towers or other structures. Upon the approval of an application for the construction of a telecommunication antenna tower by the Commission, the applicant shall notify the Public Service Commission within ten (10) working days of the approval.
5. The notice to the Public Service Commission shall include a map showing the location of the construction site. If an applicant fails to file notice of an approved uniform application with the Public Service Commission, the applicant shall be prohibited from beginning construction on the telecommunication antenna tower until such notice has been made.

Sec. 340-050 Guarantee of Removal in Case of Abandonment

Any contact with an owner of property upon which a telecommunication antenna tower is to be constructed shall provide a provision that specifies, in the case of abandonment, the method that will be followed for dismantling and removing a telecommunications antenna tower, including a timetable for removal. To insure the removal of all improvements at any abandoned telecommunications facility, any applicant filing a request under this section shall, at the time of submittal of the list of existing towers, deposit with the Commission and to the benefit of the Commission a letter of credit, a performance bond, or other security acceptable to the Commission in the amount equal to the cost of the demolition and removal of the telecommunications tower. An applicant having multiple towers within Oldham County may deposit a single guarantee in the amount equal to the cost of demolition and removal of the one telecommunications tower it owns which would cost the most to demolish and remove until such time as the number of its towers exceeds four (4) such facilities, both existing and projected within the current calendar year. At such time as the approved number of an applicant's towers exceeds four (4) such facilities, the applicant shall increase the amount on deposit to an amount equal to the cost of the most

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costly demolition and removal times twenty-five (25) percent of that applicant's total number of towers both existing and projected within the next calendar year. Any guarantee submitted shall be irrevocable and shall provide for the Commission to collect the full amount of the guarantee if the applicant fails to maintain the guarantee.

Sec. 340-060 Special Expert Consultants and Costs

The Commission may retain special expert consultants as it deems necessary to provide assistance in the review of site location alternative analysis. Application fees may be established to cover the costs of staff and/or special expert consultant review of requests filed under this section, within any limits established by KRS Chapter 100.

Sec. 340-070 Confidentiality

With the exception of the amp or other information that specifically identifies the proposed location of the telecommunication antenna tower then being reviewed, all other information contained in the uniform application and any updates shall be recognized as confidential and proprietary within the meaning of KRS 61.878. The Commission shall deny any public request for the inspection of such information, whether submitted under Kentucky's Open Record Act or otherwise, unless ordered to disclose such records by a court of competent jurisdiction or unless confidentiality is waived in writing by the applicant.

Sec. 340-080 Design Standards

At the time of filing of a request under this section, the applicant shall provide information demonstrating compliance with the requirements listed below. Waivers of the following standards may be requested by the applicant and granted by the Commission in accordance with the provisions of these Zoning Regulations.

1. All structures, except fences, shall be located at least fifty (50) feet from the property line of any residentially zoned property and shall, in other circumstances, observe the yard requirements of the district in which they are located.
2. The outside perimeter of the security fence surrounding the antenna tower shall be provided with a landscape buffer. The buffer is to be a minimum of twenty (20) feet in width and contain a continuous evergreen screen that will achieve a minimum of twenty (20) feet in height.
3. Any monopole, guyed, lattice, or similar type telecommunication antenna tower and any alternative telecommunication antenna tower structure similar to these towers, such as light poles, shall be maintained in either galvanized steel finish or be painted light gray or light blue in color. Alternate sections of aviation orange and aviation white paint may be used ONLY when the FAA finds that none of the alternatives to such marking are acceptable.
4. A telecommunication antenna tower or alternative telecommunication antenna tower structure may be constructed to a maximum height of two hundred (200) feet regardless of the maximum allowed height for the district in which it is located. This also applies to any tower taller than fifteen (15) feet constructed on top of another building, with the height being the overall height of building and tower together measured from the grade to the highest point. When any telecommunication antenna tower or alternative telecommunication antenna tower structure is

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taller than the distance from its base to the nearest property line, the applicant shall furnish the Commission with a certification from an engineer registered in the Commonwealth of Kentucky that the tower will withstand winds of seventy (70) miles per hour in accordance with ANSI/EA/TAI standards. When a tower taller than fifteen (15) feet constructed on top of another building results in the overall height of the building and tower, including any antenna, being greater than the distance from the base of the building to the nearest property line, the applicant shall furnish to the Commission this same certification.

5. A telecommunication antenna tower or alternative telecommunication antenna tower structure may be artificially lighted ONLY with steady-burning red obstruction lights (FAA type L-810) or flashing red obstruction lights (FAA type L-864) flashing no faster than twenty (20) flashes per minute. Flashing red obstruction lights (FAA type L-864) flashing faster than twenty (20) flashes per minute, medium intensity flashing white obstruction lights (FAA type L-865 or L-866), high intensity flashing white lights (FAA type L-856 or L-857), or dual flashing red obstruction lights and medium intensity flashing white obstruction lights (FAA types L-864/L-865) may be used ONLY when the FAA specifies that the specific lighting pattern is the ONLY lighting pattern acceptable to promote aviation safety.
6. The site shall be unstaffed. Personnel may periodically visit the site for maintenance, equipment modification, or repairs. To accommodate such visits, access shall be only from access points approved by the applicable Works Department, and there shall be provided on site an area sufficient to accommodate the parking of the service vehicle.
7. The site shall be enclosed by an eight (8) foot high security fence, and the fence may be located in any required yard at any height, but not in the sight triangle described in Section 240-180.
8. Any site to be purchased or leased for the installation of a telecommunication antenna tower or alternative telecommunication antenna tower structure and ancillary facilities shall comply with the minimum lot size requirements of the district in which the site is located.
9. The facility shall comply with the FCC's regulations concerning radio frequency emissions. To the extent that the facilities do not comply with the FCC's regulations, the Commission may establish additional requirements on the basis of the environmental effects of radio frequency (See P.L. 104-104, sec. 704).
10. If the use of any telecommunication antenna or telecommunication antenna tower or alternative telecommunication antenna tower structure is discontinued, the owner shall provide the Commission with a copy of the notice to the FCC of intent to cease operations within thirty (30) days of such notice to the FCC. If the telecommunication antenna or telecommunication antenna tower or alternative telecommunication antenna tower structure will not be reused, the owner shall have one hundred eighty (180) days from submittal of the FCC notice to the Commission to obtain a demolition permit and remove the antenna or tower that will not be reused. If the telecommunication antenna or telecommunication antenna tower or alternative telecommunication antenna tower structure is to be reused, the owner shall no more than twelve (12) months from submittal to the FCC notice of the Commission in which to commence new operation of the antenna or tower to be reused. Upon failure to commence new operation of the antenna or tower that is to be reused within twelve (12) months, the telecommunication antenna

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or telecommunication antenna tower or alternative telecommunication antenna tower structure shall be presumed abandoned, and the owner shall immediately obtain a demolition permit and remove the antenna or tower that is presumed abandoned. If the owner fails to remove an antenna or tower in the time provided by this paragraph, the Commission may cause the demolition and removal of the antenna or tower recover its costs of demolition and removal from the Guarantee deposited by the applicant pursuant to this section.

11. The only signs allowed shall be emergency information signs, owner contact information, warning or safety instructions, and signs required by a federal, state or local agency. Such signs shall not exceed five (5) square feet in area.

DIVISION 350 BOARDS OF ADJUSTMENTS

This Division is written for the express purpose of re-establishing a Board of Adjustments in accordance with Kentucky Revised Statutes (KRS) Section 100.217 and in accordance with other portions of this ordinance. While the original intent and purpose of this Division is to create a body whose jurisdiction is all of Oldham County, the right to local governments to create their own Board of Adjustments and to modify such provisions as number of members, meetings and their procedure is hereby not affected. While it is recognized that some cities have Boards of Adjustments in existence at this time, a city may elect to dissolve the existing Board of Adjustments and utilize the county Board of Adjustments, or a city may elect to reorganize the existing Board in accordance with KRS 100.217 and this ordinance, or the existing Board may continue to function in accordance with this ordinance. In any event, no land in Oldham County shall have two Boards of Adjustments with the same or overlapping jurisdiction and Municipal Boards of Adjustments are limited to the corporate limits of said municipality.

