

Oldham County Comprehensive Zoning Ordinance

TABLE OF CONTENTS

DIVISION 10 GENERAL PROVISIONS..... 1
 Sec. 010-010 Intent 1
 Sec. 010-020 Title..... 1
 Sec. 010-030 Legislative Authority 1
 Sec. 010-040 Roles and Authority 1
 Sec. 010-050 Application of Regulations 3
 Sec. 010-060 Establishment of Districts and General Regulations 3
 Sec. 010-070 Boundaries of Districts 5
 Sec. 010-080 Designation of Official Map 5
 Sec. 010-090 Replacement of Official Zoning Map 5
 Sec. 010-100 Conflict with Other Resolutions and Private Deeds 6
 Sec. 010-110 Calculations 6
 Sec. 010-120 Severability 6
 Sec. 010-130 Effective Date 6
 Sec. 010-140 Joint Planning Units..... 6
DIVISION 20 AG-1 AGRICULTURAL/RESIDENTIAL DISTRICT 7
 Sec. 020-010 Intent 7
 Sec. 020-020 Permitted Uses 7
 Sec. 020-030 Conditional Uses..... 7
 Sec. 020-040 AG-1 Agricultural/Residential District Property Development Regulations 8
DIVISION 30 CO-1 CONSERVATION/RESIDENTIAL DISTRICT 9
 Sec. 030-010 Intent 9
 Sec. 030-020 Permitted Uses 9
 Sec. 030-030 Conditional Uses..... 9
 Sec. 030-040 CO-1 Conservation/Residential District Property Development Regulations 10
DIVISION 40 R-1A RESIDENTIAL DISTRICT 11
 Sec. 040-010 Intent 11
 Sec. 040-020 Permitted Uses 11
 Sec. 040-030 Conditional Uses..... 11
 Sec. 040-040 R-1A Residential District Property Development Regulations 12
DIVISION 50 R-1 RESIDENTIAL DISTRICT 13
 Sec. 050-010 Intent 13
 Sec. 050-020 Permitted Uses 13
 Sec. 050-030 Conditional Uses..... 13
 Sec. 050-040 R-1 Residential District Property Development Regulations 14
DIVISION 60 R-2 RESIDENTIAL DISTRICT 15
 Sec. 060-010 Intent 15
 Sec. 060-020 Permitted Uses 15
 Sec. 060-030 Conditional Uses..... 15
 Sec. 060-040 R-2 Residential District Property Development Regulations 16
DIVISION 70 R-2A RESIDENTIAL DISTRICT 17
 Sec. 070-010 Intent 17
 Sec. 070-020 Permitted Uses 17
 Sec. 070-030 Conditional Uses..... 17
 Sec. 070-040 R-2A Residential District Property Development Regulations 18
DIVISION 80 R-3 RESIDENTIAL DISTRICT 19
 Sec. 080-010 Intent 19
 Sec. 080-020 Permitted Uses 19
 Sec. 080-030 Conditional Uses..... 19

Oldham County Comprehensive Zoning Ordinance

Sec. 080-040 R-3 Residential District Property Development Regulations	20
DIVISION 90 R-4A RESIDENTIAL DISTRICT	21
Sec. 090-010 Intent	21
Sec. 090-020 Permitted Uses	21
Sec. 090-030 Conditional Uses	21
Sec. 090-040 R-4A Residential District Property Development Regulations	22
DIVISION 100 R-4 RESIDENTIAL DISTRICT	23
Sec. 100-010 Intent	23
Sec. 100-020 Permitted Uses	23
Sec. 100-030 Conditional Uses	23
Sec. 100-040 R-4 Residential District Property Development Regulations	24
DIVISION 110 T MANUFACTURED HOME DISTRICT	25
Sec. 110-010 Intent	25
Sec. 110-020 Permitted Uses	25
Sec. 110-030 Conditional Uses	25
Sec. 110-040 T Manufactured Home District Property Development Regulations	26
DIVISION 120 O-1 OFFICE DISTRICT	27
Sec. 120-010 Intent	27
Sec. 120-020 Permitted Uses	27
Sec. 120-030 Conditional Uses	27
Sec. 120-040 O-1 Office District Property Development Regulations	28
DIVISION 130 O-2 OFFICE DISTRICT	29
Sec. 130-010 Intent	29
Sec. 130-020 Permitted Uses	29
Sec. 130-030 Conditional Uses	29
Sec. 130-040 O-2 Office District Property Development Regulations	30
DIVISION 140 C-N COMMERCIAL NEIGHBORHOOD DISTRICT	31
Sec. 140-010 Intent	31
Sec. 140-020 Permitted Uses	31
Sec. 140-030 Conditional Uses	31
Sec. 140-040 C-N Commercial Neighborhood District	32
DIVISION 150 C-1 LOCAL BUSINESS DISTRICT	33
Sec. 150-010 Intent	33
Sec. 150-020 Permitted Uses	33
Sec. 150-030 Conditional Uses	33
Sec. 150-040 C-1 Local Business District Property Development Regulations	34
DIVISION 160 C-2 COMMUNITY BUSINESS DISTRICT	35
Sec. 160-010 Intent	35
Sec. 160-020 Permitted Uses	35
Sec. 160-030 Conditional Uses	35
Sec. 160-040 C-2 Community Business District Property Development Regulations	36
DIVISION 170 C-3 GENERAL BUSINESS DISTRICT	37
Sec. 170-010 Intent	37
Sec. 170-020 Permitted Uses	37
Sec. 170-030 Conditional Uses	37
Sec. 170-040 C-3 General Business District Property Development Regulations	38
DIVISION 180 C-4 HIGHWAY SERVICE DISTRICT	39
Sec. 180-010 Intent	39
Sec. 180-020 Permitted Uses	39
Sec. 180-030 Conditional Uses	39
Sec. 180-040 C-4 Highway Service District Property Development Regulations	40

Oldham County Comprehensive Zoning Ordinance

DIVISION 190 I-1 LIGHT INDUSTRIAL DISTRICT	41
Sec. 190-010 Intent	41
Sec. 190-020 Permitted Uses	41
Sec. 190-030 Conditional Uses.....	41
Sec. 190-040 I-1 Industrial District Property Development Regulations	42
DIVISION 200 I-2 HEAVY INDUSTRIAL DISTRICT	43
Sec. 200-010 Intent	43
Sec. 200-020 Permitted Uses	43
Sec. 200-030 Conditional Uses.....	43
Sec. 200-040 I-2 Industrial District Property Development Regulations	44
DIVISION 210 IPD INDUSTRIAL PARK DISTRICT	45
Sec. 210-010 Intent	45
Sec. 210-020 Permitted Uses	45
Sec. 210-030 Conditional Uses.....	45
Sec. 210-040 Required Lot Area & Dimensions	46
Sec. 210-050 Required Setbacks	46
Sec. 210-060 Building Height	47
Sec. 210-070 Maximum FAR and Lot Coverage	47
Sec. 210-080 Parking Area Standards	47
Sec. 210-090 Outdoor Storage.....	47
Sec. 210-100 Aesthetic Standards	48
Sec. 210-110 Public Street Standards	50
Sec. 210-120 Driveway Entrances.....	50
Sec. 210-130 Utilities	50
DIVISION 220 SWF-1 SOLID WASTE FACILITIES DISTRICT	51
Sec. 220-010 Intent	51
Sec. 220-020 Permitted Uses	51
Sec. 220-030 Required Lot Area	51
Sec. 220-040 Setbacks	52
Sec. 220-050 Requirements When Adjacent to Specific Land Uses	52
Sec. 220-060 Access to Public Streets.....	52
Sec. 220-070 Driving Facilities	53
Sec. 220-080 Buffering.....	53
Sec. 220-090 Building Height	54
DIVISION 230 PUD PLANNED UNIT DEVELOPMENT DISTRICT	55
Sec. 230-010 Intent and Purpose	55
Sec. 230-020 General Standards and Requirements	55
Sec. 230-030 Uses Permitted and Prohibited.....	57
Sec. 230-040 Density, Intensity and Dimensional Standards	58
Sec. 230-050 Phased Development	58
Sec. 230-060 Procedures	58
Sec. 230-070 Conditions of Approval in Master Plan and Development Plan	62
Sec. 230-080 Amendments to an Approved Master Plan or Development Plan	62
Sec. 230-090 Master Plan Requirements	62
Sec. 230-100 Development Plan Requirements	65
Sec. 230-110 Site Plan Requirements.....	67
Sec. 230-120 Maintenance of (Common) Open Space.....	70
Sec. 230-130 Bonds	70
Sec. 230-140 Failure to Proceed, Complete or Comply	70
Sec. 230-150 Certification of Completion, Future Development	70
DIVISION 240 LAGRANGE HISTORIC DISTRICTS (RESERVED).....	72

Oldham County Comprehensive Zoning Ordinance

DIVISION 250 SPECIAL PROVISIONS.....	73
Sec. 250-010 Purpose	73
Sec. 250-020 Applicability	73
Sec. 250-030 Accessory Uses and Structures (with and without dwelling units).....	73
Sec. 250-040 Accessory Service and Retail Uses.....	74
Sec. 250-050 Adjacent to Residential Standards	74
Sec. 250-060 Adult Entertainment	74
Sec. 250-070 Attached Single-Family Structures.....	79
Sec. 250-080 Qualified Manufactured Homes	79
Sec. 250-090 Fences and Walls (Reserved).....	80
Sec. 250-100 Fuel Sales and Vehicle-Repair.....	80
Sec. 250-110 Land Used For Agricultural Purposes	81
Sec. 250-120 Lighting, Noise and Dust (Reserved)	81
Sec. 250-130 Manufactured Homes Supporting Agriculture Uses.....	81
Sec. 250-140 Outdoor Sales, Storage, or Display.....	81
Sec. 250-150 Public Utility Buildings and Facilities (not including utility pedestals and junction boxes)	82
Sec. 250-160 Refuse Disposal Containers for Uses Other than Single-Family Residential	83
Sec. 250-170 Swimming Pools, Hot Tubs and Hydro Spas	83
Sec. 250-180 Temporary Uses and Events	83
Sec. 250-190 Tennis Courts.....	84
Sec. 250-200 Scenic Corridors	84
DIVISION 260 CONDITIONAL USE STANDARDS.....	86
Sec. 260-010 Purpose	86
Sec. 260-020 General Provisions.....	86
Sec. 260-030 Accessory Structures	87
Sec. 260-040 Airports.....	87
Sec. 260-050 All Terrain Vehicle (ATV) Courses	88
Sec. 260-060 Amusement Parks, Aviaries, Zoos, and Circus and Carnival Grounds	88
Sec. 260-070 Asphalt Processing and Concrete Batch Plants	88
Sec. 260-080 Cemeteries, Mausoleums and Crematories.....	88
Sec. 260-090 Commercial Composting (Reserved)	89
Sec. 260-100 Commercial Rifle, Pistol, Skeet, Trap, and Sporting Ranges.....	89
Sec. 260-110 Community Residences (Reserved).....	89
Sec. 260-120 Concentrated Animal Feeding Operations.....	89
Sec. 260-130 Contractor’s Equipment Storage (Reserved)	89
Sec. 260-140 Day Care Facilities	89
Sec. 260-150 Extraction, Development of Oil, Gas and other Hydrocarbon Substances	90
Sec. 260-160 Extraction, Rock Quarries, Mineral, and Earth Products, not including extraction of soil	90
Sec. 260-170 Extraction and Development of Other Natural Resources.....	90
Sec. 260-180 Extraction of Soil, including Borrow Pits.....	91
Sec. 260-190 Fertilizer Producing Plant, Incineration or Reduction Products	93
Sec. 260-200 Freight Terminals/Similar Enterprises (Reserved)	93
Sec. 260-210 Golf Driving Ranges.....	93
Sec. 260-220 Grain/Feed Storage/Sales (Reserved)	94
Sec. 260-230 Home Occupations	94
Sec. 260-240 Hospitals and Similar Uses	96
Sec. 260-250 Lakes, Commercial	96
Sec. 260-260 Land-Farming Facility for Solid Waste	96
Sec. 260-270 Less Than One Acre Construction Demolition Debris Landfill (CDDL).....	96

Oldham County Comprehensive Zoning Ordinance

Sec. 260-280 Manufactured Homes	98
Sec. 260-290 Marinas, and Boat Rental	98
Sec. 260-300 Nursing Homes (Reserved).....	99
Sec. 260-310 Office Warehouses (Reserved)	99
Sec. 260-320 Private Utility Buildings/Facilities (Reserved).....	99
Sec. 260-330 Public and Governmental Buildings and Facilities Including Offices, Training Armories, Storage, Maintenance, and Repair	99
Sec. 260-340 Public or Private Clubs Including Swimming, Tennis and Other Recreation	99
Sec. 260-350 Race Tracks	99
Sec. 260-360 Recreational Camping Areas, Public and Private	99
Sec. 260-370 Riding Academies/Stables (Reserved).....	100
Sec. 260-380 Salvage Yards, or Similar Establishments, Including Vehicle Wrecking, Metal, Paper, Glass, or Waste	100
Sec. 260-390 Sanitary Land Fills.....	100
Sec. 260-400 Self Storage Facilities	101
Sec. 260-410 Slaughter Houses; Rendering Plants or Similar Conditional Uses	101
Sec. 260-420 Solid Waste Incinerators (Reserved)	101
Sec. 260-430 Sports Facilities	101
Sec. 260-440 Veterinary Hospitals and Kennels	101
Sec. 260-450 Wastewater Treatment Plant.....	102
DIVISION 270 CAPACITY STANDARDS.....	103
Sec. 270-010 Establishment of Capacity Standards	103
Sec. 270-020 Exemptions from Capacity Standards Requirements	103
Sec. 270-030 Responsibility for Capacity Standards Management System.....	103
Sec. 270-040 Road Capacity Standards	103
Sec. 270-050 School Capacity Standards	108
Sec. 270-060 Fire Protection Standards.....	109
Sec. 270-070 Wastewater Treatment Facility Standards	111
DIVISION 280 OFF-STREET PARKING AND LOADING REGULATIONS	113
Sec. 280-010 Purpose	113
Sec. 280-020 Relationship to the Comprehensive Plan	113
Sec. 280-030 Applicability	113
Sec. 280-040 Parking Requirement/Allowances Calculations	113
Sec. 280-050 Industrial and Manufacturing	114
Sec. 280-060 Institutional	114
Sec. 280-070 Office Use.....	116
Sec. 280-080 Non-Retail Commercial/Recreational	116
Sec. 280-090 Other/Miscellaneous	119
Sec. 280-100 Residential Uses	120
Sec. 280-110 Retail.....	121
Sec. 280-120 Location of Off-Street Parking on a Lot.....	122
Sec. 280-130 Off-Site Parking.....	122
Sec. 280-140 Shared Parking.....	124
Sec. 280-150 Parking Lot Layout and Design.....	124
Sec. 280-160 Accessible Parking for Physically Handicapped Persons.....	124
Sec. 280-170 Drive-In Facilities and Queue Space Requirements	124
Sec. 280-180 Off-Street Loading.....	125
Sec. 280-190 Waivers.....	125
DIVISION 290 SIGN REGULATIONS	126
Sec. 290-010 Purpose	126
Sec. 290-020 Applicability	126

Oldham County Comprehensive Zoning Ordinance

Sec. 290-030 Sign Definitions	126
Sec. 290-040 Procedure	131
Sec. 290-050 Sign Requirements/Allowances Calculations	131
Sec. 290-060 Exempt Sign Standards	132
Sec. 290-070 Signs Prohibited	133
Sec. 290-080 Sign Lighting	134
Sec. 290-090 Electronic Signs	134
Sec. 290-100 On-premise Signage	135
Sec. 290-110 Off-premises Signage	144
Sec. 290-120 Temporary Signage	144
Sec. 290-130 Areas of Special Character	145
Sec. 290-140 Programs for Signs	145
Sec. 290-150 Signs along Scenic Corridors	146
Sec. 290-160 Nonconforming Signs	147
Sec. 290-170 Variances	147
Sec. 290-180 Severability Clause	147
DIVISION 300 LANDSCAPING REGULATIONS	148
Sec. 300-010 Purpose	148
Sec. 300-020 Relationship to the Comprehensive Plan	148
Sec. 300-030 Applicability	148
Sec. 300-040 Landscape Buffer Area Requirements	149
Sec. 300-050 Property Perimeter Landscape Buffer (PPLB) Areas and Plantings	149
Sec. 300-060 Vehicular Use Area Perimeter Landscape Buffer (VUAPLB) Areas	152
Sec. 300-070 Vehicular Use Area Perimeter Planting	152
Sec. 300-080 Interior Landscaping Areas (ILA) for Vehicular Use Areas	153
Sec. 300-090 Planting Requirements for Interior Landscaping Areas (ILAs)	153
Sec. 300-100 Screening Requirement for Service Structures	154
Sec. 300-110 Tree Preservation	154
Sec. 300-120 Tree Protection during Construction and Maintenance	155
Sec. 300-130 General Standards	155
Sec. 300-140 Landscaping Plan Submission and Approval	157
Sec. 300-150 Permits and Waivers	159
Appendix 300-130A Prohibited Plant List	160
Appendix 300-130B Suggested Tree Species For the City of LaGrange	162
DIVISION 310 ALL NONCONFORMING USES AND STRUCTURES	166
Sec. 310-010 Continuation and Maintenance	166
Sec. 310-020 Expansion of a Nonconforming Use	166
Sec. 310-030 Restoration of a Damaged Structure or Building	166
Sec. 310-040 Abandonment of Nonconforming Use	166
Sec. 310-050 Substituting Nonconforming Use	166
Sec. 310-060 Regulating Manufactured Homes and Manufactured Home Parks	166
Sec. 310-070 Additions to Nonconforming Structures and Buildings	166
DIVISION 320 ACCESS MANAGEMENT REGULATIONS (RESERVED)	168
DIVISION 330 EXCEPTIONS AND MODIFICATIONS	169
Sec. 330-010 Height Requirements	169
Sec. 330-020 Yard Requirements	169
Sec. 330-040 Sight Triangle	170
Sec. 330-050 Sell-Off Approval (Future Rights-of-Way Reservation)	170
Sec. 330-060 Water Supply and Sewage Disposal	171
DIVISION 340 ANTENNA TOWERS FOR TELECOMMUNICATIONS SERVICES OR PERSONAL COMMUNICATIONS SERVICES	172