Sec. 350-010 Authorization

A Board of Adjustments for the administration of this ordinance with Kentucky Revised Statutes, Section 100.217. Board of Adjustments shall consist of five (5) members, all of whom must be citizen members. Nominations for the Board of Adjustments shall be made by the county judge-executive and approved by the Fiscal Court. The filling of vacancies, taking oaths, and removal from office shall be only as provided in KRS 100.217. Board of Adjustments shall annually elect a chairman, vice chairman, secretary, and any other officers it deems necessary. Any officer shall be eligible for re-election at the expiration of their term.

Sec. 350-020 Meetings and Procedures

1. Board of Adjustments shall conduct meetings at the call of the chairman or Administrator who shall give written or oral notice to all members of Board of Adjustments at least seven (7) days prior to the meeting, which notice shall contain the date, time, and place for the meeting, and the subject or subjects which will be discussed.
2. **Quorum and Conflict of Interest.** A simple majority of the total membership of a Board of Adjustment as established by regulation or agreement shall constitute a quorum. Any member of a Board of Adjustment who has direct or indirect financial interest in the outcome of any question before the body shall disclose the nature of the interest and shall disqualify himself from voting on the question.
3. **By-Laws, Minutes, Records.** Board of Adjustments shall adopt by-laws for the transaction of business and shall keep minutes and records of all proceedings, including regulations, transactions, findings, and determinations and the number of votes for and against each questions, and if any member is absent or abstains from voting, indicating the fact, all of which shall, immediately after adoption, be filed in the office of the Administrator. Such records shall be provided if requested

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by a party, ten (10) days prior to the hearing, at the expense of the requesting party, and the transcript shall constitute the record.

4. A court reporter may be requested by the applicant or board at least ten (10) days prior to the hearing who shall be designated and paid by the applicant. The original transcript shall be delivered to the Board of Adjustments.

Sec. 350-030 Appeals

1. The Board of Adjustments shall have the power to hear and decide cases where it is alleged by an applicant that there is error in any order, requirement, decision, grant or refusal made by an administrative official in the enforcement of the zoning regulations. Such appeal shall be taken within thirty (30) days.
2. Appeals to the Board of Adjustments may be taken by any person, or entity claiming to be injuriously affected or aggrieved by an official action, order, requirement, interpretation, grant, refusal, or decision of any zoning enforcement officer. Such appeal shall be taken within thirty (30) days after the appellant or his agent receives notice of the action of the official by filing with said officer and the Board a notice of appeal specifying the grounds thereof, and giving notice of such appeal to any and all parties of record. Said officer shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken and shall be treated as and be the respondent in such further proceedings. At the public hearing on the appeal held by the Board, any interested person may appear and enter his appearance, and all shall be given an opportunity to be heard.
3. Board of Adjustments shall fix a reasonable time for hearing the appeal and give public notice in accordance with KRS Chapter 424, as well as written notice to the appellant and the administrative official at least one (1) week prior to the hearing and shall decide it within sixty (60) days. The affected party may appear at the hearing in person or by attorney.

Sec. 350-040 Powers of Board of Adjustments

When approving any application, the Board of Adjustments may impose such additional conditions as it deems necessary to safeguard the public welfare, safety, health, convenience, and best interests of the adjoining property and neighborhood.

Board of Adjustments shall have the following powers:

1. **Interpretation and Administrative Review.** To hear and decide cases where it is alleged by an applicant that there is error in any order, requirement, decision, grant, or refusal made by an Administrative Official in the enforcement of this regulation, and for the interpretation of the Zoning Map. Such appeal shall be taken within sixty (60) days of the action of the Board of Adjustments.

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2. **Dimensional Variance.** To hear and decide cases in which an existing lot of record is too small to allow fulfillment of the minimum dimensional or yard requirement of the district in which the property is located. Board of Adjustments shall not possess the power to grant a variance to permit a use on any land, building or structure which is not permitted by the zoning regulation in the zone in question. For variance applications, all adjoining property owners shall receive notice by first class mail. In addition, publication of the application, as prescribed by KRS Chapter 424, shall be followed.

Before any variance is granted, Board of Adjustments must find all of the following, which shall be recorded along with any imposed conditions or restrictions in its minutes and records:

- a. The manner in which the strict application of the provisions of the regulation would deprive the applicant of a reasonable use of the land in the manner equivalent to the use permitted other landowners in the same zone.
- b. That the unique conditions and circumstances are not the result of actions of the applicant taken subsequent to the adoption of the zoning regulations.
- c. Reasons that the variance will preserve, not harm the public safety and welfare, and will not alter the essential character of the neighborhood.

A dimensional variance applies to the property for which it is granted, and not to the individual who applied for it. A variance also runs with the land and is transferable to any future owner of the land, but it cannot be transferred by the applicant to a different site.

3. **Conditional Use.** To hear and decide applications for conditional use permits to allow the proper integration into the community of uses which are specifically named in the zoning regulations but which may be suitable only in specific locations in the zone and only if certain conditions are met.

Board of Adjustments may approve, modify, or deny any application for a conditional use permit. If it approves such a permit, it may attach necessary conditions such as time limitations, requirements that one or more things be done before the request can be initiated, or conditions of a continuing nature. Any such conditions shall be recorded in the Board of Adjustments' minutes and on the conditional use permit along with a reference to the specific section of the zoning regulations listing the conditional use under consideration. The Board of Adjustments shall have power to revoke conditional use permits or variances for noncompliance with the condition thereof. Furthermore, the Board of Adjustments shall have a right of action to compel the violator to remove offending structures or uses at his/her own costs and may have judgment *in personam* for such cost.

The Administrator shall review all conditional use permits, except those for which all conditions have been complied within a previous review. The Administrator is given the power to inspect the land or structure where the conditional use is located in order to ascertain that the landowner is complying with all of the conditions which are listed on the conditional use permit. If the

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landowner is not complying with all of the conditions listed on the conditional use permit, the Administrator shall report the fact in writing to the chairman of the Board of Adjustments. The report shall state specifically the manner in which the landowner is not complying with the conditions listed on the conditional use permit, and a copy of the report shall be furnished to the landowner at the same time that it is furnished to the chairman of the Board of Adjustments. Board of Adjustments shall hold a hearing on the report and the date of the hearing, the Board of Adjustments may authorize the Administrator to revoke the conditional use permit and take necessary legal action to cause the termination of the activity on the land which the conditional use permit is authorized.

Once the Board of Adjustments has completed a conditional use permit and all the conditions required are of such type that they can be completely and permanently satisfied, the Administrator, upon request of the applicant, may if the facts warrant, make a determination that the conditions have been satisfied and the conclusion in the margin of the copy of the conditional use permit which is on file with the County Clerk, as required in KRS 100.344 at the expense of the applicant. Thereafter, said use, if it continues to meet the other requirements of the regulations, shall be treated as a permitted use.

4. **Uses Not Specifically Permitted in Zoning Districts.** The Board of Adjustments shall have the power to determine which uses are of the same general characters as uses specifically permitted in zoning districts and thus allow uses in zoning districts which, although not specifically permitted, will not be out of character with other uses in the district.

Board of Adjustments may grant variances on appropriate applications from any part of these regulations as long as that variance is not in conflict with other requirements or limitations set out in this section.

DIVISION 360 BUILDING PERMITS AND FEES

Sec. 360-010 Building Permits Required

No building or other structure shall be erected, moved, added to, or structurally altered without a permit issued by the County Building and Inspections Department. No building permit shall be issued except in conformity with the provisions of this regulation, unless the County Building and Inspections Department receives a written order from the Board of Adjustments in the form of an administrative review, conditional use, or variance as provided by the regulation.

If no building permit has been issued and a builder or individual begins or continues to build after a Stop Work Order has been issued, a restraining order may be obtained upon application to the proper court of record and evidence of the lack of a building permit shall establish a prima facie case for the issuance of the restraining order.

Sec. 360-020 Exceptions for which Building Permits are not Required

1. Recurring maintenance regardless of cost.
2. Construction of a service connection to a public owned and operated utility.
3. A fee is not to be charged for the construction of improvements such as grading, streets, ditch digging, cutting and filling, and the like in conjunction with site improvements prior to building development.
4. Installation of required improvements according to an approved preliminary subdivision plat.

Sec. 360-030 Building Permit Procedure

Prior to the issuance of a building permit, all checklist items on the application must be completed and submitted to the County Building and Inspections Department. Building permit applications shall be acted on within a reasonable time.

Sec. 360-035 Agricultural Buildings

1. Prior to the construction of all agricultural buildings, a building permit must be issued in order to ensure compliance with all property development regulations.
2. Building permits for agricultural buildings will not be assessed an application fee unless inspections are requested.

Sec. 360-040 Construction Equipment

No construction vehicles, equipment or materials shall be parked for more than twenty-four (24) hours on any publicly dedicated subdivision street or county road while being used in the construction of any building or addition thereto.

DIVISION 370 ADMINISTRATION, ENFORCEMENT AND PENALTIES

Sec. 370-010 Administration

This ordinance shall be administered and enforced by the Director who may be a member of the Commission and who shall be appointed by the County Judge-Executive subject to the approval of Fiscal Court. The salary of the Director shall be determined in the same manner.

The County shall pay all members of the Commission in an amount determined by the Fiscal Court. The County shall bear all legal, administrative and enforcement expenses for all areas outside incorporated areas. The County shall have such powers as defined by KRS 100 and other laws contact with all incorporated cities in the county for joint administration and enforcement of all regulations adopted by Fiscal Court. Each incorporated city that contracts with the county shall have the right to maintain its own Board of Adjustments.

The Board of Adjustments shall hear and decide appeals where it is alleged by the appellants that there is error in any ordinance, requirement, permit, decision, determination, or refusal made by the Director or other administrative official in the enforcement of any provision of this ordinance.

The county may contract with professional planners, architects, attorneys, land surveyors and engineers to assist in the administration and enforcement of these regulations and any other resolutions relating to planning and zoning.

Sec. 370-020 Code Enforcement

1. Any person, firm, corporation, or entity that violates any of the provisions of these regulations upon conviction shall be fined according to the adopted ordinance violation fine schedule.
2. The Commission shall have such power as provided by KRS 100.337, and other applicable laws, to enforce these regulations.

Sec. 370-030 Compliance with Zoning Ordinance and Subdivision Regulations

Any conflict between the terms and provisions contained in either the Comprehensive Zoning Ordinance or Subdivision Regulations when compared to the other shall be resolved by the Commission at its discretion, provided that those conflicts identified by KRS 100 shall be interpreted in a way that is least restrictive to the property owner. The Comprehensive Zoning Ordinance shall be deemed a part of the Subdivision Regulations, the same as if fully copied therein, and the Subdivision Regulations shall be deemed a part of the Comprehensive Zoning Ordinance the same as if copied therein.

Sec. 370-040 Administration in Incorporated Areas

It shall be the duty of the Director to inform the applicable Mayor of all violations of this ordinance within the incorporated area which he/she represents. Expenses incurred in appeals from enforcement of this ordinance in the incorporated areas shall be the responsibility of the city and not the county, unless otherwise agreed.

Sec. 370-050 Real Estate Sell-Off

No real estate sell-off from any existing land may be recorded until a plat of proposed sell-off has received zoning administration approval. Administration approval will not be granted until appropriate application for a Dimensional Variance has been filed should the sell-off not meet existing zoning requirements, or should the sell-off have a remaining tract of real estate that has dimensions that do not meet existing zoning regulation requirements.

DIVISION 380 ZONING MAP AMENDMENT PROCEDURES AND DEVELOPMENT PLAN REQUIREMENTS

Sec. 380-010 Application Process

Applications for amendments to the Zoning Map shall be made only in accordance with this section.

A. Initiation of Amendment

Applications for amendment of the zoning map shall be filed with the Commission. Map Amendment applications may be initiated by the Commission or any legislative body within the county having zoning authority over an affected property or the owner. When requested, the Commission shall provide the applicant with appropriate application forms.

B. Exemptions

Applications for amendment to the Zoning Map, which are initiated by the Commission or the legislative body having zoning authority over the affected property, shall be exempt from the development plan and binding elements section of this ordinance.

C. Pre-application Conference

Prior to formal application for amendment of the zoning map, the applicant or his agent shall have a conference with the Commission staff to discuss the effect of the Comprehensive Plan, the Zoning Regulations, the Subdivision Regulations, and other land development controls would have on the proposed development. It is intended that the conferees discuss apparent characteristics of the site that would affect the proposed development and also discuss what elements may be required on the preliminary development plan of the proposed project.

D. Neighborhood Meeting and Technical Review Committee Meeting

Based on the information presented and discussion at the pre-application meeting, as well as information gleaned from the Zoning Ordinance, a concept development plan is to be prepared to facilitate discussion with planning staff and neighbors as well as utility providers. This concept development plan isn't required to meet the standard for rezoning. It needs only contain or convey information in a format necessary to show the intentions of the development.

At this stage a meeting with identified neighbors is required to facilitate the identification and potential resolution of community concerns. The developer will need to provide the Commission staff with a list of first tier (adjoining) property owners and second tier property owners (those adjoining first tier) within 500 feet as well as certification that each property owner listed was notified of the meeting to discuss the development. The developer shall submit with the development plan a sign-in sheet from the meeting and a statement detailing issues raised at the required meeting with the neighbors and solutions or consolations presented or proposed. A copy of the sign-in sheet and statement shall be mailed by the developer to each identified neighbor whether present or absent at the meeting. The development plan would then be submitted in its original or amended form for consideration by the technical review committee. The committee shall meet on a schedule established by the Administrator and made public.

E. Application for Amendment

Applications for amendment of the Zoning Map shall be filed with the Commission in accordance with the Commission's Rules and this Section of the Zoning Regulations.

1. Demonstration of Appropriateness:

All applications for amendment to the Zoning Map shall be accompanied by the following where applicable:

- a. A statement describing how the proposed map amendment would conform to the Comprehensive Plan.
- b. A statement why the existing zoning classification of the property in question is inappropriate or improper.
- c. A statement describing what major economic, physical or social changes, if any, have occurred in the vicinity of the property in question that were not anticipated by the Comprehensive Plan, and which have substantially altered the basic character of the area involved. The statement shall include the following:
 - i. A list of major economic, physical or social changes;
 - ii. A description of how said changes were not anticipated by the Comprehensive Plan;
 - iii. A description of how said changes altered the basic character of the area; and
 - iv. A description of how said changes make the proposed amendment to the Zoning Map appropriate.
- d. A statement describing how utilities and essential public services will be provided to the property in question;
- e. A description of the anticipated time period in which implementation of the proposed uses will be initiated provided the amendment is approved.

2. Property Owners' Signature:

Unless made by the Commission or a legislative body, all applications for amendment to the Zoning Map shall be signed by the owner(s) of the affected property. Leaseholders, option holders, developers, and agents should also be identified.

3. Responsibility for Accuracy:

The applicant shall be held responsible for the accuracy of the information submitted by him as part of the Zoning Map Amendment application.

Sec. 380-020 Development Plan

A. Development Plan Submission

All applications for any proposed amendment to the Zoning Map shall include a development plan in accordance with the provisions and requirements of this section.

The Development Plan is intended to demonstrate to the Commission the character and objectives of the proposed development in adequate detail for the Commission to evaluate the effect the proposed

development would have on the community and determine what provisions, if any, should be included as part of the development plan and be binding on the use and development of the subject property.

The elements included in the Development Plan shall be determined in accordance with paragraph D below.

B. Development Plan Alternative

A preliminary subdivision plan submitted in conjunction with a proposed Zoning Map amendment for the purpose of creating a single family residential subdivision, shall be accepted in lieu of a development plan.

C. Agreement to Development Plan Conditions

The filing of an application for any Zoning Map amendment shall constitute an agreement by the owner and applicant, their heirs, successors, and assigns that if the Zoning Map amendment is enacted by the legislative body having zoning authority over the property in question, building permits for the improvement of any such property shall be issued only when applications for the permits show the proposed buildings in conformance with the binding elements of the approved development plan for the property. The binding elements described herein and adopted in conjunction with any Zoning Map change shall be strictly upheld and shall be enforceable in the same manner as the Zoning Regulations.