Oldham County Comprehensive Zoning Ordinance

Sec. 340-010 Planning Commission Review Required	172
Sec. 340-020 Documentation.....	172
Sec. 340-030 Notice.....	174
Sec. 340-040 Procedure	174
Sec. 340-050 Guarantee of Removal in Case of Abandonment	175
Sec. 340-060 Special Expert Consultants and Costs	176
Sec. 340-070 Confidentiality	176
Sec. 340-080 Design Standards	176
DIVISION 350 BOARDS OF ADJUSTMENTS.....	179
Sec. 350-010 Authorization	179
Sec. 350-020 Meetings and Procedures	179
Sec. 350-030 Appeals	180
Sec. 350-040 Powers of Board of Adjustments.....	180
DIVISION 360 BUILDING PERMITS AND FEES	183
Sec. 360-010 Building Permits Required	183
Sec. 360-020 Exceptions for which Building Permits are not Required	183
Sec. 360-030 Building Permit Procedure	183
Sec. 360-040 Construction Equipment	183
DIVISION 370 ADMINISTRATION, ENFORCEMENT AND PENALTIES	184
Sec. 370-010 Administration	184
Sec. 370-020 Enforcement.....	184
Sec. 370-030 Compliance with Subdivision Regulations.....	184
Sec. 370-040 Administration in Incorporated Areas	185
Sec. 370-050 Real Estate Sell-Off	185
DIVISION 380 ZONING MAP AMENDMENT PROCEDURES AND DEVELOPMENT PLAN REQUIREMENTS.....	186
Sec. 380-010 Application Process	186
Sec. 380-020 Development Plan.....	187
Sec. 380-030 Zoning Map Amendment Process	190
Sec. 380-040 Implementation of Development Plan and Zoning Regulations	191
Sec. 380-050 Review of Planning Commission’s Action Regarding Development Plans	192
DIVISION 390 SITE PLAN REGULATIONS.....	194
Sec. 390-010: Applicability	194
Sec. 390-020: Specific Information Required	194
Sec. 390-030: Property Owners’ Signature and Responsibility for Accuracy:.....	196
Sec. 390-040: Site Plan Review Procedure	196
Sec. 390-050: Extension of Site Plan Approval	196
DIVISION 400 COMMUNITY FACILITY REVIEW.....	197
DIVISION 410 ENVIRONMENTAL PERFORMANCE STANDARDS (RESERVED).....	198
DIVISION 420 DEFINITIONS.....	199

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DIVISION 10 GENERAL PROVISIONS

Sec. 010-010 Intent

The intent of these regulations is to promote the public health, safety, and the general welfare; to prevent the 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 La Grange, 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 and 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 designees.
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.
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.

Oldham County Comprehensive Zoning Ordinance
DIVISION 10 GENERAL PROVISIONS

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 administrating 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 material 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.
15. All powers as permitted by Kentucky Revised Statutes.

D. Oldham County Board of Adjustments

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.

Oldham County Comprehensive Zoning Ordinance
DIVISION 10 GENERAL PROVISIONS

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 Adjustment 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.

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 District
- CO-1 Conservation District

Oldham County Comprehensive Zoning Ordinance
DIVISION 10 GENERAL PROVISIONS

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	Commercial District
C-2	Commercial District
C-3	Commercial District
C-4	Commercial District
I-1	Light Industrial District
I-2	Heavy Industrial District
IPD	Industrial Park District
SWF-1	Solid Waste Facilities 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.
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-2, and R-1A, except as otherwise provided in these regulations.

Oldham County Comprehensive Zoning Ordinance
DIVISION 10 GENERAL PROVISIONS

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. Where zoning district boundary lines are indicated as approximately following a street or railroad, the centerline of the street or railroad rights-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 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.

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

Oldham County Comprehensive Zoning Ordinance
DIVISION 10 GENERAL PROVISIONS

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 amendment.

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 be 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 requirement 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 effect of any other section, clause, provision, or portion of 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 March 1, 2007.

Sec. 010-140 Joint Planning Units

Oldham County Fiscal Court
LaGrange City Council
Pewee Valley City Council
Crestwood City Council

DIVISION 20 AG-1 AGRICULTURAL/RESIDENTIAL DISTRICT

Sec. 020-010 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 Permitted Uses

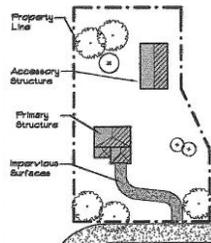
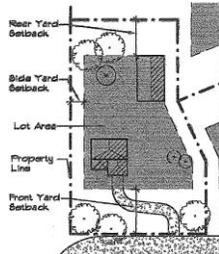
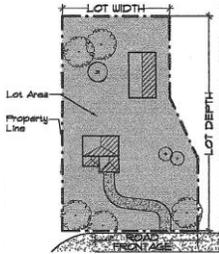
- Agricultural Uses**
 - Agricultural uses
 - Game Farms
 - Riding Academies and Stables
- Community Facilities**
 - Colleges and Schools, not for profit (CF)
 - Community Centers, not for profit Public and Governmental Buildings and Facilities
- Public Parks and Recreation**
 - Boat Docks and Launching 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**
 - Dwellings– Single-Family Detached
- Special**
 - Lakes (man-made) non-commercial
- Utilities**
 - Public Utility Buildings and Facilities (CF)

Sec. 020-030 Conditional Uses

- Commercial**
 - Veterinary Hospitals and Kennels
- Community Facilities and Services**
 - Day Care Facilities for four or more children
 - Marinas or Boat Rental
 - Recreational Vehicle Parks and Campgrounds
- Light Industrial**
 - Farm Implement Repair
- Recreation**
 - Aviaries and Zoos
 - Circus and Carnival Grounds
 - Commercial Rifle, Pistol and Skeet Ranges
 - Drive-in Theatres, Golf Courses, Swimming Pools, Tennis Courts and similar enterprises
 - Livestock Arenas
 - Private Clubs, Country Clubs, Golf Courses except Miniature Courses or Commercial Driving Ranges
- Residential**
 - Community Residences
 - 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
- Utilities**
 - Private Utility Buildings and Facilities
 - Sewage Treatment Facilities

(CF) Community Facilities Review
Refer to Division 400

Sec. 020-040 AG-1 Agricultural/Residential District Property Development Regulations



Minimum Lot Area:

- 43,560 square feet

Minimum Road Frontage:

- 150 feet
- 300 feet for lots of 2.5 acres or more

Minimum Lot Width:

- 150 feet
- 300 feet for lots of 2.5 acres or more

Minimum Lot Depth:

- 200 feet

Maximum Structure

Height:

- 35 feet
- Agriculture related accessory structures are exempt

Minimum Front Yard Setback:

- 50 feet

Minimum Side Yard Setback:

- 15 feet
- 75 feet when adjacent to an arterial roadway
- 50 feet for street side

Minimum Rear Yard Setback:

- 40 feet

Maximum Lot Coverage for Structures:

- 20% of the lot area

Additional Standards that may Apply

Height	Sec. 330-010
Accessory Uses and Structures	Sec. 250-030
Home Occupations	Sec. 260-230
Fences and Walls	Sec. 250-090
Landscaping	Division 300
Capacity of Infrastructure	Division 270
Parking	Division 280
Signs.....	Division 290
Historic Preservation.....	Division 240

DIVISION 30 CO-1 CONSERVATION/RESIDENTIAL DISTRICT

Sec. 030-010 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 Permitted Uses

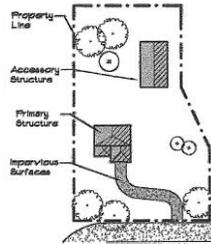
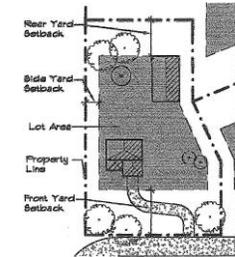
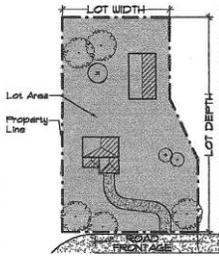
- Agricultural Uses**
 - Agricultural uses
 - Game Farms
 - Riding Academies and Stables
- Community Facilities**
 - Colleges and Schools, not for profit (CF)
 - Community Centers, not for profit
 - Public and Governmental Buildings and Facilities
- Public Parks and Recreation**
 - Boat Docks and Launching 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**
 - Dwellings – Single-Family Detached
- Special**
 - Lakes (man-made) non-commercial
- Utilities**
 - Public Utility Buildings and Facilities (CF)

Sec. 030-030 Conditional Uses

- Commercial**
 - Veterinary Hospitals and Kennels
- Community Facilities and Services**
 - Marinas or Boat Rental
 - Recreational Vehicle Parks and Campgrounds
- Recreation**
 - Aviaries and Zoos
 - Golf Courses, Swimming Pools, Tennis Courts and similar enterprises
 - Livestock Arenas
 - Private Clubs, Country Clubs, Golf Courses except Miniature Courses or Commercial
 - Driving Ranges, Commercial Rifle, Pistol and Skeet Ranges
- Special**
 - Bed and Breakfasts
 - Borrow Pits, Quarry, Gravel Pit, or Stone Mill
 - Commercial Lakes
 - Extraction and Development of Natural Resources
- Utilities**
 - Private Utility Buildings and Facilities
 - Sewage Treatment Plants

(CF) Community Facilities Review
Refer to Division 400

Sec. 030-040 CO-1 Conservation/Residential District Property Development Regulations



Minimum Lot Area:

- 43,560 square feet

Minimum Road Frontage:

- 150 feet
- 300 feet for lots of 2.5 acres or more

Minimum Lot Width:

- 150 feet
- 300 feet for lots of 2.5 acres or more

Minimum Lot Depth:

- 200 feet

Minimum Front Yard Setback:

- 50 feet
- 75 feet when adjacent to an arterial roadway

Minimum Side Yard Setback:

- 15 feet
- 75 feet when adjacent to an arterial roadway
- 50 feet street side

Minimum Rear Yard Setback:

- 40 feet

Maximum Lot Coverage for Structures:

- 20% of the lot area

Maximum Structure Height:

- 35 feet
- Agriculture related accessory structures are exempt

Additional Standards that may Apply

Height.....	Sec. 330-010
Accessory Uses and Structures	Sec. 250-030
Home Occupations	Sec. 260-230
Fences and Walls	Sec. 250-090
Landscaping	Division 300
Capacity of Infrastructure	Division 270
Parking	Division 280
Signs.....	Division 290
Historic Preservation.....	Division 240

Oldham County Comprehensive Zoning Ordinance
DIVISION 40 R-1A RESIDENTIAL DISTRICT

DIVISION 40 R-1A RESIDENTIAL DISTRICT

Sec. 040-010 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 Permitted Uses

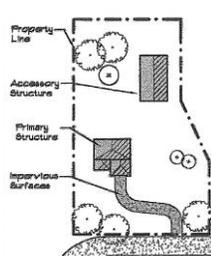
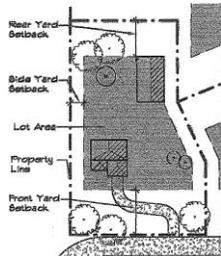
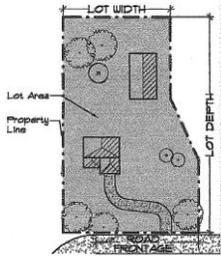
- Agricultural Uses**
Agricultural uses
- Community Facilities**
Colleges and Schools, not for profit (CF)
Community Centers, not for profit
Public and Governmental Buildings and Facilities
- Public Parks and Recreation**
Boat Docks and Launching Areas,
Recreational Camps, Resorts
Public Parks and Forest Preserves
Public Picnic Grounds, Beaches, Bridle and Bicycle Paths
- Religious Institutions**
Churches and other Religious Institutions
- Residential**
Dwellings – Single-Family Detached
- Special**
Lakes (man-made) non-commercial
- Utilities**
Public Utility Buildings and Facilities (CF)

Sec. 040-030 Conditional Uses

- Agricultural Uses**
Riding Academies and Stables
- Commercial**
Veterinary Hospitals and Kennels
- Community Facilities and Services**
Day Care Facilities for four or more children
Marinas
- Indoor and Outdoor Recreation**
Private Clubs, Country Clubs, Golf Courses except Miniature Courses or Commercial Driving Ranges
Swimming Pools, Tennis Courts and similar enterprises
- Residential**
Community Residences
Manufactured Homes – Single-Family Detached
Nursing Homes
- Special**
Borrow Pits, Quarry, Gravel Pit or Stone Mill
Cemeteries, Mausoleums and Crematories
Commercial Lakes
Extraction and Development of Natural Resources
Private Airports, Heliports, and other Airship or Flying Machine Take-off or Landing Facilities
- Utilities**
Private Utility Buildings and Facilities

(CF) Community Facilities Review
Refer to Division 400

Sec. 040-040 R-1A Residential District Property Development Regulations



Minimum Lot Area:

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

Minimum Lot Width:

- 100 feet
- 150 feet for lots without sanitary sewers

Maximum

Density/Intensity:

- 1.74 DU/Acre
- 0.25 FAR

Maximum Structure

Height:

- 35 feet
- Agriculture related accessory structures are exempt

Minimum Front Yard Setback:

- 35 feet

Minimum Side Yard Setback:

- 15 feet
- 30 feet total for both sides if no street side
- 35 feet for street side

Minimum Rear Yard Setback:

Setback:

- 30 feet

Maximum Lot Coverage for Structures:

- 30% of the lot area

Additional Standards that may Apply

Height	Sec. 330-010
Accessory Uses and Structures	Sec. 250-030
Home Occupations	Sec. 260-230
Fences and Walls.....	Sec. 250-090
Landscaping	Division 300
Capacity of Infrastructure	Division 270
Parking	Division 280
Signs.....	Division 290
Historic Preservation.....	Division 240

Oldham County Comprehensive Zoning Ordinance
DIVISION 50 R-1 RESIDENTIAL DISTRICT

DIVISION 50 R-1 RESIDENTIAL DISTRICT

Sec. 050-010 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 Permitted Uses

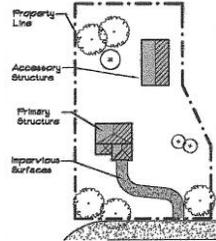
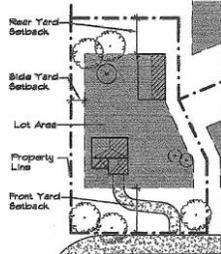
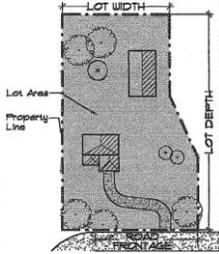
- Agricultural Uses**
Agricultural uses
- Community Facilities**
Colleges and Schools, not for profit (CF)
Community Centers, not for profit
Public and Governmental Buildings and Facilities
- Public Parks and Recreation**
Boat Docks and Launching Areas,
Recreational Camps, Resorts
Public Parks and Forest Preserves
Public Picnic Grounds, Beaches, Bridle and Bicycle Paths
- Religious Institutions**
Churches and other Religious Institutions
- Residential**
Dwellings – Detached Single-Family
Detached
- Special**
Lakes (man-made) non-commercial
- Utilities**
Public Utility Buildings and Facilities (CF)

Sec. 050-030 Conditional Uses

- Agricultural Uses**
Riding Academies and Stables
- Commercial**
Veterinary Hospitals and Kennels
- Community Facilities and Services**
Day Care Facilities for four or more children
Marinas
- Recreation**
Private Clubs, Country Clubs, Golf Courses except Miniature Courses or Commercial
Driving Ranges
Swimming Pools, Tennis Courts and similar enterprises
- Residential**
Community Residences
Manufactured Homes – Single-Family
Detached
Nursing Homes
- Special**
Borrow Pits
Cemeteries, Mausoleums and Crematories
Commercial Lakes
Extraction and Development of Natural Resources
- Utilities**
Private Utility Buildings and Facilities

(CF) Community Facilities Review
Refer to Division 400

Sec. 050-040 R-1 Residential District Property Development Regulations



Minimum Lot Area:

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

Minimum Lot Width:

- 100 feet
- 150 feet for lots without sanitary sewers

Maximum

Density/Intensity:

- 2.17 DU/Acre
- 0.25 FAR

Maximum Structure Height:

- 35 feet

Minimum Front Yard Setback:

- 35 feet

Minimum Side Yard Setback:

- 15 feet
- 30 feet total for both sides if no street side
- 35 feet for street side

Minimum Rear Yard Setback:

- 30 feet

Maximum Lot Coverage for Structures:

- 30% of the lot area

Additional Standards that may Apply

Height.....	Sec. 330-010
Accessory Uses and Structures	Sec. 250-030
Home Occupations	Sec. 260-230
Fences and Walls.....	Sec. 250-090
Landscaping	Division 300
Capacity of Infrastructure	Division 270
Parking	Division 280
Signs.....	Division 290
Historic Preservation.....	Division 240

Oldham County Comprehensive Zoning Ordinance
DIVISION 60 R-2 RESIDENTIAL DISTRICT

DIVISION 60 R-2 RESIDENTIAL DISTRICT

Sec. 060-010 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 Permitted Uses

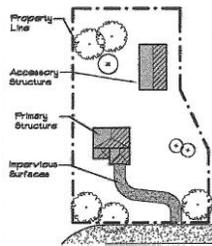
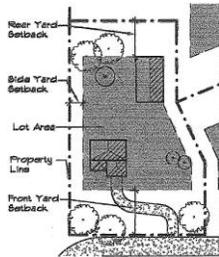
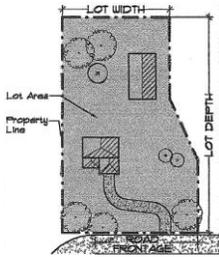
- Agricultural Uses**
Agricultural uses
- Community Facilities**
Colleges and Schools, not for profit (CF)
Community Centers, not for profit
Public and Governmental Buildings and Facilities
- Public Parks and Recreation**
Boat Docks and Launching Areas
Public Parks and Forest Preserves
Public Picnic Grounds, Beaches, Bridle and Bicycle Paths
- Religious Institutions**
Churches and other Religious Institutions
- Residential**
Dwellings – Single-Family Detached
- Special**
Lakes (man-made) non-commercial
- Utilities**
Public Utility Buildings and Facilities (CF)

Sec. 060-030 Conditional Uses

- Agricultural Uses**
Riding Academies and Stables
- Community Facilities and Services**
Day Care Facilities for four or more children
Marinas
- Health Services**
Hospitals and Institutions
- Recreation**
Private Clubs, Country Clubs, Golf Courses except Miniature Courses or Commercial
Driving Ranges
Recreational Camps, Resorts
Swimming Pools, Tennis Courts and similar enterprises
- Residential**
Community Residences
Manufactured Homes – Single-Family
Detached
Nursing Homes
- Special**
Borrow Pits
Cemeteries, Mausoleums and Crematories
Commercial Lakes
Extraction and Development of Natural Resources
- Utilities**
Private Utility Buildings and Facilities

(CF) Community Facilities Review
Refer to Division 400

Sec. 060-040 R-2 Residential District Property Development Regulations



Minimum Lot Area:

- 12,000 square feet with sanitary sewers
- 43,560 square feet without sanitary sewers

Minimum Lot Width:

- 80 feet
- 150 feet for lots without sanitary sewers

Maximum Density/Intensity:

- 3.63 DU/Acre
- 0.35 FAR

Minimum Front Yard Setback:

- 35 feet

Minimum Side Yard Setback:

- 7 feet
- 25 feet total for both sides if no street side
- 35 feet for street side

Minimum Rear Yard Setback:

- 25 feet

Maximum Lot Coverage for Structures:

- 30% of the lot area

Maximum Structure Height:

- 35 feet

Additional Standards that may Apply

Height.....	Sec. 330-010
Accessory Uses and Structures	Sec. 250-030
Home Occupations	Sec. 260-230
Fences and Walls	Sec. 250-090
Landscaping	Division 300
Capacity of Infrastructure	Division 270
Parking	Division 280
Signs.....	Division 290
Historic Preservation.....	Division 240

**Oldham County Comprehensive Zoning Ordinance
DIVISION 70 R-2A RESIDENTIAL DISTRICT**

DIVISION 70 R-2A RESIDENTIAL DISTRICT

Sec. 070-010 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, and attached two-family areas and neighborhoods at densities ranging from one (1) dwelling unit per acre up to 5.8 dwelling units per acre.

Sec. 070-020 Permitted Uses

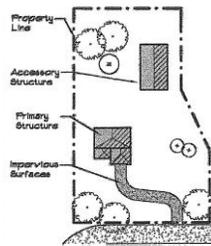
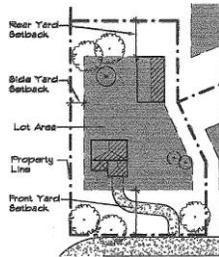
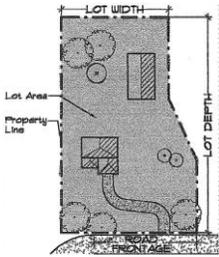
- Agricultural Uses**
Agricultural uses
- Community Facilities**
Colleges and Schools, not for profit (CF)
Community Centers, not for profit
Public and Governmental Buildings and Facilities
- Public Parks and Recreation**
Public Parks and Forest Preserves
Public Picnic Grounds, Beaches, Bridle and Bicycle Paths
- Religious Institutions**
Churches and other Religious Institutions
- Residential**
Dwellings – Single-Family Detached
- Special**
Lakes (man-made) non-commercial
- Utilities**
Public Utility Buildings and Facilities (CF)

Sec. 070-030 Conditional Uses

- Agricultural Uses**
Riding Academies and Stables
- Community Facilities and Services**
Day Care Facilities for four or more children
Marinas
- Health Services**
Hospitals and Institutions
- Public Parks and Recreation**
Boat Docks and Launching Areas,
Recreational Camps, Resorts
- Recreation**
Private Clubs, Country Clubs, Golf Courses except Miniature Courses or Commercial
Driving Ranges
- Residential**
Community Residences
Nursing Homes
- Special**
Borrow Pits
Cemeteries, Mausoleums and Crematories
Commercial Lakes
Extraction and Development of Natural Resources
- Utilities**
Private Utility Buildings and Facilities

(CF) Community Facilities Review
Refer to Division 400

Sec. 070-040 R-2A Residential District Property Development Regulations



Minimum Lot Area:

- 7,500 square feet with sanitary sewers
- 43,560 square feet without sanitary sewers

Minimum Lot Width:

- 50 feet
- 150 feet for lots without sanitary sewers

Maximum Density/Intensity:

- 5.81 DU/Acre
- 0.50 FAR

Maximum Structure Height:

- 35 feet

Minimum Front Yard Setback:

- 30 feet

Minimum Side Yard Setback:

- 7 feet
- 16 feet total for both sides if no street side
- 30 feet for street side

Minimum Rear Yard Setback:

- 25 feet

Maximum Lot Coverage for Structures:

- 30% of the lot area

Minimum Common Open Space:

- 250 sq. ft. per dwelling unit

Additional Standards that may Apply

Height.....	Sec. 330-010
Accessory Uses and Structures	Sec. 250-030
Home Occupations	Sec. 260-230
Fences and Walls	Sec. 250-090
Landscaping	Division 300
Capacity of Infrastructure	Division 270
Parking	Division 280
Signs.....	Division 290
Historic Preservation.....	Division 240

Oldham County Comprehensive Zoning Ordinance
DIVISION 80 R-3 RESIDENTIAL DISTRICT

DIVISION 80 R-3 RESIDENTIAL DISTRICT

Sec. 080-010 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 attached two-family areas and neighborhoods at densities ranging from one (1) dwelling unit per acre up to 5.8 dwelling units per acre.

Sec. 080-020 Permitted Uses

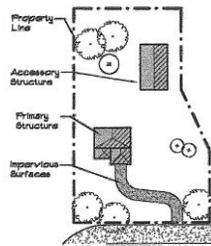
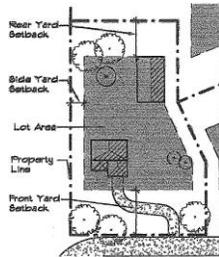
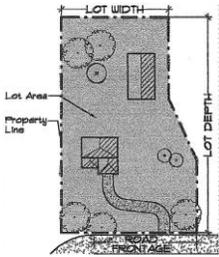
- Agricultural Uses**
Agricultural uses
- Community Facilities**
Colleges and Schools, not for profit (CF)
Community Centers, not for profit
Public and Governmental Buildings and Facilities
- Public Parks and Recreation**
Public Parks and Forest Preserves
Public Picnic Grounds, Beaches, Bridle and Bicycle Paths
- Religious Institutions**
Churches and other Religious Institutions
- Residential**
Dwellings – Single-Family Detached
Dwellings – Two-Family
- Special**
Lakes (man-made) non-commercial
- Utilities**
Public Utility Buildings and Facilities (CF)

Sec. 080-030 Conditional Uses

- Agricultural Uses**
Riding Academies and Stables
- Community Facilities and Services**
Day Care Facilities for four or more children
Marinas
- Health Services**
Hospitals and Institutions
- Public Parks and Recreation**
Boat Docks and Launching Areas,
Recreational Camps, Resorts
- Recreation**
Private Clubs, Country Clubs, Golf Courses except Miniature Courses or Commercial
Driving Ranges
- Residential**
Community Residences
Nursing Homes
- Special**
Borrow Pits
Cemeteries, Mausoleums and Crematories
Commercial Lakes
Extraction and Development of Natural Resources
- Utilities**
Private Utility Buildings and Facilities

(CF) Community Facilities Review
Refer to Division 40

Sec. 080-040 R-3 Residential District Property Development Regulations



Minimum Lot Area:

- 7,500 square feet with sanitary sewers
- 43,560 square feet without sanitary sewers

Minimum Lot Width:

- 50 feet
- 150 feet for lots without sanitary sewers

Maximum Density/Intensity:

- 5.81 DU/Acre
- 0.50 FAR

Maximum Structure Height:

- 35 feet

Minimum Front Yard Setback:

- 30 feet

Minimum Side Yard Setback:

- 7 feet
- 16 feet total for both sides if no street side
- 30 feet for street side

Minimum Rear Yard Setback:

- 25 feet

Maximum Lot Coverage for Structures:

- 30% of the lot area

Minimum Common Open Space:

- 250 sq. ft. per dwelling unit

Additional Standards that may Apply

Height.....	Sec. 330-010
Accessory Uses and Structures	Sec. 250-030
Home Occupations	Sec. 260-230
Fences and Walls	Sec. 250-090
Landscaping	Division 300
Capacity of Infrastructure	Division 270
Parking	Division 280
Signs.....	Division 290
Historic Preservation.....	Division 240

Oldham County Comprehensive Zoning Ordinance
DIVISION 90 R-4A RESIDENTIAL DISTRICT

DIVISION 90 R-4A RESIDENTIAL DISTRICT

Sec. 090-010 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 ranging from one (1) dwelling unit per acre up to 8 dwelling units per acre.

Sec. 090-020 Permitted Uses

- Agricultural Uses**
Agricultural uses
- Community Facilities**
Colleges and Schools, not for profit (CF)
Community Centers, not for profit
Public and Governmental Buildings and 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)
- Special**
Lakes (man-made) non-commercial
- Utilities**
Public Utility Buildings and Facilities (CF)

Sec. 090-030 Conditional Uses

- Agricultural Uses**
Riding Academies and Stables
- Community Facilities and Services**
Day Care Facilities for four or more children
Marinas
- Health Services**
Hospitals and Institutions
- Public Parks and Recreation**
Boat Docks and Launching Areas,
Recreational Camps, Resorts
- Residential**
Community Residences
Nursing Homes
- Recreation**
Private Clubs, Country Clubs, Golf Courses except Miniature Courses or Commercial
Driving Ranges
- Special**
Borrow Pits
Cemeteries, Mausoleums and Crematories
Commercial Lakes
Extraction and Development of Natural Resources
- Utilities**
Private Utility Buildings and Facilities

(CF) Community Facilities Review
Refer to Division 400

Sec. 090-040 R-4A Residential District Property Development Regulations

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Minimum Lot Area:

- 5,000 square feet for detached structures
- 2,000 square feet per dwelling unit for attached structures (See Sec. 250-070)
- 43,560 square feet without sewers

Minimum Lot Width:

- 50 feet for detached structures
- 18 feet for attached structures

Maximum Density/Intensity:

- 8 DU/Acre
- 0.50 FAR

Maximum Structure Height:

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- 35 feet

Minimum Front Yard Setback:

- 20 feet

Minimum Side Yard Setback:

- 7 feet (detached)
- 16 feet total for both sides (detached)
- 7 feet for street side (detached)
- 0 feet (attached)
- 10 feet for end unit of attached structures

Minimum Rear Yard Setback:

- 20 feet

Additional Standards that may Apply

Height	Sec. 330-010
Accessory Uses and Structures	Sec. 250-030
Home Occupations	Sec. 260-230
Fences and Walls	Sec. 250-090
Landscaping	Division 300
Capacity of Infrastructure	Division 270
Parking	Division 280
Signs	Division 290
Historic Preservation	Division 240

Oldham County Comprehensive Zoning Ordinance
DIVISION 100 R-4 RESIDENTIAL DISTRICT

DIVISION 100 R-4 RESIDENTIAL DISTRICT

Sec. 100-010 Intent

The purpose of the R-4 Residential District is to allow higher density residential uses and low intensity non-residential uses in locations 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. 100-020 Permitted Uses

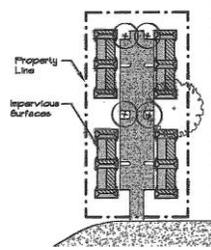
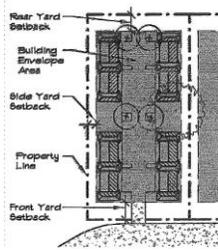
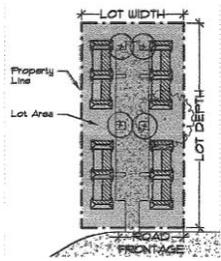
- Agricultural Uses**
Agricultural uses
- Community Facilities**
Colleges and Schools, not for profit (CF)
Community Centers, not for profit
Public and Governmental Buildings and Facilities
- Office**
Professional Offices
- Public Parks and Recreation**
Public Parks and Forest Preserves
Public Picnic Grounds, Beaches, Bridle and Bicycle Paths
- Religious Institutions**
Churches and other Religious Institutions
- Residential**
Dwellings – Single-Family Detached
Dwellings – Two-Family
Dwellings – Multi-Family
- Special**
Lakes (man-made) non-commercial
- Utilities**
Public Utility Buildings and Facilities (CF)

Sec. 100-030 Conditional Uses

- Community Facilities and Services**
Day Care Facilities for four or more children
Marinas
- Health Services**
Hospitals and Institutions
- Public Parks and Recreation**
Boat Docks and Launching Areas,
Recreational Camps, Resorts
- Recreation**
Private Clubs, Country Clubs, Golf Courses except Miniature Courses or Commercial
Driving Ranges
Swimming Pools, Tennis Courts and similar enterprises
- Residential**
Community Residences
Nursing Homes
- Special**
Borrow Pits
Cemeteries, Mausoleums and Crematories
Commercial Lakes
Extraction and Development of Natural Resources
- Utilities**
Private Utility Buildings and Facilities

(CF) Community Facilities Review
Refer to Division 400

Sec. 100-040 R-4 Residential District Property Development Regulations



Minimum Lot Area:

- 6000 square feet with sanitary sewers
- 43,560 square feet for each residential structure without sanitary sewers

Minimum Lot Width:

- 50 feet
- 150 feet for lots without sanitary sewers

Maximum

Density/Intensity:

- 16 DU/Acre
- 4 DU/Acre without sanitary sewers
- 0.50 FAR

Maximum Structure Height:

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- 45 feet

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 if no street side
- 25 feet

Minimum Rear Yard Setback:

- 25 feet

Maximum Lot Coverage for Structures:

- 50% of the lot area

Minimum Common Open Space:

- 250 sq. ft. per dwelling unit

Additional Standards that may Apply

Height.....	Sec. 330-010
Accessory Uses and Structures	Sec. 250-030
Home Occupations	Sec. 260-230
Fences and Walls	Sec. 250-090
Landscaping	Division 300
Capacity of Infrastructure	Division 270
Parking	Division 280
Signs.....	Division 290
Historic Preservation.....	Division 240

DIVISION 110 T MANUFACTURED HOME DISTRICT

Sec. 110-010 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 require 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 Permitted Uses

Community Facilities

Colleges and Schools, not for profit (CF)
Community Centers, not for profit
Public and Governmental Buildings and 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

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

Utilities

Public Utility Buildings and Facilities (CF)

Sec. 110-030 Conditional Uses

Community Facilities and Services

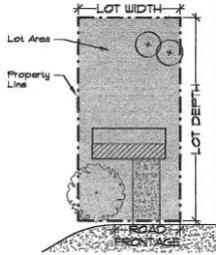
Day Care Facilities for four or more children

Utilities

Private Utility Buildings and Facilities

(CF) Community Facilities Review
Refer to Division 400

Sec. 110-040 T Manufactured Home District Property Development Regulations



Minimum Lot Area:

- 5000 square feet for each manufactured home space or lot

Minimum Lot Width:

- 40 feet of frontage on an improved access road

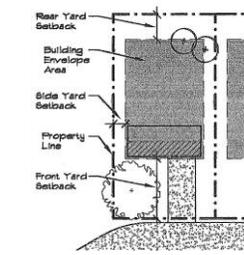
Maximum Density/Intensity:

- 8 DU/Acre
- 0.50 FAR

Maximum Structure Height:

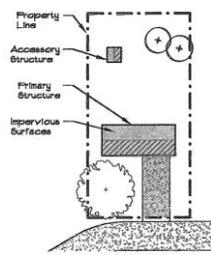
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- 25 feet



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% of the lot area

Additional Standards that may Apply

Height.....	Sec. 330-010
Accessory Uses and Structures	Sec. 250-030
Home Occupations	Sec. 260-230
Fences and Walls	Sec. 250-090
Landscaping	Division 300
Capacity of Infrastructure	Division 270
Parking	Division 280
Signs.....	Division 290
Historic Preservation.....	Division 240

Oldham County Comprehensive Zoning Ordinance
DIVISION 120 O-1 OFFICE DISTRICT

DIVISION 120 O-1 OFFICE DISTRICT

Sec. 120-010 Intent

The purpose of the O-1 Office District is to provide locations for low intensity 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 nearby residential neighborhoods and does not create or generate an excessive amount of traffic and/or noise.