D. Elements of Development Plan

Unless specifically waived at a pre-application conference, the Development Plan submitted to the Commission or legislative body involved at its public hearing on the requested Zoning Map change shall contain all of the following elements in graphic or written form.

1. Existing topography, with a contour interval not greater than five feet (5') unless specifically waived. Existing topography with a contour interval less than five feet (5'), based on field survey, may be required for all or part of the subject property as existing topographic conditions warrant. Proposed contours may also be required;
2. Vicinity map with measurements to existing streets;
3. Boundary description, including area and bearings, and dimensions of all property lines;
4. Lot sizes within the project, location, height, floor area, and arrangement of proposed and existing buildings;
5. The uses proposed for the subject property and the proposed use of existing structures, if any, on the subject property;
6. Existing tree masses, significant rock out-croppings, streams, floodplains, and other natural features;
7. Provisions for screening and buffering, landscaping, recreational, and open space area;
8. The location, arrangement, and dimensions of existing and proposed streets and driveways, adjacent streets, sidewalks, parking areas (including number of off-street parking spaces), points of ingress and egress, off-street loading areas, and other vehicular, bicycle or pedestrian rights-of-ways;

9. Provisions for handling surface water drainage and utilities information where appropriate, such as proposals for gas, water, electricity, telephone service, sewage lines, fire hydrants, and similar information, and the location and dimensions of other existing or proposed easements;
10. Demonstration of compliance with land use intensity requirements;
11. Proposed stages of development, if applicable, and the anticipated time required to develop each stage;
12. Other such information the Commission or legislative body involved deems appropriate; and all development plans shall be drawn to a sufficient scale to clearly delineate the applicant's proposed use and development of the subject property. Such scale shall be indicated on the development plan.
13. The Commission or legislative body involved may, in conjunction with its hearing and prior to making its decision on the issue of the proposed Zoning Map change, require such additional elements it deems necessary for adequate review of the Map Change application.

E. Scope of Review

The Commission and legislative body hearing a zoning map change shall consider, but not be limited to, the following factors in a review of a development plan:

14. The conservation of natural resources on the property proposed for development, including: trees and other living vegetation, steep slopes, water courses, floodplains, soils, air quality, scenic views, and historic sites;
15. The provisions for sufficient open space (scenic and recreation) to meet the needs of the proposed development;
16. The provision for sufficient open space (scenic and recreation) to meet the needs of the proposed development;
17. The provision for adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community;
18. The compatibility of the overall site design (location of buildings, parking lots, screening, landscaping) and land use or uses with the existing and projected future development of the area;
19. Conformance of the development plan with the Comprehensive Plan and Zoning District Regulations.

F. Binding Elements

The Commission and legislative body involved shall designate, at the time of approval of any zoning map change and development plan, those elements, provisions, and restrictions of the approved plan, if any, including a time period for development plan expiration, that shall be an integral and permanent part of the development plan and thereby binding on the use and development of the subject property. The items from the development plan designated as integral and permanent by the legislative body approving the zoning map change shall be known as the "binding elements". Items shown on the approved development plan that are not designated by the Commission or the legislative body as an integral and permanent part of the plan shall not be binding on the use and the development of the subject property except as required by other provisions of the zoning ordinance.

G. Binding Elements Run With the Land

The binding elements of a development plan approved by the Commission or legislative body shall run with the land and be binding on the owner and applicant, their successors, heirs, or assignsm unless otherwise amended as herein provided or released by the Commission. The “binding elements” designed by the legislative body involved shall be recorded as an encumbrance in the County Court Clerk’s Office.

H. Conflicts Between Binding Elements and Zoning Regulations

No binding element of a development plan approved by the Commission or legislative body shall permit the development or use of land in a manner otherwise prohibited by the Zoning Regulations. To the extent a binding element of a development plan may purport to grant such permission, it shall be deemed in conflict with the Zoning Regulations and be void and of no effect.

Sec. 380-030 Zoning Map Amendment Process

A. Notice of Public Hearing

The Commission or legislative body shall give public notification of all hearings scheduled on proposed zoning map amendments in accordance with the provisions of Kentucky Revised Statutes, Chapters 100-424, and other applicable law.

B. Public Hearing

The Commission and legislative body shall hold a public hearing on all proposed amendments to the Zoning Map in accordance with the provisions of Kentucky Revised Statutes, Chapters 100-424 and other applicable law. The public hearing shall consider the appropriateness of the proposed amendments of the zoning map and the appropriateness of the development plan for the site in question.

A qualified court reported may be requested by the applicant or objecters at any hearing before the Commission ten (10) days prior to the hearing. The reporter shall be paid by the applicant, or objecters, depending upon who made the request. The applicant shall deliver the original transcript to the Commission.

C. Planning Commission Action

Following a public hearing concerning a proposed amendment to the Zoning Map, the Commission shall make a recommendation as to the appropriateness of the proposed Zoning Map amendment and forward such recommendation to the legislative body having zoning authority over the property in question. In addition, the Commission shall by separate vote approve, reject, or defer action on the submitted development plan and “binding elements” thereof, if any. Thereafter, a copy of the proposed development plan, its “binding elements” and the Commission’s recommendation regarding the Zoning Map amendment shall be forwarded to the appropriate legislative body.

The Planning Commission shall take no action on property or receive a request on property that is in litigation for any reason until such time the litigation is resolved by final Court action. A zone change substantially similar to one recommended for denial by the Planning Commission for any reason shall not be resubmitted for a period of two (2) years unless ordered by a judicial court to consider an application.

The Administrator can request the Commission determine if the development plan or preliminary plat submitted is substantially similar to the one recommended for denial by the Planning Commission.

D. Legislative Action

1. Zoning Map Amendment:

The legislative body having zoning authority over the property in question shall, at a public hearing, approve or deny the proposed Zoning Map amendment after receiving and considering the Commission’s recommendations regarding the proposed Zoning Map Amendment, development plan and “binding elements”.

2. Additional Development Plan Requirements by Legislative Body:

The legislative body hearing the proposed Zoning Map change may, with approval of the Zoning Map change, include additional binding elements on the development plan that it deems appropriate for the welfare of the community.

E. Notice of Enactment

Immediately after the enactment of a Zoning Map amendment by the appropriate legislative body, that legislative body shall notify the Administrator of the enactment of the map amendment, the development plan approval, and all binding elements, if any. The Commission shall maintain records of all development plans and binding elements it and the legislative body have approved pertaining to the enacted Zoning Map amendment. It shall be the responsibility of the Administrator to enforce the binding elements section of this ordinance.

Sec. 380-040 Implementation of Development Plan and Zoning Regulations

A. Building Permits

Building permits for improvement of any property subject to a development plan shall be issued only in conformance with the binding elements of the development plan (including the development plan expiration date). Building permits issued in conflict with the binding elements of the appropriate development plan are of no effect.

B. Development Plan Amendments

Amendments to approved binding elements, other than by a legislative body while hearing the Zoning Map Amendment, shall require Planning Commission approval. Requests for amendments to binding elements of any development plan shall be submitted to the Commission and the Commission shall act thereon within ninety (90) days of the receipt thereof. Amendments shall be processed in the same

manner as the original development plan, including legislative body approval. However, a public hearing on the proposed amendment to the development plan shall be held only if the Commission or legislative body, at its hearing, deems it necessary and appropriate. If a public hearing is held, the Commission and legislative body shall give public notice of said hearing at the applicant's expense.

Sec. 380-050 Review of Planning Commission's Action Regarding Development Plans

A. Initiation of Review

Planning Commission denial of any Zoning Map change or proposed development plan may be reviewed by the legislative body having zoning authority over the property in question, if said legislative body determines that such a review is warranted. Any such review shall be conducted as a public hearing. The owner(s) of the subject property or any aggrieved party may request such a hearing by written letter to the appropriate legislative body stating the reason(s) why such a review is warranted.

B. Notice

1. If the legislative body determines that a review regarding the proposed Zoning Map change and development plan is warranted, it shall inform the Commission of the date, time, place, and subject of the public hearing concerning the review.
2. The legislative body shall notify, by letter, all parties of record to any Planning Commission hearing previously held regarding proposed Zoning Map change, and all owners of property adjoining the subject property, of the date, time, place, and subject of the hearing. In addition, said notification shall advise those notified of their right to inspect the subject plans in the Commission Office and to present their opinion at the public hearing.

C. Public Hearing

The public hearing shall include a presentation by the applicant seeking review of the Commission's action pertaining to the said Zoning Map amendment, and the applicant shall state why he believes the Commission's action was not justified. The legislative body may hear any other witnesses and review any other evidence at the hearing it deems appropriate.

D. Legislative Action

If the legislative body, subsequent to the public hearing, agrees with the Commission's action, it shall so indicate by resolution. If the legislative body disagrees with the Commission's action, it may adopt an ordinance changing the Zoning Map and establishing a development plan and "binding elements". A copy of all such resolutions or ordinances shall be forwarded, by the legislative body, to the Commission.

E. Planning Commission Action

If the legislative body amends the Zoning Map, the Administrator shall note the amendment and the development plan on zoning records and issue building permits in conformance with said change.

F. Judicial Review of Legislative Action

Judicial review of an action of the legislative body pursuant to this action must be initiated by an aggrieved party within thirty (30) days from the time such action becomes effective

DIVISION 390 SITE PLAN REGULATIONS

Sec. 390-010 Applicability

Site plan approval shall be required for the following land uses prior to the issuing of building permits:

1. Residential Uses: Attached housing developments of 10 units or more.
2. Non-Residential Uses: Prior to the issuing of a building permit, site plan approval shall be obtained for non-residential development that meet one or more of the following criteria:
 - a. New construction of buildings/structures, reconstruction of buildings/structures at the same location or relocation of buildings/structures to a new on-site location;
 - b. An addition/expansion that will contain more than 2,500 square feet of building/structure area;
 - c. An addition/expansion that will contain more than 20 percent of the original square footage of building/structure area for sites greater than one-half acre; and,
 - d. An addition/expansion that will contain more than 50 percent of the original square footage of building/structure area for sites one-half acre or less.
3. Manufactured Home Park: Site plan approval shall be obtained for all new manufactured home parks.
4. Parking Areas and Structures: Site plan approval shall be required for a parking garage, for a new parking area or for an addition to any existing parking area resulting in an increase/expansion of an existing vehicular use area by 20 percent before a building permit can be issued.

Sec. 390-020 Specific Information Required

Site plans shall be drawn and submitted at a scale not less detailed than one inch equals fifty feet (1 inch equals 50 feet), or other scale acceptable to the Planning and Zoning Commission staff. All site plans shall contain the following:

1. Name of the development and/or subdivision in which the site is situated.
2. Address and lot number of the subdivision in which the development is proposed.
3. Key map drawn to a scale of one inch equals one thousand feet (1 inch equals 1,000 feet), which shall include streets and corporate limits within a one half (1/2) mile radius of the site.
4. Names and addresses of the owner and the applicant.
5. Names, addresses and seals (on the section of the plan that they prepare) of each professional consultant participating in the design.
6. North arrow.
7. City and state.
8. Date.
9. Existing zoning and parcel number for the site.
10. Proposed use.
11. Name of owner(s), parcel number and zoning of adjoining properties.
12. Minimum required front, side and rear setback lines.
13. Location of the 100-year floodplains per FEMA maps, if applicable.

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14. Location and size of wetlands, if any, meeting the Army Corps of Engineers' jurisdictional wetland standards.
15. Location of water bodies.
16. Existing and proposed land contours showing vertical intervals no greater than two (2) feet.
17. Bearings and distances for all boundaries of the site with notation as to whether data is based on deeds or actual surveys.
18. Locations, square footages, and exterior dimensions, measured from outside wall to outside wall, of all existing and proposed buildings and structures.
19. A sheet showing all proposed improvements overlaid on the existing topography indicating what natural features will be destroyed or disrupted.
20. Existing and proposed easements with dimensions and designated types.
21. Existing and proposed locations, types and sizes of the following:
 - a. Water lines
 - b. Fire hydrants
 - c. Sanitary sewers
 - d. Stormwater infrastructure
 - e. Culverts
 - f. Street improvements
 - g. Sidewalks
 - h. Electric lines
 - i. Any other utilities or services affected by the site.
22. Parking layout and traffic control plan which shall include the locations, arrangements, and dimensions of the following:
 - a. Vehicle entrances, exits and drives
 - b. Handicapped pedestrian entrances, exits, walks and ramps
 - c. Vehicle parking spaces
 - d. Widths of vehicular traffic aisles
 - e. Truck loading and unloading spaces and docks
 - f. Proposed traffic control devices
23. Location of existing and proposed signs.
24. Landscaping plan conforming to the Landscape Regulations.
25. Lighting plan conforming to the Lighting Regulations
26. Statistics for the proposed development:
 - a. Total lot area
 - b. Lot width
 - c. Total floor area of buildings
 - d. Floor Area Ratio (FAR) of all uses
 - e. Total lot area covered by structures
 - f. Total lot area covered by impervious surface
 - g. Percentage of lot covered by impervious surface
 - h. Height of structures in stories and feet

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- i. Setbacks of all buildings, structures and parking area (front, side and rear yard).
27. The applicant shall provide any additional information, as determined by the Planning and Zoning Commission staff.

Sec. 390-030 Property Owners' Signature and Responsibility for Accuracy

All site plan applications shall be signed by the owner(s) of the affected property. Leaseholders, option holders, developers, and agents should also be identified.

The applicant shall be held responsible for the accuracy of the information submitted as part of the site plan applications. The applicant must be a real person or entity as defined in KRS 271B.400.

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 Zoning Commission 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.

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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 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').

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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.

Sec. 390-050 Extension of Site Plan Approval

Approval of a site plan shall cease to be effective one (1) year after the date of approval if start of construction has not begun. Prior to the expiration of a site plan, an applicant may request, in writing from the Planning Commission, up to one (1) extension, not to exceed one year, without having to resubmit the site plan if no changes have been made; however, if a site plan has expired, or if changes have been made, or if the applicant wishes for the extension to be effective for greater than one (1) year, the applicant shall be required to resubmit the site plan for approval.

DIVISION 400 COMMUNITY FACILITY REVIEW

Any approval for acquisition or disposition of land for public facilities, or changes in the character, location, or extent of structures or land for public facilities, excluding state and federal highways and public utilities and common carriers by rail mentioned in this section, shall be referred to the Commission to be reviewed in light of its agreement with the Comprehensive Plan, and the Commission shall, within sixty (60) days from the date of its receipt, review the project and advise the referring body whether the project is in accordance with the Comprehensive Plan. If it disapproves of the project, it shall state the reasons for disapproval in writing and make suggestions for changes which will, in its opinion, better accomplish the objectives of the Comprehensive Plan.

DIVISION 410 ENVIRONMENTAL PERFORMANCE STANDARDS

RESERVED

DIVISION 420 DEFINITIONS

For the purpose of these regulations, certain terms or words used herein shall be interpreted as follows. All words used in the present tense include the future tense. All words in the singular include the plural, and all words in the plural include the singular. The word “shall” is mandatory and not directory. The word “used” shall be deemed to include “designed, intended or arranged to be used.” The word “building” shall include structure. When definitions are included within divisions of this document, those definitions shall take precedence over definitions in this division where differences exist.

In the event that a definition is not listed in this section or document staff shall refer to “A Planners Dictionary” published by the American Planning Association.

Accessory Service and Retail Use – Accessory service and retail uses serving primarily (75 percent of business) residents, clients, or employees of the principal use with which they are associated and located on the same lot with such principal use; is subordinate in purpose, area, or extent to the principal use served; and is located on the same building site as the principal use.

Accessory Structure – A subordinate building, the use of which is purely incidental and subordinate to that of the main building and located on the same lot as the main building.

Accessory Use – A use customarily incidental and subordinate to the principal use or building.

Acre-foot – Acre-foot means a measure of volume equivalent to a material that is one (1) foot deep and over one (1) acre of surface area.

Adult Day Center – A community facility that provides supervised therapeutic and medical care for senior citizens during any part of the day, but less than twenty-four (24) hour care.