Sec. 120-020 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
- Special**
Lakes (man-made) non-commercial
- Utilities**
Public Utility Buildings and Facilities (CF)

Sec. 120-030 Conditional Uses

- Residential**
Community Residences
- Recreation**
Aviaries and Zoos
- Health Services**
Hospitals and Institutions
- Community Facilities and Services**
Nursery Schools, Day Nurseries, and Child Care Centers
- Utilities**
Private Utility Buildings and Facilities
- 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 or Landing Facilities
Cemeteries, Mausoleums and Crematories
Commercial Lakes

(CF) Community Facilities Review
Refer to Division 400

Sec. 120-040 O-1 Office District Property Development Regulations

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Minimum Lot Area:

- 5,000 square feet with sanitary sewers
- 43,560 square feet without sanitary sewers

Minimum Lot Width:

- 50 feet

Maximum Density/Intensity:

- 6 DU/Acre
- 1.0 FAR

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 if no street side
- 25 feet plus 3 feet for each story over three for street side

Minimum Rear Yard Setback:

- 25 feet

Maximum Impervious Surface Including Structures:

- 80% of the lot area

Maximum Lot Coverage for Structures:

- 65% of the Lot Area

Maximum Structure Height:

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- 45 feet

Additional Standards that may Apply

Height.....	Sec. 330-010
Accessory Uses and Structures	Sec. 250-030
Home Occupations	Sec. 260-230
Fences and Walls	Sec. 250-090
Landscaping	Division 300
Capacity of Infrastructure	Division 270
Parking	Division 280
Signs.....	Division 290
Historic Preservation.....	Division 240

Oldham County Comprehensive Zoning Ordinance
DIVISION 130 O-2 OFFICE DISTRICT

DIVISION 130 O-2 OFFICE DISTRICT

Sec. 130-010 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 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
- Special**
Lakes (man-made) non-commercial
Private Clubs
- Utilities**
Public Utility Buildings and Facilities

Sec. 130-030 Conditional Uses

- Commercial**
Funeral Homes and Mortuaries
Veterinary Hospitals and Kennels
- Health Services**
Hospitals and Institutions
- Natural Resource**
Borrow Pits, Quarry, Gravel Pit, or Stone Mill
Extraction and Development of Natural Resources
- 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

(CF) Community Facilities Review
Refer to Division 400

Sec. 130-040 O-2 Office District Property Development Regulations

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Minimum Lot Area:

- 10,000 square feet with sanitary sewers
- 43,560 square feet without sanitary sewers

Minimum Lot Width:

- 50 feet

Maximum Density/Intensity:

- 16 DU/Acre
- 3.0 FAR

Minimum Front Yard Setback:

- 35 feet front yard

Minimum Side Yard Setback:

- 10 feet
- 20 feet total of both sides
- 35 feet for street side

Minimum Rear Yard Setback:

- 25 feet

Maximum Impervious Surface Including Structures:

- 85% of the lot area

Maximum Lot Coverage for Structures:

- 65% of the lot area

Maximum Structure Height:

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- 45 feet

Additional Standards that may Apply

Height	Sec. 330-010
Accessory Uses and Structures	Sec. 250-030
Home Occupations	Sec. 260-230
Fences and Walls	Sec. 250-090
Landscaping	Division 300
Capacity of Infrastructure	Division 270
Parking	Division 280
Signs.....	Division 290
Historic Preservation.....	Division 240

DIVISION 140 C-N COMMERCIAL NEIGHBORHOOD DISTRICT

Sec. 140-010 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 Permitted Uses

- Agricultural Uses**
 - Agricultural uses
 - Farmers Market
- 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)
 - Private Clubs
- 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
- Special**
 - Bed and Breakfasts
 - Lakes (man-made) non-commercial
- Utilities**
 - Public Utility Buildings and Facilities (CF)

Sec. 140-030 Conditional Uses

- Commercial**
 - Funeral Homes and Mortuaries
 - Veterinary Hospitals and Kennels
- 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**
 - Community Residences
 - Manufactured Homes
- Special**
 - Private Clubs
- Utilities**
 - Private Utility Buildings and Facilities
 - Sewage Treatment Plants

(CF) Community Facilities Review
Refer to Division 400

Sec. 140-040 C-N Commercial Neighborhood District

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Minimum Lot Area:

- 5,000 square feet with sanitary sewers
- 43,560 square feet without sanitary sewers

Minimum Lot Width:

- 50 feet

Maximum Density/Intensity:

- 16 DU/Acre
- 2.0 FAR

Minimum Setbacks:

- None except when abutting a residential district

Maximum Impervious Surface Including Structures:

- 85% of the lot area

Maximum Lot Coverage for Structures:

- 65% of the lot area

Maximum Structure Height:

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- 45 feet

Additional Standards that may Apply

Height.....	Sec. 330-010
Accessory Uses and Structures	Sec. 250-030
Home Occupations	Sec. 260-230
Fences and Walls	Sec. 250-090
Landscaping	Division 300
Capacity of Infrastructure	Division 270
Parking	Division 280
Signs.....	Division 290
Historic Preservation.....	Division 240

Oldham County Comprehensive Zoning Ordinance
DIVISION 150 C-1 LOCAL BUSINESS DISTRICT

DIVISION 150 C-1 LOCAL BUSINESS DISTRICT

Sec. 150-010 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 Permitted Uses

- Agricultural Uses**
 - Agricultural uses
 - Farmers Market
 - Riding Academies and Stables
- Commercial**
 - Funeral Homes and Mortuaries
 - 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. 150-030 Conditional Uses

- Residential**
 - Community Residences
- Commercial**
 - Veterinary Hospitals and Kennels
- Community Facilities and Services**
 - Community Residences
 - 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, Golf 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

(CF) Community Facilities Review
Refer to Division 400

Sec. 150-040 C-1 Local Business District Property Development Regulations

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Minimum Lot Area:

- 7,500 square feet with sanitary sewers

Minimum Lot Width:

- 50 feet

Maximum Density/Intensity:

- 0.50 FAR

Minimum Setbacks:

- None except when abutting a residential district

Maximum Impervious Surface Including Structures:

- 65% of the lot area

Maximum Lot Coverage for Structures:

- 40% of the lot area

Maximum Structure Height:

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- 45 feet

Additional Standards that may Apply

Height.....	Sec. 330-010
Accessory Uses and Structures	Sec. 250-030
Home Occupations	Sec. 260-230
Fences and Walls	Sec. 250-090
Landscaping	Division 300
Capacity of Infrastructure	Division 270
Parking	Division 280
Signs.....	Division 290
Historic Preservation.....	Division 240

Oldham County Comprehensive Zoning Ordinance
DIVISION 160 C-2 COMMUNITY BUSINESS DISTRICT

DIVISION 160 C-2 COMMUNITY BUSINESS DISTRICT

Sec. 160-010 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 Permitted Uses

- Agricultural Uses**
 - Agricultural uses
 - Farmers Market
 - Riding Academies and Stables
- Commercial**
 - Funeral Homes and Mortuaries
 - Hotels and Motels
 - Nursing Homes
 - Retail and Personal Service 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. 160-030 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

(CF) Community Facilities Review
Refer to Division 400

Sec. 160-040 C-2 Community Business District Property Development Regulations

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Minimum Lot Area:

- 6,000 square feet

Minimum Lot Width:

- 50 feet
- 150 feet without sanitary sewers

Maximum Density/Intensity:

- 1.0 FAR

Minimum Setbacks:

- None except when abutting a residential district

Maximum Impervious Surface Including Structures:

- 65% of the lot area

Maximum Lot Coverage for Structures:

- 40% of the lot area

Additional Standards that may Apply

Maximum Structure Height:

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- 45 feet

Height.....	Sec. 330-010
Accessory Uses and Structures	Sec. 250-030
Home Occupations	Sec. 260-230
Fences and Walls	Sec. 250-090
Landscaping	Division 300
Capacity of Infrastructure	Division 270
Parking	Division 280
Signs.....	Division 290
Historic Preservation.....	Division 240

Oldham County Comprehensive Zoning Ordinance
DIVISION 170 C-3 GENERAL BUSINESS DISTRICT

DIVISION 170 C-3 GENERAL BUSINESS DISTRICT

Sec. 170-010 Intent

The purpose of the C-3 General Business District is to provide for appropriate locations for a wide variety of business, 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 Permitted Uses

- Agricultural Uses**
 - Agricultural uses
 - Farmers Market
 - Riding Academies and Stables
- Commercial**
 - Building Material Sales
 - Funeral Homes and Mortuaries
 - Hotels and Motels
 - Nursing Homes
 - Printing and Lithograph Shops
 - Retail and Personal Service 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 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
 - 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
 - Public Picnic Grounds, Beaches, Bridle and Bicycle Paths
- Recreation**
 - Indoor Movie Theatres
 - Private Country Clubs, Golf Courses
 - Miniature Courses or Commercial Driving Ranges
- Religious Institutions**
 - Churches and other Religious Institutions
- Special**
 - Lakes (man-made) non-commercial
- Utilities**
 - Public Utility Buildings and Facilities

Sec. 170-030 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
- 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

(CF) Community Facilities Review
Refer to Division 400

Sec. 170-040 C-3 General Business District Property Development Regulations

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Minimum Lot Area:

- 6,000 square feet with sanitary sewers

Minimum Lot Width:

- 50 feet
- 150 feet without sanitary sewers

Maximum Density/Intensity:

- 1.0 FAR

Minimum Setbacks:

- None except when abutting a residential district

Maximum Structure Height:

- 45 feet

Maximum Impervious Surface Including Structures:

- 65% of the lot area

Maximum Lot Coverage for Structures:

- 40% of the lot area

Additional Standards that may Apply

Maximum Structure Height:

Reserved for Image

- 45 feet

Height	Sec. 330-010
Accessory Uses and Structures	Sec. 250-030
Home Occupations	Sec. 260-230
Fences and Walls.....	Sec. 250-090
Landscaping	Division 300
Capacity of Infrastructure.....	Division 270
Parking	Division 280
Signs	Division 290
Historic Preservation	Division 240

Oldham County Comprehensive Zoning Ordinance
DIVISION 180 C-4 HIGHWAY SERVICE DISTRICT

DIVISION 180 C-4 HIGHWAY SERVICE DISTRICT

Sec. 180-010 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 Permitted Uses

Agricultural Uses
Agricultural Uses
Farmers Market
Riding Academies and Stables
Commercial
Building Material Sales
Funeral Homes and Mortuaries
Hotels and Motels
Nursing Homes
Printing and Lithograph Shops
Retail and Personal Service Establishments
Vehicle Repair Including Service 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 and Launching Areas, Recreational Camps, Resorts
Indoor Movie Theatres
Miniature Courses or Driving Ranges
Private Country Clubs, Golf Courses
Public Parks and Forest Preserves
Religious Institutions
Churches and Other Religious Institutions
Utilities
Public Utility Buildings and Facilities

Sec. 180-030 Conditional Uses

Commercial
Veterinary Hospitals and Kennels
Community Facilities and Services
Marinas or Boat Rental
Health Services
Hospitals and Institutions
Heavy Industrial
Freight Terminals and Similar Enterprises
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
Aqua-Culture
Cemeteries, Mausoleums and Crematories
Utilities
Private Utilities
Sewage Treatment Plants

(CF) Community Facilities Review
Refer to Division 400

Sec. 180-040 C-4 Highway Service District Property Development Regulations

Reserved for Image

Reserved for Image

Reserved for Image

Minimum Lot Area:

- 5,000 square feet with sanitary sewers

Minimum Lot Width:

- 50 feet
- 150 feet without sanitary sewers

Maximum Density/Intensity:

- 2.0 FAR

Minimum Setbacks:

- None except when abutting a residential district

Maximum Impervious Surface Including Structures:

- 65% of the lot area

Maximum Lot Coverage for Structures:

- 40% of the lot area

Maximum Structure Height:

Reserved for Image

- 45 feet

Additional Standards that may Apply

Height	Sec. 330-010
Accessory Uses and Structures	Sec. 250-030
Home Occupations	Sec. 260-230
Fences and Walls	Sec. 250-090
Landscaping	Division 300
Capacity of Infrastructure	Division 270
Parking	Division 280
Signs	Division 290
Historic Preservation	Division 240

Oldham County Comprehensive Zoning Ordinance
DIVISION 190 I-1 LIGHT INDUSTRIAL DISTRICT

DIVISION 190 I-1 LIGHT INDUSTRIAL DISTRICT

Sec. 190-010 Intent

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

Sec. 190-020 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
Art Studios
Colleges and Schools, not for profit (CF)
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
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. 190-030 Conditional Uses

Commercial
Veterinary Hospitals and Kennels
Community Facilities and Services
Marinas or Boat Rental
Private Utilities
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
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
Salvage Yards
Utilities
Private Utility Buildings and Facilities
Sewage Treatment Plants

(CF) Community Facilities Review
Refer to Division 400

Sec. 190-040 I-1 Industrial District Property Development Regulations

Reserved for Image

Reserved for Image

Reserved for Image

Minimum Lot Area:

- 10,000 square feet

Minimum Lot Width:

- 50 feet

Maximum Density/Intensity:

- 1.0 FAR

Minimum Front Yard Setback:

- 100 feet (Parking with a minimum of 35 feet front yard setback shall be permitted in this area)

Minimum Side Yard Setback:

- 35 feet
- 75 feet side yard setback is required where a side yard abuts a residential district

Minimum Rear Yard Setback:

- 25 feet

Additional Standards that may Apply

Height	Sec. 330-010
Accessory Uses and Structures	Sec. 250-030
Home Occupations	Sec. 260-230
Fences and Walls	Sec. 250-090
Landscaping	Division 300
Capacity of Infrastructure	Division 270
Parking	Division 280
Signs	Division 290
Historic Preservation	Division 240

Maximum Structure Height:

Reserved for Image

- 50 feet

Oldham County Comprehensive Zoning Ordinance
DIVISION 200 I-2 HEAVY INDUSTRIAL DISTRICT

DIVISION 200 I-2 HEAVY INDUSTRIAL DISTRICT

Sec. 200-010 Intent

The purpose of the I-2 Heavy Industrial District is to provide for industrial uses not allowed in any other district providing that such uses are not obnoxious or offensive by reason of the 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 Permitted Uses

Agricultural Uses
Agricultural Uses
Riding Academies and Stables
Commercial
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
Bottlers, Distilleries, and Wineries
Canneries and Agricultural Processing
Freight Terminals and Similar Enterprises
Ice Manufacturing and Cold Storage
Manufacturing or Assembly of Aircraft, Vehicles, Boilers, Auto Parts, Engines, Motors and Generator, Manufactured Homes, Trailers, Railroad Equipment, and Other Products Which Require the Use of Heavy Machinery
Metal, Glass and Paper Recycling Plants
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
Box Factory
Brewery, Distillery
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. 200-030 Conditional Uses

Commercial
Funeral Homes and Mortuaries
Veterinary Hospitals and Kennels
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
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, Golf Courses, Miniature Golf Courses, Golf Driving Ranges, Swimming Pools, Tennis Courts and Similar Enterprises
Commercial Rifle, Pistol and Skeet Ranges, Indoor and Outdoor
Private Clubs, Country Clubs, Golf Courses except Miniature Courses or Commercial 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
Salvage Yards
Utilities
Private Utility Buildings and Facilities

(CF) Community Facilities Review
Refer to Division 400

Sec. 200-040 I-2 Industrial District Property Development Regulations

Reserved for Image

Reserved for Image

Reserved for Image

Minimum Lot Area:

- 10,000 square feet

Minimum Lot Width:

- 50 feet

Maximum Density/Intensity:

- 1.5 FAR

Minimum Front Yard Setback:

- 100 feet (Parking with a minimum of 35 feet front yard setback shall be permitted in this area)

Minimum Side Yard Setback:

- 35 feet
- 75 feet side yard setback is required where a side yard abuts a residential district

Minimum Rear Yard Setback:

- 25 feet

Maximum Impervious Surface Including Structures:

- 90% of the Lot Area

Maximum Lot Coverage for Structures:

- 75% of the Lot Area

Maximum Structure Height:

Reserved for Image

- 50 feet
- An additional height of 5 feet or a fraction thereof is permitted for every 5 feet the required front, side and rear yards are increased

Additional Standards that may Apply

Height	Sec. 330-010
Accessory Uses and Structures.....	Sec. 250-030
Home Occupations	Sec. 260-230
Fences and Walls.....	Sec. 250-090
Landscaping.....	Division 300
Capacity of Infrastructure.....	Division 270
Parking.....	Division 280
Signs	Division 290
Historic Preservation	Division 240

DIVISION 210 IPD INDUSTRIAL PARK DISTRICT

Sec. 210-010 Intent

The intent of the Industrial Park District (IPD) is to create performance 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 Permitted Uses

All principally permitted uses in the Local Business District (C-1), Community Business District (C-2), General Business District (C-3), Highway Service District (C-4), Light Industrial District (I-1), and with the following exclusions 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. Manufactured Home Sales and Service
8. Planing Mill
9. Sawmill, Raw Log or Veneer Processing
10. Solid Fuel such as Coal, Coke and Wood, Storage and Sales
11. Stable
12. Vehicle Wholesaling
13. Vehicular Sales and Display
14. Vehicular Service and Repair with more than 2 bays and with services more than a commercial establishment supplying motor fuel or lubricating oil; or conducting minor repair and routine maintenance of vehicles including tune-ups, oil-changes, tire replacement and puncture repair, brake repair, brake drum turning provided that no more than two brake lathes are present on-site, muffler repair, car wash and similar operations

Sec. 210-030 Conditional Uses

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

1. Asphalt Processing and Road Mix Plant
2. Commercial Composting
3. Commercial Rifle, Pistol and Skeet Ranges
4. Concrete, Central Mixing and Batching Plants

Oldham County Comprehensive Zoning Ordinance
DIVISION 210 IPD INDUSTRIAL PARK DISTRICT

5. Extraction and Development of Oil, Gas, and other Hydrocarbons
6. Extraction and Development of other Natural Resources
7. Extractions of Minerals – Rocks and Earth Products
8. Fertilizer, Incineration, or Reduction Products
9. Grain, Feed and Fuel Storage Sales
10. Ham Curing Operations
11. Land-farming Facility for Solid Waste
12. Livestock, Hog, or Cattle Feeding Yards
13. Lumber Yards, including Incidental Millwork
14. Single-Family Manufactured Homes
15. Slaughter Houses, Rendering Plants, or similar conditional uses
16. Solid Waste Incinerators
17. Vehicle Wrecking and Salvage Operations

Sec. 210-040 Required Lot Area & Dimensions

A. Lot Area

There shall be a minimum of 1-acre lot area. The lot must be of sufficient area to accommodate the required yard setbacks, required landscaped areas, buildings and structures, parking areas, outside storage areas, signs, and any topographic characteristics without the need for variances in any of the provisions of Division 350.