Agritourism – the act of visiting
(a) farm or ranch; or
(b) any agricultural, horticultural, or agribusiness operation; for the purpose of enjoyment, education, or active involvement in the activities of the farm, ranch, or operation (HB 360)

Agritourism Activity – any activity that:

a) Is carried out on a farm, ranch, agricultural operation, horticultural operation, agribusiness operation; and

b) Allows or invites participants to view or participate in activities for recreational, entertainment, or educational purposes. Qualifying activities may include but not limited to weddings and ancillary events; harvest-your-own operations; farmers’ markets; or natural resource-based activities. The activities may qualify for agritourism activities whether or not a participant pays to view or participate in the activity. (HB 360)

Agritourism Building – any building or structure or any portion thereof that is used for one (1) or more agritourism activities. (HB 360)

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Agricultural Uses – “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.

Alley – Any public or private way set aside for public travel less than twenty (20) feet in width and providing only a secondary means of access to property abutting thereon.

Appeal – A request for a review of the Administrator’s interpretation of any provision of this ordinance or a request for a variance.

Archaeological Site – In the Commonwealth of Kentucky, an archaeological site is defined by the Kentucky State Historic Preservation Office as any location where human behavior has resulted in the deposition of artifacts, or other evidence of purposive behavior at least 50 years of age. An archaeological site can be

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Division 420 Definitions

the remains of prehistoric or historic activities including habitation sites (prehistoric villages, camp sites, rockshelters; historic farmsteads, sites associated with standing structures, etc.), extractive sites (prehistoric flint quarries; historic quarries), burial sites (prehistoric mounds, cemeteries, and isolated graves; historic cemeteries), processing sites (prehistoric tool manufacture areas; historic sites such as lime kilns, iron furnaces, etc.), transportation sites (old road beds, early railroad beds, etc.), battlefields (pioneer or Civil War), early forts (pioneer or Civil War) and stations (pioneer), petroglyphs (prehistoric art on rocks and outcroppings) and many other types of remains.

Arterial Roadways – A roadway that provides for high mobility and limited access. These roadways connect urban centers and convey traffic distances more than one mile. Arterials often connect urban centers with outlying communities and employment.

Attached Single Family – A one-family dwelling attached to two or more one-family dwellings by common vertical walls.

Auto Auction – A facility for the sale of automobiles to the highest bidder.

Barrel Warehouses — Storage of distilled spirits for human consumption.

Basement – The portion of a building having its floor subgrade (below ground level) on all sides.

Bed and Breakfast – A building where, for compensation and by prearrangement for definite periods, lodging and/or morning meals are provided for ten (10) rooms or less.

Boards of Adjustments – An officially constituted body whose principle duties are to hear appeals and, where appropriate, grant variances from the strict application of the Zoning Ordinance.

Boarding or Lodging House – A building other than a hotel where meals or sleeping accommodations, or both, are provided for compensation for three, but not more than twenty, persons.

Brewery – A facility for the production and packaging of malt beverages for sale, and includes all offices, granaries, mash rooms, cooling rooms, vaults, yards, and storerooms connected with the premises that manufacture more than fifty thousand (50,000) barrels annually.

Brewpub – An establishment where food, beer and malt beverages are duly-licensed to be made on premises. Fifty percent (50%) or more of the beer produced on site must be sold and/or consumed on site.

Building – Any structure constructed or use for residence, business, industry or other public or private purpose, or accessory thereto. Such as a walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank, or other man-made facilities or infrastructures.

Building Elevation – A fully dimensioned drawing of the front, rear or side of a building which shows features such as windows, doors and the relationship of grade to floor level.

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Building Envelope – The three-dimensional space within which a structure is permitted to be built on a lot and that is defined by maximum height restrictions, and minimum yard setbacks.

Building Height – The vertical distance from finished grade to the top of the highest roof beams on a flat or shed roof, the deck level on a mansard roof, and the average distance between the eaves and the ridge level for gable, hip, and gambrel roofs. Building height shall be measured from the average ground level facing the highest adjoining sidewalk or street right-of-way.

Building, Principal – A building, including covered porches, carports, and attached garages in which is conducted the principal use of the lot on which it is situated. In any residential district any dwelling shall be deemed to be the principal building on the lot on which the same is situated.

Building Site – A parcel of land occupied or intended to be occupied by main structures and accessory structures and uses, together with all open spaces as are required by this ordinance.

Caliper – Measurement used to state the diameter of the trunk of a tree.

Camping Trailer – A vehicle intended for seasonal use but not for the year-round living accommodations.

Camp or Campgrounds – Tracts of land of a design or character suitable for and used seasonal, recreational and other similar living purposes. The tracts may have located on them a structure of a seasonal, temporary or movable nature, such as a cabin, hunting shelter, or tent. Any permanent structures such as cabins must comply with the appropriate requirements for dwellings in that district, including requirements of the Health Officer.

Change of Use – Any use that substantially differs from the previous use of a building or land.

Churches and Other Religious Institutions – A building, structure, group of buildings or place of worship ceremonies, rituals, and education pertaining to a particular system of beliefs are held. Permitted accessory uses may include schools, meeting halls, recreational facilities, day-care, counseling, and kitchens capable of feeding hundreds of persons.

College – An education institution authorized by the state to award baccalaureate or higher degrees.

Commercial Kitchen – area where appliances are used for heating and cooking food and which produce grease vapors, steam, fumes, smoke or odors that are required to be removed through a local exhaust ventilation system. (2009 International Mechanical Code).

Commercial Resort – A resort furnishing lodging, meals, and such recreational facilities as swimming, boating, shuffleboard, horseback riding, and golf. The recreational facilities shall be incidental to the furnishing of lodging and meals.

Community Center – A facility used for a fraternal, social or recreational program, generally open to the public, and intended to accommodate and serve significant segments of the community.

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Concentrated Animal Feeding Operation – A lot or facility where animals have been, are or will be stabled or confined and fed or maintained for a total of forty-five (45) days or more in any twelve (12) month period and where crops, vegetation forage growth, or post-harvest residues are not sustained over any portion of the lot or facility in the normal growing season and there are more than three hundred (300) Animal Units (defined by the Kentucky Division of Water) confined and there is a discharge to the Waters of the Commonwealth, or, there are more than one thousand (1,000) Animal Units confined.

Conditional Use – A use which is essential, desirable, or would promote the public health, safety, or welfare in one or more zones, but which would impair the integrity and character of the zone in which it is located, or in adjoining zones, unless restrictions on location, size, extent, and character of performances are imposed in the zoning regulation.

Conditional Use Permit – Legal authorization to undertake a conditional use issued by the administrative official pursuant to authorization by the Board of Adjustments, consisting of two parts:

1. A summary statement of the factual determination by the Board of Adjustments, which justifies the issuance of the permit; and
2. A statement of the specific conditions which must be met in order for the use to be permitted and allowed to continue.

Construction Plan – A document prepared by a professional engineer licensed in the State of Kentucky showing details concerning the construction of physical improvements for a subdivision or development including but not limited to roads, drainage and utilities.

Craft Distillery – Production of distilled spirits for human consumption that shall not exceed fifty thousand (50,000) proof gallons in one (1) year.

Deciduous – Foliage that sheds at the end of the growing season.

Density – The gross number of dwelling units per acre of land.

Detached Single Family – A dwelling that is not attached to any other dwelling by any means.

Development – Any man-made change to improved or unimproved real estate including, but not limited to: buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or permanent storage of materials and equipment.

Development Site – See “Building Site.”

Distillery – Production of distilled spirits for human consumption which are registered in the office of any collector of internal revenue for the United States.

Dripline – A vertical projection to the ground surface from the furthest lateral extent of a tree’s leaf canopy.

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Division 420 Definitions

Dump – A lot or tract of land or part thereof used for the disposal by abandonment, dumping, burial, burning or other means; of trash, refuse, junk, discarded machinery, vehicles or parts thereof, or waste materials of any kind.

Dwelling, Single-Family – A permanent building, separate and free standing, in itself providing living accommodations for one family.

Dwelling, Two-Family – A permanent building designed exclusively for occupancy by two families.