B. Lot Width

Lots shall have a minimum width of one hundred feet (100') as measured along the public rights-of-way line or the minimum front yard building setback line.

Sec. 210-050 Required Setbacks

A. Required Yard Setbacks

All structures, parking areas, outside storage areas, and processing areas shall observe the following minimum setbacks measured from the public rights-of-way lines or property lines unless otherwise provided for Section 210:

Front Yard Setback	35 Feet
Side Yard Setback	15 Feet
Street side Yard Setback	35 feet
Rear Yard Setback	25 Feet

Front Yard Setback—but not less than 50 feet from the street rights-of-way line or proposed street rights-of-way line of a major or minor arterial roadway as designated by the County.

Side Yard Setback—not less than twenty-five feet (25') when the IPD district abuts a residential district.

Street-Side Yard Setback—same as Front Yard

Corner lots and double frontage lots shall observe a streetside yard setback equal to the minimum front yard setback of thirty-five feet (35').

B. Permissible Encroachments Into Required Yards

1. Sidewalks leading from parking areas may encroach into a ten-foot (10') 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.

Sec. 210-060 Building Height

There shall be no maximum height, provided all minimum yards are increased five feet (5') for each story over three (3) stories or forty-five feet (45').

Sec. 210-070 Maximum FAR and Lot Coverage

- A. Floor to area ratio: 1.0
- B. Maximum lot coverage for structures: 60%

Sec. 210-080 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

Parking surfaces shall be installed within ninety (90) days of the completion of the construction 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 at least five percent (5%) of the total parking/vehicle use area. One tree for every two hundred fifty square feet (250'²) should be provided in the interior parking area.

C. Parking Prohibitions

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. 210-090 Outdoor Storage

A. Outside Storage Setbacks

All outside 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:

Oldham County Comprehensive Zoning Ordinance
DIVISION 210 IPD INDUSTRIAL PARK DISTRICT

Front Yard	100 Feet
Side Yard	15 Feet

Outside storage shall not encroach in the above listed front yard or side yard. Outside 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 aside, required, or designated for driving aisles, driveways, maneuvering areas, emergency access ways or vehicular parking necessary to meet the minimum number of required off-street parking spaces.

B. Outside Storage Screening

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

C. Outside Storage Screening Completion & Maintenance

All outside 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 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. All outside storage screening shall be continuously maintained in a state of good condition and repair.

D. Outside 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. 210-100 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
 - 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.

Oldham County Comprehensive Zoning Ordinance
DIVISION 210 IPD INDUSTRIAL PARK DISTRICT

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) foot candle at the property line.
2. Landscaping
 - a. Front Yard/Street Side Yard:

The required thirty-five-foot (35') yard shall be landscaped with a continuous cover of grass or other type of ground cover. At a minimum, one (1) tree per every forty feet (40') of lot width shall be required, and such trees shall have a minimum two inch (2") 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-foot (3') tall continuous hedge, wall, fence or berm or a decrease of three feet (3') 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 fifteen-foot (15') side yard shall be landscaped with a continuous cover of grass or other type of ground cover. Trees, minimum of two inch (2") caliper, shall be placed in all side and rear yards in numbers equal to one (1) tree/seventy-five (75) lineal feet of boundary. Trees do not have to be equally spaced. All side and rear yards shall provide a fifteen-foot (15') 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 at minimum every eight feet (8') 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-inch (2") caliper at the time of planting.

Exterior site lighting shall be located outside the required side or rear yards adjoining residentially zoned areas and lighting shall be directed away from such adjoining residential areas and shall not be any more than one (1.0) foot candle at the property line.
 - d. Landscaping 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

Oldham County Comprehensive Zoning Ordinance
DIVISION 210 IPD INDUSTRIAL PARK DISTRICT

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. 210-110 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-foot (24') pavement width excluding curbs. Dedicated rights-of-way for local public or private streets shall have a minimum sixty-foot (60') width.

C. Public Street Standards Exclusions

Public streets that have been identified by the legislative bodies as a major or minor 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. 210-120 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 the 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. 210-130 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 Intent

The primary purpose of the Solid Waste Facilities 1 (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 properly closed solid waste facility site.
4. Promote public welfare by providing a suitable location for the disposal of solid waste.

Sec. 220-020 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. Sanitary Landfills
12. Vehicle wrecking and salvage operations
13. 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.

A. Accessory structures incident to any of the above uses.

Any use which, in the opinion of the Commission, is of the same general character as those listed above.

Sec. 220-030 Required Lot Area

There shall be no required minimum lot area in the SWF-1 Solid Waste Facilities District. 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

Oldham County Comprehensive Zoning Ordinance
DIVISION 220 SWF-1 SOLID WASTE FACILITIES DISTRICT

minimum siting standards set forth in the Oldham County Solid Waste Ordinance Nos. KOC-94-800, KOC 97-830-53 and KOC-99-830-199.

Sec. 220-040 Setbacks

All structures, parking areas, and non-waste storage areas shall observe the following setbacks from property lines:

Front Yard Setback	100 Feet
Side Yard Setback	100 Feet
Rear Yard Setback	100 Feet

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.

The required yard setback area shall remain undisturbed except for the installation of buffering provisions specified in Section 200-080.

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:

Front Yard Setback	250 Feet
Side Yard Setback	250 Feet
Rear Yard Setback	250 Feet

Sec. 220-050 Requirements When Adjacent to Specific Land Uses

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, measured from the outside boundary of the structure or area:

Residential Structure	1000 Feet
School or Church Property Line	1000 Feet
Public Park Property line	1000 Feet
Institutional Structure	1000 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 Chapter 100 and Division 350 of this ordinance.

Sec. 220-060 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

Oldham County Comprehensive Zoning Ordinance
DIVISION 220 SWF-1 SOLID WASTE FACILITIES DISTRICT

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 eighteen feet (18') 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 observe the following minimum standards and must be properly permitted by the state:

Public Street Access Width	Twenty (20) Feet.
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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. 220-070 Driving Facilities

The minimum driving facilities shall be constructed:

1. Driveway entrance roads shall be paved with an all weather surface material and non-dusting material, such as asphalt, concrete or paver blocks, two hundred fifty feet (250') 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 asphalt, concrete 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.

Sec. 220-080 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 feet (4') in height

Oldham County Comprehensive Zoning Ordinance
DIVISION 220 SWF-1 SOLID WASTE FACILITIES DISTRICT

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 within the setback areas specified in Section 200-040 and along the entire perimeter of the SWF-1 District.

Sec. 220-090 Building Height

No building or structure in the SWF-1 District shall exceed fifty feet (50') in height.

DIVISION 230 PUD PLANNED UNIT DEVELOPMENT DISTRICT

Sec. 230-010 Intent and Purpose

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 nature resources, and promotion of common open space. The purpose of PUD regulations is to encourage and allow more creative and imaginative design of land developments 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 and environment compared to the conventional zoning districting.

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 uses 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:

1. Comprehensive Plan: A PUD must comply with the goals and objectives of the currently adopted Oldham County Comprehensive Plan.

Oldham County Comprehensive Zoning Ordinance
DIVISION 230 PUD PLANNED UNIT DEVELOPMENT DISTRICT

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:
 - a. Archeological sites, historic sites and cemeteries;
 - b. Existing significant trees (a diameter breast height of twenty-four inches (24") or greater);
 - c. Habitat for endangered or threatened species;
 - d. Healthy mature woodlands (total combined canopy covers one (1) acre or more);
 - e. Slopes greater than twenty percent (20%) of at least five thousand square feet (5,000²) contiguous area;
 - f. The 100-year floodplains;
 - g. Water courses, water bodies over five thousand (5,000) square feet contiguous area; and,
 - h. 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.
8. **Multi-Modal Transportation Systems:** A PUD shall incorporate multi-modal transportation elements through the development depending on the foreseeable needs

Oldham County Comprehensive Zoning Ordinance
DIVISION 230 PUD PLANNED UNIT DEVELOPMENT DISTRICT

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

Most uses or mixture of uses may be approved within a PUD, provided that uses within the site are compatible and not 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:

Oldham County Comprehensive Zoning Ordinance
DIVISION 230 PUD PLANNED UNIT DEVELOPMENT DISTRICT

Adult Entertainment
Building-mover and wrecker's establishment
Confined animal feeding operations
Feed mixing plant
Foundry, casting of metals
Killing or dressing and/or packaging of poultry and rabbits
Manufactured home sales and service
Planing mill
Quarry, gravel pit or stone mill
Railroad repair shop
Rock, sand, slag or gravel distribution
Rolling mill
Salt works
Saw mill, raw log or veneer processing
Slaughter houses and the rendering of lard
Solid fuel such as coal, coke and wood storage and sales
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
Truck Terminals
Uses related to Solid Waste excluding fill area for construction site and material used during construction
Wholesale lumber storage, millwork and sales
Other Heavy Industrial Uses
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

Oldham County Comprehensive Zoning Ordinance
DIVISION 230 PUD PLANNED UNIT DEVELOPMENT DISTRICT

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.

A. 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.

1. **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.
2. **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.

B. 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.

1. **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.
2. **Planning and Zoning Commission 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: (a) that the Master Plan is consistent with the intent, purpose, requirements and standards of this Article; (b) that the proposed development advances the general welfare of the community and neighborhood; (c) that the benefits, combination of various land uses, innovation of

Oldham County Comprehensive Zoning Ordinance
DIVISION 230 PUD PLANNED UNIT DEVELOPMENT DISTRICT

physical design and the inter-relationship with the land uses in the surrounding area justify any deviations from conventional zoning districts; and (d) 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.

3. 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.
4. 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 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.

C. 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.

1. 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.
2. 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.

D. Construction Plan and Record Plat Review

1. 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 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.

2. 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:
 - a. 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;
 - b. 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.

E. 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.

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

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.

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:

Oldham County Comprehensive Zoning Ordinance
DIVISION 230 PUD PLANNED UNIT DEVELOPMENT DISTRICT

A. 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.

1. Existing Conditions Map(s):

- a. 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.
- b. 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.
- c. 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.
- d. 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.
- e. Existing Zoning: Zoning and density/intensity of existing development, if any.
- f. 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.
- g. 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.
- h. 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.
- i. 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.
- j. Existing easements and deed restrictions: Location, width and purpose of all easements and mineral rights and the nature and location of deed-restricted areas.
- k. The location and name of all existing streets, sidewalks and existing land uses.
 - l. Such additional information as the Commission and staff may require.

2. Master Plan Map(s):

Oldham County Comprehensive Zoning Ordinance
DIVISION 230 PUD PLANNED UNIT DEVELOPMENT DISTRICT

- a. 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.
- b. 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.
- c. 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.
- d. A community facility plan indicating the location and acreage of proposed community facilities and civic uses.
- e. 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.
- f. 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.
- g. A landscaping plan showing the general location of proposed landscaping.
- h. Such additional information as the Commission and staff may require.

B. Master Plan Report:

1. 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).
2. 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.
3. 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.
4. 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.
5. Circulation: An analysis for pedestrian, bikeway and vehicular circulation describing the general design capacity of the system as well as access points.
6. 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.
7. 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.
8. Architectural design standards: specifying materials and configuration permitted for walls, roofs, openings and other elements, or architectural guidelines to be

Oldham County Comprehensive Zoning Ordinance
DIVISION 230 PUD PLANNED UNIT DEVELOPMENT DISTRICT

- incorporated into the PUD's Master Declaration of Covenants and Restrictions and administered by an architectural review committee.
9. Stormwater management: describing pre- and post-runoff conditions of downstream drainage systems, types of planned drainage facilities and proposed mitigation of negative impacts.
 10. Impact: School, water, sanitary sewage facility impact estimates.
 11. Proposed standards for the following:
 - a. Signage;
 - b. Exterior lighting;
 - c. Landscaping;
 - d. Fencing, walls and gates; and,
 - e. Off-street parking.
 12. Statistical information including the following:
 - a. 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%);
 - b. The maximum number of dwelling units requested;
 - c. The maximum amount (gross leasable area) of retail, office, industrial and any other non-residential uses;
 - d. 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,
 - e. The minimum amount of land devoted to civic uses expressed in acres and as a percentage of the gross acreage of the site.
 13. 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.
 14. 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:
 - a. The order of construction by phase delineated on the Master Plan;
 - b. The anticipated time required to develop each phase;
 - c. The proposed schedule for construction of improvements to open space areas; and,
 - d. 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.
 15. Such additional information as the Commission and staff may require.

Sec. 230-100 Development Plan Requirements

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.

Oldham County Comprehensive Zoning Ordinance
DIVISION 230 PUD PLANNED UNIT DEVELOPMENT DISTRICT

A. Development Plan Map(s): 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:

1. **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 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.
2. **Master Plan Maps:** All maps included in the Master Plan shall be provided.
3. **Property Line Survey:** A property survey (including the entire PUD) certified by a professional Land Surveyor licensed in the State of Kentucky is required.
4. **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.
5. **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.
6. **Proposed Land Uses:** Location and proposed land uses which shall include the following information:
 - a. Total acreage of all uses, total acreage of each individual use and acreage of each individual section or phase, if any;
 - b. Gross density/intensity of all uses and the gross density of each individual section or phase, if any;
 - c. Net density/intensity of all uses and the net density of each individual section or phase, if any;
 - d. Total number of dwelling units by types and the number of dwelling units by types of each individual section or phase, if any;
 - e. Overall floor area ratio and the floor area ratio of each individual nonresidential section or phase;
 - f. Number of off-street parking spaces;
 - g. Total square footage of each nonresidential uses (commercial, industrial, community facilities, etc.) and each nonresidential building;
 - h. Types, acres and locations of common open space and amenities; and,
 - i. Lot lines, lot dimensions, areas of each lot and lot numbers.
7. **Building Elevation:** Typical front elevation views for all proposed uses.
8. **Street and Exterior lighting:** Typical street lighting and exterior lighting.
9. **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.
10. **Signs:** For commercial and industrial projects, conceptual sign plans showing sign type, size and location must be included.
11. **Open space:** The design and location of private and public open space must be shown.

Oldham County Comprehensive Zoning Ordinance
DIVISION 230 PUD PLANNED UNIT DEVELOPMENT DISTRICT

12. Utility Easements: Show the location of utility easements.
13. Such additional information as the Commission and staff may require.

B. 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:

1. General description and location.
2. The physical and socio-economic reasons as to why the uses proposed in the PUD would produce a better overall use of this property over the conventional zoning.
3. The proposed provision of utilities, including water, sanitary sewer and drainage facilities.
4. The proposed methods for protection of abutting properties.
5. 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.
6. The proposed maintenance and ownership agreements for any streets and common open spaces not proposed for dedication to a public entity.
7. 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.
8. A general statement addressing lighting proposed for the development.
9. A general statement addressing tree preservation and protection during construction and landscaping proposed for the development.
10. A general statement addressing sign controls proposed for the development.
11. 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.
12. A statement describing the probable impact of the development on the following:
 - a. Water facilities;
 - b. Sewer facilities;
 - c. Public Roadways;
 - d. Stormwater runoff;
 - e. Schools; and
 - f. Police, fire, and recreational facilities.
13. Such additional information as required by the Commission or staff.