Dwelling, Multi-Family – A permanent building or portion thereof, providing separate living accommodations for three or more families.

Dwelling Unit – A permanent building used primarily for human habitation but not including manufactured homes of facilities for the housing of transient residents.

Dwelling Units per Acre (DU) – The number of dwelling units divided by the lot or tract area.

Evergreen – Foliage that remains on a plant and green throughout the year.

Farm Tour – Tourism conducted on a working farm or any other agricultural, horticultural or agribusiness operation where the working environment forms an agricultural product.

Fire Area: – The aggregate floor area enclosed and bounded by fire walls, fire barriers, exterior walls or horizontal assemblies of a building (2013 KBC).

Floor Area Ration (FAR) – The gross floor area of all buildings or structures on a lot divided by the total lot area.

Garbage – Any odorous, decomposable, or combustible waste materials.

Group or Row House – A group or row of not more than eight semi-detached, single-family dwellings not more than two rooms deep, with access to a street.

Historic Site – A structure or place of outstanding historical and cultural significance and designated as such by the federal, state or local government.

Historic Structure – Any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified for preliminarily determined by the Secretary of the interior as contributing to the historical significance of a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: a.) By an approved state program as determined by the

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Secretary of the Interior, or b.) Directly by the Secretary of the Interior in states without approved programs.

Home Occupation – Any use conducted entirely within a dwelling or in the immediate vicinity of the dwelling by the occupant of the dwelling as an accessory use which is clearly incidental to the use of the dwelling for residential purposes.

Hospital and Institutions – (1) Offers services more intensive than those required for room, board, personal services and general nursing care. (2) Offers facilities and beds for use beyond 24 hours by individuals requiring diagnosis, treatment, or care for illness, injury, deformity, infirmity, abnormality, disease, or pregnancy; and (3) Regularly makes available clinical laboratory services, diagnostic X-ray services, and treatment facilities for surgery or obstetrical care, or other definitive medical treatment of similar extent. Hospitals may include offices for medical and dental personnel, central service facilities such as pharmacies, medical laboratories, and other related uses.

Impervious Surface – Any material that prevents absorption of stormwater into the ground.

Intensity – Intensity refers to the floor area ration (FAR) for development.

Junk Yards – A lot, land, building, or structure, or part thereof used primarily for the collecting, storage and/or sale of waste paper, rags, scrap metal, or discarded material, or for the collecting, dismantling, storage, and salvaging of machinery or vehicles not in running condition, and for the sale of parts there from or scrap.

Kennel – Any place where home pets are kept for purposes other than those customary and incidental to a household. This includes commercial establishments in which dogs or domesticated animals are housed, groomed, bred, boarded, trained, or sold, all for a fee or compensation.

Land Under Single Ownership or Unified Control – Land that is owned by a person, by a partnership or association of two or more persons holding a common interest or by a corporation.

Landscape Buffer Area (LBA) – A landscape buffer area (LBA), as used in these regulations, refers to the area that must be set aside, free from development, to accommodate the required landscape and buffering materials. No buildings or structures except fences, walls, or those structures attendant to public utility service shall be allowed within the required LBA.

Legislative Body – The chief body of the city or consolidated local government with legislative power, whether it is the board of alderman, the general council, the common council, the city council, the board of commissioners, the county's fiscal court, or otherwise.

Lineal Foot – A one dimensional measurement from one point to another point.

Loading Area – An off-street space or berth on the same lot with a building or contiguous to a group of buildings for the temporary parking of a commercial vehicle while loading or unloading merchandise or material.

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Division 420 Definitions

Lot – A piece, parcel, or plot of land occupied or to be occupied by one principal building and its accessory buildings and including the open spaces required under this regulation.

Lot Area – The total area within the lot lines of a lot.

Lot Coverage of Structures – That portion of the lot that is covered by buildings.

Lot of Record – Any lot, the deed of which is on record at the office of the County Clerk of Oldham County at the time of enactment of this resolution.

Lot Width – The horizontal distance between the side lines of a lot measured at right angles to its depth along a straight line parallel to the front lot line at the minimum required setback line.

Malt Beverage – Any fermented, undistilled alcoholic beverage of any name or description, manufactured from malt wholly or in part, or from any substitute for malt, and includes weak cider.

Manufactured Home – A single-family residential dwelling constructed after June 15, 1976, in accordance with the National Manufactured Home Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq., as amended, and designed to be used as a single-family residential dwelling with or without permanent foundation when connected to the required utilities, and which includes the plumbing, heating, air conditioning, and electrical systems contained therein.

Manufactured Home (Qualified) – See Qualified Manufactured Home.

Manufactured Home Park – An area developed for the rental or lease of space for manufactured homes with accommodations for six (6) or more manufactured homes.

Manufactured Home Subdivision – A residential subdivision designed exclusively for and occupied only by manufactured homes, in which the homes and the land are owned by the occupants.

Mature Woodlands – An area or stand of trees whose total combined canopy covers an area of one (1) acre or more, at least 50 percent of which is composed of trees having a diameter breast height of 24 inches or more. No area of trees kept or grown for commercial purposes shall be considered a mature woodland.

Medical Office/Clinic – An establishment providing therapeutic, preventative, corrective, healing, and health-building treatment services on an out-patient basis by physicians, dentists, and other practitioners. Typical uses include medical and dental offices and clinics and out-patient medical laboratories.

Microbrewery – A facility for the production and packaging of malt beverages that manufacture fifty thousand (50,000) barrels or less annually.

Mini Warehouses – A building or group of buildings in a controlled-access and fenced compound that contains varying sizes of individual compartmentalized stalls or lockers with access controlled by tenant for the storage of customer's goods or wares. An operation involving a security arrangement utilizing a warehouseman as provided for in Article 7 of KRS Chapter 355 is not a mini-warehouse.

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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.

Modular Homes – Any single-family, unattached, manufactured home that is without wheels and chassis but that is designed for transportation on streets after fabrication.

Motel or Tourist Home – Inn or group of cabins or rooms designed for occupancy by paying guests.

Motor Home – A self-propelled vehicle with year-round living accommodations constructed as an integral part of the vehicle.

New Development – Any construction or alteration of an existing structure of land use, or establishment of land use, after the effective date of this Zoning Ordinance.

Non-conformance – A condition that occurs when, on the effective date of adoption of this ordinance or previous ordinance on the effective date of an ordinance text amendment or rezoning, an existing lawful lot, structure/building, sign, development or use of an existing lot or structure does not conform to one or more of the regulations currently applicable to the district in which the lot, structure, building, sign, development, or use is located.

Non-conforming Uses – An activity which lawfully existed before the adoption of the 1969, or this ordinance, but which does not conform to all the regulations contained in the zoning ordinance which pertain to the zone in which it is located.

Non-conforming Structures – Any building, sign, or combination of materials lawfully fabricated to fulfill a function in a fixed location on land that does not conform with each of the bulk requirements of the district in which it is now located.

Noxious Emission – Any equipment, machine, and other device, or any combination thereof, that produces VOCs.

Nursing Home – A home for the aged, chronically ill or incurable person in which three (3) or more persons, not of the immediate family, are received, kept, or provided with food and shelter and care for more than twenty-four (24) hours a day for compensation, but not including hospitals, clinics, or similar institutions devoted primarily to the diagnosis, treatment, or care of the sick or injured.

Office, Business – An office used primarily for conducting the affairs of a business, services, industry, or government, or like activity.

Office, Professional – The office of a member of a recognized profession maintained for the conduct of that profession.

Open Space – Any parcel or area of land essentially unimproved and set aside, dedicated, designated or reserved for public or private use or enjoyment or for the use and enjoyment of owners, occupants, and their guests of land adjoining or neighboring such open space.

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Open Space, Common – Land exclusive of yard setbacks, rights-of-way, and utility easements, within or related to a development, not individually owned or dedicated for public use, that is designed and intended for the common use or enjoyment of the residents and their guests of the development and may include such complementary structures and improvements as are necessary and appropriate.

Outdoor Sales and Display – The placement of any item(s) outside a building in a non-residential zoning district for the purpose of sale, rent or exhibit (this shall not include outdoor dining and seating areas associated with a restaurant).