Sec. 230-110 Site Plan Requirements

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

Oldham County Comprehensive Zoning Ordinance
DIVISION 230 PUD PLANNED UNIT DEVELOPMENT DISTRICT

B. 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:

1. Name of the PUD in which the site is situated.
2. Address and lot number of the site.
3. Vicinity map drawn to a 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.
4. Names, addresses and telephone numbers of the owner and the applicant.
5. City, county and state.
6. Date.
7. 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.
8. North arrow with basis of meridian stated.
9. Acreage or square footage of the site.
10. Minimum required front, side and rear setback lines.
11. Location of the 100-year floodplains per FEMA maps or other data.
12. Wetlands meeting the Army Corps of Engineers' jurisdictional wetland standards.
13. Linear and nonlinear water bodies.
14. Existing and proposed land contours showing vertical intervals no greater than two (2) feet Based on national mapping standards or equivalent.
15. Name of owner(s), address and tax parcel numbers of adjoining properties.
16. Bearings and distances for all boundaries of the site.
17. A sheet showing all proposed improvements overlaid on the existing topography indicating what natural features will be destroyed or disrupted.
18. Existing and proposed easements with dimensions and designated type.
19. Existing and proposed locations, types and sizes of the following:
 - a. Water lines.
 - b. Fire hydrants.
 - c. Sanitary sewers.
 - d. Stormwater infrastructure.
 - e. Culverts with inlet and outlet elevations.
 - f. Street improvements.
 - g. Electric lines.
 - h. Gas lines.
 - i. Any other utilities or services that serve or affect the site.
20. Parking layout and traffic control plan to include the locations and dimensions of the following:
 - a. Vehicle entrances, exits and drives.
 - b. Handicapped 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.
21. Location, style and material of proposed screening, fencing and walls.

Oldham County Comprehensive Zoning Ordinance
DIVISION 230 PUD PLANNED UNIT DEVELOPMENT DISTRICT

22. Landscaping plan drawn and sealed by a landscape architect licensed in the State of Kentucky and placed on a separate sheet indicating the following:
 - a. Acreage of proposed landscaping area.
 - b. List of existing and proposed landscaping materials. Specify names, types, quantities, and sizes.
 - c. Locations of existing and proposed landscaping materials shall be shown in accordance with the latest Landscaping Regulations.
 - d. Maintenance agreements.
23. Lighting plan:
 - a. Locations of proposed lighting.
 - b. Types of lighting with details shown on the plan.
 - c. Typical radius of light.
 - d. Intensity in foot-candles.
24. 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.
25. Architectural drawings including the following:
 - a. Locations, square footages and exterior dimensions of all existing and proposed buildings and structures.
 - b. Elevation views for all structures to include types and colors of exterior and the building materials to be used.
26. Statistics for the proposed development:
 - (1) For residential uses:
 - a. Lot design or layout of dwelling units.
 - b. Typical square footage of each dwelling unit type.
 - c. Total lot area.
 - d. Minimum side, front and rear yard setbacks.
 - e. Total percentage of lot coverage for structures.
 - f. Total percentage of impervious surfaces.
 - g. Maximum height of structures in feet.
 - (2) For nonresidential uses:
 - a. Total floor area ratios for all uses.
 - b. Locations and square footages of all structures.
 - c. Total lot area.
 - d. Minimum side, front and rear yard setbacks.
 - e. Total percentage of lot coverage for structures.
 - f. Total percentage of impervious surface.
 - g. Maximum height of structures in feet.

C. 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.

D. 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 a 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,
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 Certification 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

Oldham County Comprehensive Zoning Ordinance
DIVISION 230 PUD PLANNED UNIT DEVELOPMENT DISTRICT

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 the 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.

**Oldham County Comprehensive Zoning Ordinance
DIVISION 240 LAGRANGE HISTORIC DISTRICTS**

DIVISION 240 LAGRANGE HISTORIC DISTRICTS (RESERVED)

DIVISION 250 SPECIAL PROVISIONS

Sec. 250-010 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 (with and without dwelling units)

This section does not apply to agricultural uses and related accessory structures (e.g., barns, stables).

A. Shall Follow Principal Use

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

B. Same Parcel

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

C. Relationship 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.

D. 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.

E. Minimum Distance Between Buildings

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

F. Subordinate in Scale

All accessory structures shall be subordinate in scale to the principal structure.

G. Rear Yard Rules for Accessory Structures

Oldham County Comprehensive Zoning Ordinance
DIVISION 250 SPECIAL PROVISIONS

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 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 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

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 uses 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.
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 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

Oldham County Comprehensive Zoning Ordinance
DIVISION 250 SPECIAL PROVISIONS

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, delivers, transfers, transmits, circulates, disseminates, presents, exhibits, advertises, sells, rents or leases a substantial or 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 are not necessarily limited to:

1. Adult Book Stores
2. Adult Motion Picture Theaters
3. Adult Motion Picture Arcades
4. Adult Entertainment Cabarets
5. Adult Hotels
6. 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:

- i. An adult entertainment establishment shall not be permitted or enlarged, except when required by a governmental agency within:

Oldham County Comprehensive Zoning Ordinance
DIVISION 250 SPECIAL PROVISIONS

- i. Two thousand (2,000) feet of a preexisting adult entertainment establishment;
 - ii. Two thousand (2,000) feet of a preexisting religious institution;
 - iii. Two thousand (2,000) feet of a preexisting educational institution;
 - iv. Two thousand (2,000) feet of a preexisting hospital or government/civic facility;
 - v. One half mile of a preexisting interstate; or
 - vi. Two thousand (2,000) feet of a preexisting scenic corridor; or
 - vii. One thousand (1000) feet of a preexisting park; or
 - viii. 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.

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, the 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:

Oldham County Comprehensive Zoning Ordinance
DIVISION 250 SPECIAL PROVISIONS

	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 facades, exteriors, and exits which must be indistinguishable from surrounding buildings. Illustrations depicting partially or totally nude 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 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 governmental 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).

Oldham County Comprehensive Zoning Ordinance
DIVISION 250 SPECIAL PROVISIONS

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.
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	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:

Oldham County Comprehensive Zoning Ordinance
DIVISION 250 SPECIAL PROVISIONS

	<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. Buildings shall be considered contiguous if any portion of any 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 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. 250-080 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.

Oldham County Comprehensive Zoning Ordinance
DIVISION 250 SPECIAL PROVISIONS

A Qualified Manufactured Home means 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 that 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); and
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 of wood, tile, composition shingles or sheet metal, and must have an eave projection of no less than six inches (6"). Roof pitch must be at least a four-to-twelve ratio (4:12).
3. Exterior covering material extending from the roofline to the ground or to the top of the foundation shall be used. Masonry type skirting shall be constructed from the ground to the bottom of the exterior wall.
4. Structural additions or alterations shall be subject to the same building code regulations as apply to additions or alterations to a conventionally built house. Any other alteration or conversion of a Qualified Manufactured Home must be performed in accordance with KRS 227.550 et seq., 815 KAR 25:050, Section 2 and 42 USC Chapter 70.
5. If located in a preservation district, additional standards may apply.

Sec. 250-090 Fences and Walls (Reserved)

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 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

Oldham County Comprehensive Zoning Ordinance
DIVISION 250 SPECIAL PROVISIONS

Sec. 250-110 Land Used For Agricultural Purposes

Pursuant to KRS 100 (refer 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 designated floodway or floodplain or which tend to increase flood heights or obstruct the flow of flood waters shall be in accordance with this ordinance; and
3. All dwellings to be constructed or provided as part of land used 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. 250-120 Lighting, Noise and Dust (Reserved)

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 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 designated 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 designated 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. All 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

Oldham County Comprehensive Zoning Ordinance
DIVISION 250 SPECIAL PROVISIONS

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 or lawn 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

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 for 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.

Oldham County Comprehensive Zoning Ordinance
DIVISION 250 SPECIAL PROVISIONS

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 square feet, provided 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 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 subject 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 period or periods not to exceed 3 months each provided reasonable construction progress has been made and such construction is being

Oldham County Comprehensive Zoning Ordinance
DIVISION 250 SPECIAL PROVISIONS

diligently pursued. Application for the extension shall be made at least 15 days prior to 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.

Sec. 250-200 Scenic Corridors

Purpose

1. 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.
2. 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.
3. To provide quality aesthetic visual experiences for travelers of the Oldham County's major thoroughfares.
4. To protect scenic corridors from encroachment of inappropriate land uses such as adult entertainment establishments, junkyards, dumps, rendering plants, gravel pits.
5. To mitigate uses which detract from scenic values through proper siting, landscaping and/or screening.
6. To regulate grading to prevent erosion and cause minimal alteration of existing contours and to preserve important vegetative features along the highway.
7. 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

Oldham County Comprehensive Zoning Ordinance
DIVISION 250 SPECIAL PROVISIONS

- 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 or Reduction Products
- Ham Curing Operations
- Concentrated Animal Feeding Operations
- Slaughter Houses
- Junkyards
- Dumps
- Gravel Pits

Design Guidelines (Reserved)

DIVISION 260 CONDITIONAL USE STANDARDS

Sec. 260-010 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 this 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 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, appearance, 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. Topographical 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;

Oldham County Comprehensive Zoning Ordinance
DIVISION 260 CONDITIONAL USE STANDARDS

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 or the Administrator may require an application for a conditional use permit to be subject to review by a 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 first, 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. All accessory structures shall be set back from the rear and side property lines a minimum of five feet (5').
 - f. Accessory structures shall not occupy more than thirty-five percent (35%) of the area between the rear property line and the principal structure.
 - g. Accessory structures for agricultural uses shall comply with the setback requirement for the principal structures of the zoning district in which it is located.

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 ends of all runways where the required glide path of aircraft, for the class of the airport, meets the regulations of the Federal Aviation Administration (FAA).
2. All buildings and structures shall be at least thirty feet (30') from any property line.

Oldham County Comprehensive Zoning Ordinance
DIVISION 260 CONDITIONAL USE STANDARDS

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 feet (30') from any property line.
2. A buffer strip shall surround the ATV course on all sides with a minimum dimension of fifty feet (50'). 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 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 feet (10') in height may be provided at the main 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 area 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 residence.
2. The processing plant must be set back at least seventy-five (75) feet from any road rights-of-way and fifty (50) 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.

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.

Oldham County Comprehensive Zoning Ordinance
DIVISION 260 CONDITIONAL USE STANDARDS

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 the 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. 260-110 Community Residences (Reserved)

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.
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 AM and 6:00 PM.
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 Adjustment	Certification from State
7-12	Permitted with a 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

Oldham County Comprehensive Zoning Ordinance
DIVISION 260 CONDITIONAL USE STANDARDS

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 processing plant for the refining of petroleum products from such operation shall be permitted, except in I-2 District.
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 and twenty (120) days after drilling 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 a new sump may be constructed upon resumption of conditional or re-drilling operations.
12. A bond of two thousand five hundred dollars (\$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 five thousand dollars (\$5,000.00) per acre with the county or city to ensure proper finishing of the area 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 feet (30') 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.

Oldham County Comprehensive Zoning Ordinance
DIVISION 260 CONDITIONAL USE STANDARDS

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 Board of Adjustments.
 - c. The excavation shall be less than four (4) acre-feet.
 - 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:
 - i) The name(s) and address(es) of the owner(s) or lessee(s) of the property on which the excavation operations will occur.
 - ii) The name, address, and telephone number of the contact person for the operation.
 - iii) 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

Oldham County Comprehensive Zoning Ordinance
DIVISION 260 CONDITIONAL USE STANDARDS

- 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.
- iv) The total surface acreage to be disturbed by the excavation operations.
 - v) 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.
 - vi) The method(s) to be used in the process of the excavation.
 - vii) An erosion control plan and a re-vegetation plan based on the BMPs.
 - viii) Improvements, such as roads and pavement, to be installed off the site to enable the excavation operation to be carried out.
- 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 re-vegetation 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 areas 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 two thousand five hundred dollars (\$2500) 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 excavation 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

Oldham County Comprehensive Zoning Ordinance
DIVISION 260 CONDITIONAL USE STANDARDS

- 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.
 - 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, generated 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-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 persons on all adjacent land.
- 6. Fences shall be a maximum height of sixty (60) feet. In no circumstances shall nets be

Oldham County Comprehensive Zoning Ordinance
DIVISION 260 CONDITIONAL USE STANDARDS

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)

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 5 acres or larger and used for agriculture 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 of 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

Oldham County Comprehensive Zoning Ordinance
DIVISION 260 CONDITIONAL USE STANDARDS

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.
- 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 service 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 the 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 the 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 the 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 the following special standards are met:

Oldham County Comprehensive Zoning Ordinance
DIVISION 260 CONDITIONAL USE STANDARDS

- 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) containing the address to the property.
- 4 There shall be no exterior evidence of the conduct of a home occupation.
- 5 There shall be no significant increase in use of utilities such as water, sewer, gas, 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 the 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 feet (60') from a front and a street side property line and thirty feet (30') from a side and rear property line.

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 feet (30') to any property line.
2. Parking area 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 feet (100') to any property line or rights-of-way and five hundred feet (500') from any residence.
2. Parking area 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 feet (18') 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.

Oldham County Comprehensive Zoning Ordinance
DIVISION 260 CONDITIONAL USE STANDARDS

- 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.

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	1000 Feet
Public Park Property Line	1000 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 uses.
- 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 farther 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.

Oldham County Comprehensive Zoning Ordinance
DIVISION 260 CONDITIONAL USE STANDARDS

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 the Manufactured Home District (M) 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 assessed 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 feet (30') from any property line.
2. There shall be one and one-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 application, proof of state submittal or approval by applicable state agencies.

Oldham County Comprehensive Zoning Ordinance
DIVISION 260 CONDITIONAL USE STANDARDS

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 and 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 its 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. All buildings and structures shall be at least thirty (30) feet from any property line.
2. Off-street parking areas shall be provided to accommodate one auto for each camp and camping area.
3. 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 it is located.
4. Location Requirements: All recreational vehicles (RV) shall be placed only in approved recreational vehicle spaces in RV parks and Campgrounds.
5. 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.
6. Parking Pads: Each recreational vehicle space shall contain an appropriate parking pad with paving or other suitable material.
7. Sanitary Facilities: Sanitary facilities shall be provided in accordance with the requirements of the Commonwealth of Kentucky and the Oldham County Health Department.
8. Garbage and Trash: Central trash collection points shall be completely screened from view from outside the park.
9. 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

Oldham County Comprehensive Zoning Ordinance
DIVISION 260 CONDITIONAL USE STANDARDS

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.

10. 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.

Minimum Development Site Standards:

Area – 20 acres

Open Space – 10%

Required Yards – 25 feet

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 to be at least thirty feet (30') 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 feet (8') 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 area 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 inches (6") of soil cover over all daily filling operations.
4. There shall be a minimum of two feet (2') 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.
7. A performance bond amounting to one thousand dollars (\$1,000.00) per acre of the premises to be filled shall be filed with the county or the city to ensure the proper

Oldham County Comprehensive Zoning Ordinance
DIVISION 260 CONDITIONAL USE STANDARDS

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 Conditional 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 feet (30') 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

a. Number of Animals

The maximum number of animals shall be determined by the appropriate Board of Adjustment 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 the prevention of cruelty to animals. The applicant shall present evidence of such guidelines to Board of Adjustments of Adjustment.

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. Pens and Runs

- a. All kennel pens, runs, and sales areas associated with kennels shall not be located closer than one hundred feet (100') 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. Such structure need only be setback from the street rights-of-way line fifty (50) feet.
- b. All kennel pens shall be located within an approved enclosed area.
- c. Exercise runs shall be enclosed on all sides by a sight-obscuring, solid wall at least six (6) feet in height.

c. Odors

There shall be no objectionable odors generated by the use detectable by neighboring properties.

Oldham County Comprehensive Zoning Ordinance
DIVISION 260 CONDITIONAL USE STANDARDS

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 twenty-five percent (25%) 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:

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 purposes 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.

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.

Oldham County Comprehensive Zoning Ordinance
DIVISION 270 CAPACITY STANDARDS

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 requests 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:
 - i. The traffic impact study must be prepared and stamped by a professional engineer licensed in the Commonwealth of Kentucky.
 - ii. The traffic impact study shall be reviewed and approved by the commission's traffic engineer;
 - iii. 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

Oldham County Comprehensive Zoning Ordinance
DIVISION 270 CAPACITY STANDARDS

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’
Collector	22’
Sub-Collector	20’
Local	20’
Cul-De-Sac	20’ 18’ if length is less than 400’
Alley	12’

3. Under no circumstances shall the pavement width be less than what is stated in the current subdivision regulations.
4. For phased developments, 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);
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.

Oldham County Comprehensive Zoning Ordinance
DIVISION 270 CAPACITY STANDARDS

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 traffic 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.
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 mitigating 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.