Outdoor Storage – The keeping or stockpiling of any item(s) outside a building in a non-residential zoning district that is not directly accessible by the general public for more than twenty-four hours. The placement of moveable containers, including semi trailers and containerized freight boxes, for the purpose of storage of inventory on a temporary basis (not to exceed two months in any calendar year) shall be considered outdoor storage.

Person with a disability – a person with a physical, emotional, or mental disability, including, but not limited to, an intellectual disability, cerebral palsy, epilepsy, autism, deafness or hard of hearing, sight impairments, and orthopedic impairments, but not including convicted felons or misdemeanants on probation or parole or receiving supervision or rehabilitation services as a result of their prior conviction, or mentally ill persons who have pled guilty but mentally ill to a crime or not guilty by reason of insanity to a crime. "Person with a disability" does not include persons with current, illegal use of alcohol or any controlled substance as regulated under KRS Chapter 218A.

Planned Unit Development (PUD) – An area with a specified minimum contiguous acreage to be developed as a single entity according to a plan for residential and non-residential uses.

Planning Commission – The duly designated planning commission of all of Oldham County.

Private Utility, Buildings, and Facilities – Any system, facility, or building that is operated by other than a municipality, governmental agency, or public utility providing to the public a service deemed necessary for the public health, safety, and welfare.

Qualified Manufactured Home – A manufactured home that 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.

Recreational Vehicle – A vehicle which is (a) built on a chassis, (b) four hundred (400) square feet or less when measured at the largest horizontal projection, (c) designed to be self-propelled or permanently towable to a light duty truck, and (d) designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational, camping, travel, or seasonal use.

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Residential Care Facility – a residence operated and maintained by a sponsoring private or governmental agency to provide services in a homelike setting for persons with disabilities.

Retail and Personal Service Establishments – An establishment engaged in the sale or rental of goods and services, excluding those uses either defined more specifically in this section or listed as a permitted or conditional use in any of the zoning district classifications.

Rights-Of-Way – A strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation and intended to be occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer, and other similarly uses; generally, the right of one to pass over the property of another.

Salvage Yard – A lot, land, or structure, or part thereof, used primarily for the collecting, storage, and sale of waste paper, rags, scrap metal, or discard material; or for the collecting, dismantling, storage, and salvaging of machinery or vehicles that are not in operating condition; or for the sale of parts thereof. Typical uses include vehicle salvage yards and junk yards.

School – A site for instructional purposes on an elementary or secondary level, with a curriculum that complies with state regulation.

Services – Includes but not limited to supervision, shelter, protection, rehabilitation, personal development, and attendant care.

Setback – A line that is the required minimum distance from any lot line and that establishes the area within which the principal structure must be erected or placed.

Significant Trees – Trees having a diameter breast height of 24 inches or greater.

Sight Triangle – A triangular-shaped portion of land established at street intersections in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the sign distance of motorists entering or leaving the intersection.

Small Sites – Developments totaling 10,000 square feet or less (as measured by the combined ground area of existing and proposed buildings, structures, and VUA).

Solid Waste Transfer Station – A facility used for the temporary storage of non-hazardous solid waste being transferred from one vehicle or mode of transportation to another, not including facilities operated for the collection of recyclable materials only.

Street – Any public or private ways dedicated to public travel 20 feet or more in width. The word “street” shall include the words “road”, “highway”, and “thoroughfare”.

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Structure – Any combination of materials fabricated to fulfill a function in a fixed location on the land; includes buildings. A walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank, or other man-made facilities or infrastructures.

Substantial Damage – Damage of any origin sustained by a structure whereby the cost of restoring the structure to the before-damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.

Substantial Improvement – Any combination of repairs, reconstruction, alteration, or improvements to a building taking place in a five (5) year period in which the cumulative cost equals or exceeds fifty (50) percent of the market value of the building. The market value of the building shall be (a) the appraised value of the building prior to the start of the initial repair or improvement, or (b) in the case of damage the value of the building prior to the damage occurring. This term includes structures which have incurred “substantial damage” regardless of the actual repair work performed. For the purposes of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. The term does not, however, include either: (a) any project for improvement of a building required to comply with existing health, sanitary, or safety code specifications which have been identified by the Code Enforcement Officer and which are solely necessary to assure safe living conditions, or (b) any alteration of a “historic structure” provided that the alteration will not preclude the structure’s continued designation as a “historic structure.”

Subdivision – The division of a parcel of land into two (2) or more lots or parcels for the purpose, whether immediate or future, of sale, lease, or building development, or if a new street is involved, any division of a parcel of land; provided that a division of land for agricultural use and not involving a new street shall not be deemed a subdivision. The term includes re-subdivision and when appropriate to the context, shall relate to the process of subdivision or to the land subdivided; any division or re-division of land into parcels of less than one (1) acre occurring within twelve (12) months following a division of the same land shall be deemed a subdivision within the meaning of this section.

Technical Review Committee (TRC) – A committee composed of members representing departments and agencies (and their successor agencies) responsible for reviewing land development proposals.

Tier One Property – Properties adjacent to, or across any streets except I-71 or water bodies except the Ohio River, from the subject property.

Tree Canopy – The area within the circumference of the drip line of a tree.

Use – The purpose or activity for which land or buildings are designed, arranged, or intended or for which a building, structure or land is occupied or maintained.

Utility Facilities and Services – The generation, transmission, and/or distribution of electricity, gas, steam, communications, and water; the collection and treatment of sewage and solid waste; and the provision of mass transportation.

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Variance – A departure from dimensional terms of the zoning regulation pertaining to the height, width, or location of structures and the size of yards and opens spaces where such departure meets the requirements of KRS 100.241 to 100.247.

Vehicle Salvage Yard (includes Junk Yards and Vehicle Wrecking Yards) – Any place where five or more motor vehicles, not in running condition, or the parts thereof, are stored in the open and are not being restored to operation; or any land, building or structure used for the wrecking and storage of such vehicles or their parts thereof.

Vehicular Use Area (VUA) – Any open or enclosed area used by vehicles of any type, whether moving or at rest, including but not limited to parking lots or areas, loading and unloading areas, mobile home yards, sales and service areas, and driveways.

Veterinary Hospital – A place where animals are given medical care and the boarding of animals is limited to short-term care incidental to the hospital use.

Vocational School – An establishment offering regularly scheduled instruction in professional, technical, commercial, or trade skills, such as, but not limited to business, real estate, building and construction, electronics, computer programming and technology, automotive and aircraft mechanics and technology, and similar types of instruction.

Volatile Organic Compound (VOC) – Any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides, or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions.

Waiver – Permission to depart from the requirements of an ordinance with respect to the submission of required documents.

Wetland – For purposes of this ordinance, wetlands refers to those that meet the US Army Corps of Engineers' jurisdictional wetland standards. US Army Corps of Engineers defines wetlands as those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support a prevalence of vegetation typically adapted to life in saturated soil conditions. US Army Corps of Engineers' jurisdictional wetlands must be determined according to the mandatory technical criteria for vegetation, hydrology and soils as described in the Federal Manual for Identifying and Delineating Jurisdictional Wetlands.

Yard – An open space on the same lot with a principal building, open, unoccupied, and unobstructed by buildings, except as otherwise provided in this ordinance.

Yard, Front – The yard extending across the entire width of the lot between any building and the front lot line and measured perpendicular from the front yard line to the closest point of any building and measured from the principal building to the rights-of-way line of street line which the building faces.

Yard, Rear – The yard extending across the entire width of the lot between any building and the front lot line and measured perpendicular from the front yard line to the closets point of any building.

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Yard, Side – The yard extending along the side lot line from the front yard to the rear yard and lying between the side lot line and the nearest part of the principal building.

Yard, Street-side – The yard extending along the side lot line from the front yard to the rear yard and lying between the side lot line and the nearest part of the principal building, and adjacent to a street.

Yard Sale – The sale or offering for sale to the general public of items or property on any portion of a lot in a residentially used or zoned district, whether within or outside any building.

100-Year Floodplain – The land area subject to a one percent or greater chance of flooding in any given year as designated by the Federal Emergency Management Agency (FEMA) or determined by a registered professional using FEMA-approved methodology.