Oldham County Comprehensive Zoning Ordinance
DIVISION 270 CAPACITY STANDARDS

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	<i>Traffic flows with very little delay and speeds are optimal. Most vehicles do not stop at all.</i>	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	<i>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."</i>	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	<i>Traffic speeds continue to slow. Some vehicles may stop at this level, although many vehicles still pass through the intersection without stopping.</i>	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	<i>Congestion becomes more noticeable. Many vehicles stop, and the proportion of vehicles not stopping declines.</i>	Bordering unstable flow; still lower average speeds (about 40% of free flow speed); small increases in flow rate or adverse signal progression may cause significant increases in delay.	Control delay per vehicle ranging between 35 and 55 seconds; unfavorable progression or long signal cycles or high V/C ratios may result in ever increasing delays; many vehicles stop, and individual cycle failures are noticeable.	Control delay per vehicle ranging between 25 and 35 seconds.
E	<i>Low speeds and traffic back ups at intersections. Often considered to be the limit of acceptable delay.</i>	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 cycles 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	<i>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.</i>	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.

Source: Transportation Research Board. [Highway Capacity Manual](#), 2000 update.

Oldham County Comprehensive Zoning Ordinance
DIVISION 270 CAPACITY STANDARDS

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 Consideration

As part of the consideration of any request to rezone property for residential purposes that creates more than two housing units per year, 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 School Board, those figures, data, or other information in a form mutually agreed upon by the Commission and the Oldham County School Board. 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 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 School Board 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 a 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

Oldham County Comprehensive Zoning Ordinance
DIVISION 270 CAPACITY STANDARDS

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. Provision 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.

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.

Part 2. Definitions and Abbreviations

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

GPM: Gallons per minute.

NFPA: 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.

Oldham County Comprehensive Zoning Ordinance
DIVISION 270 CAPACITY STANDARDS

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 inches (6") 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 a 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

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 Consideration

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 Standards 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.

Oldham County Comprehensive Zoning Ordinance
DIVISION 270 CAPACITY STANDARDS

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:

- A. 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.
- B. If the subject wastewater treatment 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.
- C. 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:
 - 1) 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;
 - 2) Evidence of preliminary approval 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;
 - 3) 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
 - 4) That the new capacity or increased capacity will be sufficient to serve the proposed development.

DIVISION 280 OFF-STREET PARKING AND LOADING REGULATIONS

Sec. 280-010 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 traffic.

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 the 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 area by twenty percent (20%) 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 percent (20%), 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 uses not specifically shown in tables listed in Sec. 280-050 through Sec. 280-110 shall be determined by the Administrator or his/her designee based upon the standards for the closest comparable use and on the particular parking demand and trip generation characteristics of the proposed use.

Oldham County Comprehensive Zoning Ordinance
DIVISION 280 OFF-STREET PARKING AND LOADING REGULATIONS

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 percent of the gross floor area of all buildings on a site is in an accessory use. An accessory use constituting twenty 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 tables listed in Sec. 280-050 through Sec. 280-110.
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

	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

	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% the minimum number of spaces required
Where no permanent seats area installed	1.0 space for each 50 sq. ft. of seating area in the sanctuary or primary assembly area	125% the minimum number of spaces required
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 adequately serve all uses associated with the primary use.	Note: Where individual seats are not provided, each 20 inches of pews or similar seating shall be considered as one seat.	

Oldham County Comprehensive Zoning Ordinance
DIVISION 280 OFF-STREET PARKING AND LOADING REGULATIONS

	Minimums	Maximums
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	1.0 space for each 2.0 employees on the maximum shift, plus 3.0 additional spaces	1.0 space for each employee on the maximum shift, plus 3.0 additional spaces
Voluntary Staffing	4.0 spaces for each piece of apparatus or as determined by the Administrator	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 5.0 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 three (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 two (2.0) patient beds excluding bassinets, plus 1.0 space for each staff and/or visiting doctor, plus each employee at maximum shift including nurses
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
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 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
Penal and Correctional	To be determined by the	To be determined by the

Oldham County Comprehensive Zoning Ordinance
DIVISION 280 OFF-STREET PARKING AND LOADING REGULATIONS

	Minimums	Maximums
Facilities	Administrator	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 Note: Individual recreational components shall be counted separately	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 or Vocational 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 for each 2.0 classroom seats, plus 1.0 space for each employee on maximum shift

Sec. 280-070 Office 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
Studios for Artist, 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

	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 of the use or

Oldham County Comprehensive Zoning Ordinance
DIVISION 280 OFF-STREET PARKING AND LOADING REGULATIONS

	Minimums	Maximums
	of the use or stored on the premises, plus 1.0 space every 200 sq. ft. of lobby area.	stored on the premises, plus 1.0 space every 150 sq. ft. of lobby area.
Athletic Fields	To be determined by the Administrator	To be 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		
Conveyer Type Operate by Customer	1.0 space for each conveyer unit or stall, plus 1.0 space for each vacuum unit (if not accessible to queue spaces) Note: Refer to <i>Division</i> for queue space requirements	2.0 space for each conveyer unit or stall, plus 1.0 space for each vacuum unit (if not accessible to queue spaces) Note: Refer to <i>Division</i> for queue space requirements
Conveyer Type Operated/Washed by Employees	1.0 space for each 2.0 employees on maximum shift Note: Refer to <i>Division</i> for queue space requirements	1.0 space for each employee on maximum shift Note: Refer to <i>Division</i> for queue space requirements
Self-Service Manual Type	2.0 spaces for each stall, plus 1.0 space for each vacuum unit (if not accessible to queue spaces) Note: Refer to <i>Division</i> for queue space requirements	3.0 spaces for each stall, plus 1.0 space for each vacuum unit (if not accessible to queue spaces) Note: Refer to <i>Division</i> for queue space requirements
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, 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

Oldham County Comprehensive Zoning Ordinance
DIVISION 280 OFF-STREET PARKING AND LOADING REGULATIONS

	Minimums	Maximums
		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 at maximum capacity
Commercial Rifle, Pistol, Skeet, Trap, and Shooting Range	1.0 per target area	1.0 per full-time employee, plus 1.0 per target area
Drive-In Theater	1.0 space for 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 spaces for each 1.5 tees, plus 1.0 space for each 1.5 employees on maximum shift	1.0 spaces 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
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 Note: Outside dining area subject to same requirements as indoor dining	1.0 space for each 200 sq. ft. of gross floor area) Note: Refer to <i>Division</i> for queue space requirements	space for each 100 sq. ft. of gross floor area) Note: Refer to <i>Division</i> for queue space requirements
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 Note: Refer to <i>Division</i> for queue space requirements	space for each 150 sq. ft. of gross floor area Note: Refer to <i>Division</i> for queue space requirements
Marinas and Boat Rental	1.0 space per slip or berth	1.5 space per slip or berth
Movie Theaters and Cinemas (indoor)	1.0 space for each 4.0 seats	1.0 space for each 3.0 seats
Pet Grooming and Kennels	3.0 spaces, plus 1.0 for each 2.0 employees on maximum shift, plus 1.0 space for each 3.0 pet owners at maximum capacity if animal training	5.0 spaces, plus 1.0 for each 2.0 employees on maximum shift, plus 1.0 space for each 3.0 pet owners at maximum capacity if animal training

Oldham County Comprehensive Zoning Ordinance
DIVISION 280 OFF-STREET PARKING AND LOADING REGULATIONS

	Minimums	Maximums
	classes taught on-site	classes taught 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		
Sit-down dining (with or without a drive-through) Note: outside dining area subject to same requirements as indoor dining	1.0 space for each 125 sq. ft. of gross floor area Note: Refer to <i>Division</i> for queue space requirements	1.0 space for each 75 sq. ft. of gross floor area Note: Refer to <i>Division</i> for queue space requirements
Carry-out only (with or without a drive-through)	1.0 space for each 200 sq. ft. of gross floor area Note: Refer to <i>Division</i> for queue space requirements	1.0 space for each 125 sq. ft. of gross floor area Note: Refer to <i>Division</i> for queue space requirements
Roller or Ice Skating Rinks	1.0 space for each 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

	Minimum	Maximum
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

Oldham County Comprehensive Zoning Ordinance
DIVISION 280 OFF-STREET PARKING AND LOADING REGULATIONS

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:
 - i. Antique vehicles actively undergoing restoration; and
 - ii. The item is concealed from view from neighboring properties and from the road.

	Minimum	Maximum
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, <u>Single-Family Detached</u> , 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 spaces for each dwelling unit intended to be occupied by support staff
Multi-Family Dwellings	1.5 spaces for each dwelling unit	
Efficiency Dwelling	1.0 space for each dwelling	2.0 spaces for each dwelling
One Bedroom Dwelling	1.25 spaces for each dwelling	2.0 spaces for each dwelling
Two Bedroom Dwelling	1.5 spaces for each dwelling	2.0 spaces for each dwelling
≥ Three Bedroom Dwelling	2.0 spaces for each dwelling	3.0 spaces for each dwelling
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

Oldham County Comprehensive Zoning Ordinance
DIVISION 280 OFF-STREET PARKING AND LOADING REGULATIONS

Sec. 280-110 Retail

	Minimum	Maximum
Book, Art, Gift, Pet, Music, Flower shops, and Similar uses (if greater than 50,000 square feet, 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 gasoline pumps may be used to satisfy these requirements)	1.0 Space for each 150 sq. ft. of gross floor area
Department/Discount Stores	1.0 space for each 300 sq. ft. of gross floor area, plus the requirements for any outdoor sales area	1.0 space for each 200 sq. ft. of gross floor area, plus the requirements for 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 are, plus the requirements for any outdoor sales area	1.0 space for each 150 sq. ft. of gross floor are, plus the requirements for any 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 any outdoor display or sales area	1.0 space for each 200 sq. ft. of gross floor area, plus the requirements for any 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 for 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 <i>Division</i> regarding queue space requirements)	1.0 space for each 150 sq. ft. of gross floor area (Refer to <i>Division</i> regarding queue space requirements)
Shopping Centers and Malls		

Oldham County Comprehensive Zoning Ordinance
DIVISION 280 OFF-STREET PARKING AND LOADING REGULATIONS

	Minimum	Maximum
(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)		
< 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 – 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
> 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
	Note: 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.	Note: 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 or street side yard on a hard surface or approved semi-pervious driveway that does not exceed twenty 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 on 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.

Oldham County Comprehensive Zoning Ordinance
DIVISION 280 OFF-STREET PARKING AND LOADING REGULATIONS

- b. The off-site parking spaces shall be intended to serve customers and clientele that must be located within five hundred feet (500') and spaces intended to serve employees and staff within one thousand feet (1000') of the buildings or uses requiring the parking. The five hundred (500') and one thousand (1000') 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 the 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 feet (500') and spaces intended to serve employees and staff within one thousand feet (1000') of the buildings or uses requiring the parking. The five hundred (500') and one thousand (1000') 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.
 - 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 and shall have thirty days from the time that the parking spaces associated with the off-site parking agreement became 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.

Oldham County Comprehensive Zoning Ordinance
DIVISION 280 OFF-STREET PARKING AND LOADING REGULATIONS

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 within five hundred feet (500') and spaces intended to serve employees and staff within one thousand feet (1000') of the buildings or uses requiring the parking. The five hundred (500') and one thousand (1000') 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. 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.

1. Space Size: The minimum size of each required off-street parking space shall be nine feet by eighteen feet (9'x18'), exclusive of aisle width, provided that up to twenty percent (20%) of the required spaces may be nine feet by fifteen feet (9'x15') 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

Oldham County Comprehensive Zoning Ordinance
DIVISION 280 OFF-STREET PARKING AND LOADING REGULATIONS

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 feet (300') of any residential uses shall be oriented away from the residential use.
4. **Traffic Hazards:** Drive-in facilities and accessory drive through 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-Through Car Washes:** An accessory drive-through car wash shall not be considered a drive-in facility. An accessory drive-through 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.
4. **Design:**
 - a. **Space Size:** Off-street loading spaces, excluding maneuvering areas, shall be at least ten feet (10') wide and twenty-five feet (25') long unless off-street loading will involve the use of semi-tractor/trailer combinations or other vehicles in excess of twenty-five feet (25') in length, in which case the minimum size of a space shall be twelve feet (12') by sixty-five feet (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 support the focus and direction of the Comprehensive Plan; to promote a healthy business climate by encouraging the effective use of signs; to maintain and enhance the aesthetic environment of the county by encouraging signage to be compatible with the surrounding areas and not create a hazard due to collapse, fire, collision, decay or abandonment. Also, to 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 290-60.

1. All signs must comply with the regulations of the zoning district in which it is located.
2. 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.
3. 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.
4. No sign shall be placed in any public or private right-of-way without written permission from the jurisdiction that has ownership of the right-of-way.

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.
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

Oldham County Comprehensive Zoning Ordinance
DIVISION 290 SIGN REGULATIONS

Banner	either is permanently attached to a building or can be raised or retracted to a position against the building when not in use. Backlit awing signs are prohibited. Any sign of lightweight fabric or similar material that is mounted to a pole, a wall or a building at one or more edges.
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.
Billboard Sign	See Off-premises sign.
Board of Adjustments and Appeals	An officially constituted body whose principal duties are to hear appeals and, where appropriate, grant variances and conditional uses from the strict application of the zoning ordinance.
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.
Construction Sign	A temporary sign erected on the premises on which construction is taking place, during the period of such construction, indicating the names of the architects, engineers, landscape architects, contractors, or similar artisans, and the owners, financial supporters, sponsors, and similar individuals or firms having a role or interest with respect to the structure or project.
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.
External Illumination	Illumination of a sign that is affected by an artificial source of light not contained within the sign itself.
Flag	An exhibit made of flexible material which is mounted

Oldham County Comprehensive Zoning Ordinance
DIVISION 290 SIGN REGULATIONS

	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.
Home Occupation Sign	A sign containing only the name and occupation of a permitted home occupation.
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.
Memorial Sign	A sign, tablet, or plaque memorializing a person, event, structure, or site.
Monument Area	The supporting framework, bracing or structure of the monument not including the sign area.
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.

**Oldham County Comprehensive Zoning Ordinance
DIVISION 290 SIGN REGULATIONS**



Monument Style Sign

Multi-Tenant Sign	A sign that includes the names of two or more businesses, places, organizations, buildings, or persons it identifies.
Nameplate Sign	A sign, located on the premises, giving the name or address, or both, of the owner or occupant of a building or premises.
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 construction/installation.
Off-Premises Sign	A sign that directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located.
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.
Political Sign	A temporary sign announcing or supporting political candidates or issues in connection with any national,

Oldham County Comprehensive Zoning Ordinance
DIVISION 290 SIGN REGULATIONS

	state, or local election.
Portable Sign	A sign that is not permanent, affixed to a building, structure, or the ground.
Private Sale	A temporary sign advertising private sales of personal property, such as garage sales, yard sales, rummage sales, and the like.
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.
Real Estate Sign	A sign pertaining to the sale or lease of the premises, or a portion of the premises, on which the sign is located.
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.
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	Any sign, whether attached in any way to a utility pole, tree, traffic control device, or any object, or the ground, or otherwise situated either on public property without the consent of the appropriate public body, or on private property without the consent of the owner or occupier thereof.
Special Event Sign	A temporary sign advertising private charitable events, such as picnics, carnivals, bazaars, game nights, art fairs, and craft shows.

Oldham County Comprehensive Zoning Ordinance
DIVISION 290 SIGN REGULATIONS

Temporary Sign	A sign or advertising display constructed of cloth, canvas, fabric, plywood, or other light material and designed of, intended to be displayed for 30 days or less as designated in the applicable approved sign permit.
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 allowable sign and the fee will be required in conjunction with said application. Refer to the current fee schedule in the Planning & Zoning Office.

The following information shall be included along with the application 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

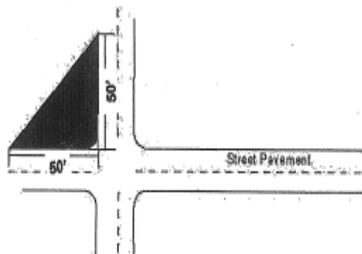
1. For the purposes of this ordinance:
 - a. The front setback is measured from the right-of-way or the front property line.
 - b. If a parcel has multiple frontages, then the parcel has multiple front setbacks.
 - c. The side yard setback is measured from the side property line.
2. The height of a sign 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

Oldham County Comprehensive Zoning Ordinance
DIVISION 290 SIGN REGULATIONS

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. No more than two identification signs per place of business shall be allowed, with only one of which being separated from the principal building. Additional signs may be allowed in the commercial and industrial zoning districts if:
 - a. 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.
 - b. A parcel has frontage on two or more streets in which case one wall sign for each frontage shall be allowed.
6. 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. Memorial signs – Must be characteristic with the surrounding area and must not be a public safety hazard.
2. Nameplate signs of two square feet or less– Must only contain the name or address, or both, of the owner or occupant of a building or premises.
3. No trespassing signs of six square feet in area or less.
4. On-Site Directional/Information Sign of six square feet or less– Must not be a public safety hazard.

Oldham County Comprehensive Zoning Ordinance
DIVISION 290 SIGN REGULATIONS

5. Political signs – Signs shall be removed within ten days following the election. Signs for successful primary election candidates, eligible for the general election, may remain after the primary election. Permission must be granted by the property owner for a sign to be placed on their property and the sign may not be located in any road right-of-way.
6. Private sale or special event signs of six square feet or less – May be placed seven days prior to the event and must be removed the day following the event – These signs shall advertise only the activity lawfully practiced on site and shall not be illuminated or contain any electrical component.
7. Real Estate signs of six square feet or less – Must be located on the property that is for sale, lease, or rent and must be taken down within seven days after the sale is complete. May not be located in any road right-of-way.
8. Public signs, notices or traffic signs required by law, or any sign relating to an emergency.
9. Signs carried by a person – Must not be a public safety hazard.
10. Signs integrated into or on a coin-operated machine, vending machine, gasoline pump, or telephone booth.
11. Signs used to identify local Landmark/National Register of historic sites.
12. Sports signs within a ballpark, field or diamond which indicates sponsorship of the teams or activities that occur therein. These signs shall be oriented toward the field or diamond and shall not be higher than the fences.
13. Traffic signs-traffic control signs which contain no commercial message and that comply with the Manual of Uniform Traffic Control Devices for Streets and Highways”
14. Temporary window signs in commercial zoning districts – Total area of window signs shall not exceed 30% of the window area of the façade of the building.
15. Three (3) flags per parcel, symbolic in nature, for non-commercial, non-promotional purposes.
16. Electronic signs not exceeding 4 square feet provided that there is no more than one such sign per business establishment (not applicable in LaGrange).
17. In the city of LaGrange signs stating that a business other than a home occupation is open, provided that there is no more than one such sign per business establishment inside the building, and that such sign does not exceed four (4) square feet in area. Neon signs are allowable in this case.

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

Oldham County Comprehensive Zoning Ordinance
DIVISION 290 SIGN REGULATIONS

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, folding signs, “A” frame signs, or any other similar free-standing signs.
8. Free standing signs that extend or are built over public property.
9. Wall signs painted on a building, except as permitted under conditional use application by the appropriate Board of Adjustments and Appeals, after public hearing. Area requirements are same as for permitted wall signs in zoning district in which property is located.
10. Any sign erected or maintained upon trees or painted or drawn upon rocks or other natural features.
11. No marquee constructed over sidewalks in those districts where permitted shall extend closer than two feet to the curb line of any adjoining street.
12. Snipe signs.
13. Above-roof signs.
14. Signs on vehicles or trailers which are parked or located for the primary purpose of displaying said sign.
15. Free-standing banner or banners not attached to a building, wall. See banner section of this ordinance for proper display regulations.
16. Backlit awning signs.

Sec. 290-080 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 off-premise advertising 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.

Oldham County Comprehensive Zoning Ordinance
DIVISION 290 SIGN REGULATIONS

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 displays 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 for the zoning district in which the sign is located.
2. Square footage of the Electronic sign shall not exceed 30 % 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 20 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 On-premise Signage

1. AG-1, CO-1, T, R-1, R-1A, R-2, R-2A, R-3 and R-4A Zoning Districts
 - a. Subdivision construction signs are allowed in the above zoning districts subject to the following:
 - i. One non-illuminated sign at each major entrance.
 - ii. The total sign area shall not exceed 48 square feet for each sign (32 square feet in LaGrange).
 - iii. Signs shall have a maximum height limit of 12 feet (6 feet in LaGrange).
 - iv. Signs shall have a setback of 15 feet from any public right-of-way.
 - v. Permits for such signs are valid for a period of one year or until construction is complete whichever comes first.
 - b. Two subdivision identification signs are allowed at a major entrance not to exceed 48 square feet in sign area for each sign.
 - c. All other signs in the above zoning districts must meet a minimum 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.
 - d. Roof signs are not allowed in the above zoning districts.
 - e. In the city of LaGrange all free-standing signs in the above zoning districts shall be either monument signs or mounted on two posts.

Oldham County Comprehensive Zoning Ordinance
DIVISION 290 SIGN REGULATIONS

2. R-4 High Density Residential District
- a. All signs as permitted in AG-1, CO-1, T, R-1, R-1A, R-2, R-2A, R-3 and R-4A zoning districts are allowed.
 - b. One identification sign per entrance to apartment or condominium complex, not to exceed 48 square feet in sign area.
 - c. Property zoned R-4 with the intended use of Professional Offices may be allowed signage under the following constraints. Professional Offices may be allowed two identification signs, only one of which may be separated from the building. The sign requirements for the residential zoning districts other than R-4 will apply to any use in R-4 that is not considered Professional Offices.
 - d. Free-standing signs for Professional Offices in the R-4 zoning district must meet a minimum 5 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).(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.)
 - e. Wall 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 50 square feet whichever is less.
 - ii. Not higher than roof or parapet line.
 - iii. May not extend more than 12 inches from wall.
 - f. 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.
 - g. Roof Signs are not allowed in the R-4 zoning district.

Oldham County Comprehensive Zoning Ordinance
DIVISION 290 SIGN REGULATIONS

3. O-1 and O-2 Office Districts, C-N Commercial Neighborhood District

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'	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.

City of LaGrange: only monument signs are allowed			
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 districts shall be monument signs.
- 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 which ever 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.

Oldham County Comprehensive Zoning Ordinance
DIVISION 290 SIGN REGULATIONS

4. C-1 Local Business District

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.

City of LaGrange: only monument signs are allowed			
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 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 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:

- 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.

Oldham County Comprehensive Zoning Ordinance
DIVISION 290 SIGN REGULATIONS

5. C-2 Community Business District

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 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.

City of LaGrange: only monument signs are allowed			
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. 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 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.

Oldham County Comprehensive Zoning Ordinance
DIVISION 290 SIGN REGULATIONS

6. C-3 General Business District

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.

iii.

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.

City of LaGrange: only monument signs are allowed			
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.

- 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 not 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 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 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 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.

Oldham County Comprehensive Zoning Ordinance
DIVISION 290 SIGN REGULATIONS

7. C-4 Highway Service District:

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.

City of LaGrange			
Front Sign Setback	Max Sign Height	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.	
4' or more Only 2-pol signs allowed	32'	110 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 free-standing sign and no other free-standing signs are displayed on the premises.
- v. For aesthetic purposes within the city of LaGrange all free standing pole signs in the above zoning district shall use round or rectangular poles with a minimum diameter or width of 20 inches.

Oldham County Comprehensive Zoning Ordinance
DIVISION 290 SIGN REGULATIONS

- 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 lineal foot of 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

- 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.

City of LaGrange: only monument signs are allowed			
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.

- 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 not other free-standing signs are displayed on the premises.

Oldham County Comprehensive Zoning Ordinance
DIVISION 290 SIGN REGULATIONS

- 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 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 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.
9. IPD Industrial Park District
- 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:
 - Front Yard 10 feet
 - Side Yard 15 feet
 - iii. 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 sight triangle.
 - iv. Free Standing Sign Size:
 - Maximum Sign Height 6 feet
 - 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:

Maximum Sign Area –one square foot of sign area for each lineal foot of building facing the public rights-of-way.
 - ii. Wall signs shall not extend above the roof line of the building façade in which they are located.
 - c. Prohibited Signs:

Oldham County Comprehensive Zoning Ordinance
DIVISION 290 SIGN REGULATIONS

The following types or style 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. 290-110 Off-premises Signage

1. All off-premises signs must receive approval as a conditional use from the appropriate Board of Adjustments prior to the issuance of a sign permit from the Planning & Zoning Office.
2. In addition to any condition of approval which the Board applies to an off-premises sign approval, the sign must also comply with the sign regulations for the zoning district in which it is located and shall be counted towards the total number of signs allowed.
3. Off-premises signs will not be allowed to be located within:
 - a. Fifty feet from street intersections as measured along the curb or edge of pavement;
 - b. The placement of one panel on top of another panel is prohibited.
 - c. The maximum height for all off-premises signs is 35 feet or the maximum height allowed for on-premises signs in the zoning district in which the sign is located, whichever is lesser.
 - d. Off-premises signs are not allowed in the city of LaGrange.

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 used for commercial promotional purposes or to announce community events. The Planning & Zoning Office reserves the right to revoke a temporary sign permit at any time. The following rules apply to temporary sign permits.

Types of Permits

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

Free-Standing Signs

1. These signs must meet the front setback requirements and the height requirements for the zoning district in which they are located.
2. More than one temporary sign may be permitted simultaneously as long as the total area of all temporary signs does not exceed the maximum sign area.
3. Various types of portable signs may be used on a temporary basis by permit. (not allowed in the city of LaGrange).
4. Banners for commercial purposes are not allowed as temporary free-standing signs in LaGrange.

Wall Signs

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

Oldham County Comprehensive Zoning Ordinance
DIVISION 290 SIGN REGULATIONS

Banners

1. Business owners of commercially zoned properties may obtain a sign permit valid for 30 days to periodically display banners attached to the building. No more than one such permit may be issued per property per calendar year.
2. Banners must be attached to the building. No more than one such permit may be issued per property per calendar year.
3. The area of the banner may be equal to but not greater than one square foot for every lineal foot of building frontage owned/leased by the applicant.
4. The Planning & Zoning Office may revoke this permit if the appearance of the banner becomes a safety hazard or is in disrepair.
5. In the city of LaGrange banners may also be used to announce community events (not to exceed 32 square feet). Said banners may be free-standing.

Flags for Commercial Promotional Purposes

1. The total area of all flags on a lot shall not exceed 60 square feet in area.
2. No flag shall be flown from a pole that exceeds 35 feet in height.
3. If a flag is mounted to a building, the vertical clearance from ground level when limp shall not be less than 9 feet, and
4. No flag shall be mounted above the roofline of a structure.
5. Flags for commercial promotional purposes are not allowed in the city of LaGrange.

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 alternative signage standards in lieu of this sign ordinance contained herein.

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,

Oldham County Comprehensive Zoning Ordinance
DIVISION 290 SIGN REGULATIONS

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:
 - a. Consistent with the purposes of this ordinance; and
 - b. 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
 - c. 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.
 - d. 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:

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 freestanding signs or banners shall be located within three hundred (300) feet of the center of the nearest travel lane of Interstate 71.
- d. No freestanding 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.

Oldham County Comprehensive Zoning Ordinance
DIVISION 290 SIGN REGULATIONS

- 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.

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.

Ordinary Repair and Maintenance. Work may be done on ordinary repair and maintenance, or on repair or replacement of sign fixtures or framing, sign wiring, or sign face. Nothing in this ordinance shall be deemed to prevent the strengthening or restoring to 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 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 is required 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 the ordinance.

DIVISION 300 LANDSCAPING REGULATIONS

Sec. 300-010 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 Outlook 2020 Oldham County Comprehensive Plan. The goals and objectives listed under each element of the Comprehensive Plan recommend developing landscape guidelines in order to guide the preservation of on-site woodlands, provide appropriate buffers from adjacent uses, and improve the visual appearance of structures, parking facilities and preserve natural resources.

Sec. 300-030 Applicability

1. No site development, building or structure shall hereafter be constructed nor Vehicular Use Area created unless landscaping is provided as required by the provisions of this Division. 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.
2. 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 percent (20%) or more.
 - b. Any construction resulting in an increase/expansion of an existing vehicular use area (VUA) square footage by twenty percent (20%) 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%, no landscaping shall be required.

Oldham County Comprehensive Zoning Ordinance
DIVISION 300 LANDSCAPING REGULATIONS

- 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.
- e. The percentage of required landscaping shall be equal to the percentage of increase in the area of the existing structure, building, and/or VUA. This will apply to expansions in area of 1,000 square feet or more.

i. If the existing landscaping meets or exceeds the required landscaping, there will be no additional requirement.

- 3. Single-family detached residential developments, and single family attached residential developments of 10 units or less, are not required to comply with Sec. 300-040 through Sec. 300-100, but are required to comply with other sections.
- 4. Phased development (excluding single-family detached residential) shall construct landscaping at each phase.

Sec. 300-040 Landscape Buffer Area Requirements

Landscape Buffer Areas minimize the potential for nuisances created when zoning districts or land uses of varying intensities abut, and shall be required at sites for which Division 300 is applicable. Landscape Buffer Area requirements shall be applied along property or right-of-way lines and at the perimeter of Vehicular Use Areas.

Utilities 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 relocated as approved by the Commission staff.

Sec. 300-050 Property Perimeter Landscape Buffer (PPLB) Areas and Plantings

Property Perimeter Landscape Buffer (PPLB) Areas shall be applied along all property boundaries of sites affected by this Division except for those boundaries adjacent to streets.

PPLB 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. Chart No. 1 lists the requirements for PPLB Area screening opacity and buffer area width. Plants used to meet screening requirements must be a minimum three (3) feet in height at maturity.

For site developments where the screen opacity and buffer width requirements found in Chart No. 1 are applicable, one (1) large or medium tree must be planted for every 100 linear feet, or fraction thereof, of property perimeter.

Additional requirements for PPLB Areas are as follows:

- a. Where a vacant parcel is proposed to be developed adjacent to an existing developed parcel, the developer or property owner of the proposed development shall provide all the perimeter landscaping requirements.
- b. When more than one landscape buffer area applies, the more restrictive standards shall be used.

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Oldham County Comprehensive Zoning Ordinance
DIVISION 300 LANDSCAPING REGULATIONS

PPLB Areas may contain walks, trails, or other similar elements, provided that the required plant material is not eliminated and the PPLB Area is at least 25 feet wide. PPLB Areas 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 PPLB Areas.

Oldham County Comprehensive Zoning Ordinance
DIVISION 300 LANDSCAPING REGULATIONS

Chart No. 1 PPLB Areas

Proposed Zoning/Use	Existing Adjacent Zoning/Use																				
	AG-1	CO-1	R-1A	R-1	R-2	R-2A	R-3	R-4A	R-4	T	O-1	O-2	C-N	C-1	C-2	C-3	C-4	I-1	I-2	IPD	SWF
AG-1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
CO-1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
R-1A	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
R-1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
R-2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
R-2A	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
R-3	LO.10	LO.10	LO.10	LO.10	LO.10	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
R-4A	HO.20	HO.20	SO.15	SO.15	SO.15	SO.15	SO.15	-	-	-	-	-	-	-	-	-	-	-	-	-	-
R-4	HO.20	HO.20	HO.20	HO.20	HO.20	HO.20	HO.20	SO.15	-	-	-	-	-	-	-	-	-	-	-	-	-
T	HO.30	HO.30	HO.30	HO.20	HO.20	HO.20	HO.20	HO.20	HO.20	-	-	-	-	-	-	-	-	-	-	-	-
O-1	SO.15	SO.15	LO.10	-	-	-	-	-	-	-	-	-	-	-	-						
O-2	SO.15	SO.15	LO.10	-	-	-	-	-	-	-	-	-	-	-	-						
C-N	SO.15	SO.15	LO.10	-	-	-	-	-	-	-	-	-	-	-	-						
C-1	SO.20	SO.20	SO.15	-	-	-	-	-	-	-	-	-	-	-	-						
C-2	HO.20	HO.20	HO.20	HO.20	HO.20	HO.20	HO.20	SO.15	SO.15	SO.15	SO.15	SO.15	SO.15	-	-	-	-	-	-	-	-
C-3	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.30	HO.30	HO.30	HO.30	HO.30	HO.30	SO.15	SO.15	-	-	-	-	-	-
C-4	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.30	HO.30	HO.30	HO.30	HO.20	HO.20	--	-	-	-	-
I-1	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.30	-	-	-										
I-2	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.30	-	-	-										
IPD	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	-
SWF	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	HO.50	-

Opacity (Screen): Opacity or Screening is classified into three categories: Low Opaque Screening (LO): Less than 50 Opacity; Semi-Opaque Screening (SO): 50-80% Opacity; and High Opaque Screening (HO): 80% or more Opacity. Opacity shall be designed to be achieved within four years. Opacity will be determined by the Commission staff.
 LO.10: means a minimum of low opaque screening with 10 feet landscaped buffer area.

Oldham County Comprehensive Zoning Ordinance
DIVISION 300 LANDSCAPING REGULATIONS

Sec. 300-060 Vehicular Use Area Perimeter Landscape Buffer (VUAPLB) Areas

In addition to the Property Perimeter Landscape Buffer (PPLB) Areas required under Section 300-050, requirements for Vehicular Use Area Perimeter Landscape Buffer (VUAPLB) Areas have been established to reduce the visual impact of Vehicular Use Areas including, but not limited to, parking lots, loading docks, and service areas. VUAPLB Areas shall be provided between any lot containing a VUA and a roadway, and/or on sites that meet the criteria set forth in the table found in Section 300-070. Staff may determine that both PPLB and VUAPLB Areas may be necessary to produce appropriate screening.

VUAPLB Areas shall be placed at the edge of pavement (or back of curb if present).

VUAPLB Areas 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: 1). 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); 2). the Commission has approved a final development plan for the properties.

Sec. 300-070 Vehicular Use Area Perimeter Planting

VUAPLB Areas shall be a minimum of ten (10) feet in width. Within the city of LaGrange, the VUAPLB Areas shall be a minimum of five (5) feet in width.

VUAPLB Areas shall be provided with the equivalent of 1 large or medium deciduous shade tree per 50 linear feet of boundary or a fraction thereof. No trees shall be spaced greater than 70 feet.

Additional landscape requirements shall vary relative to adjacent land uses and proximity to common property lines as follows:

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 and less than 50 feet	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

Oldham County Comprehensive Zoning Ordinance
DIVISION 300 LANDSCAPING REGULATIONS

The 3 foot or 6 foot high screen requirement can be met using evergreen shrubs, evergreen trees, berms, or fencing individually or in combination. Continuous screens may be broken or staggered for visual interest provided the result is a visually continuous screen.

All screening material including plants, fencing, walls, and berms used to satisfy these shall conform to the standards found in Sections 300-110 and 300-130.

Sec. 300-080 Interior Landscaping 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. 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.

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, 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.

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

1. A minimum of one (1) 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 (2) feet in mature height

Oldham County Comprehensive Zoning Ordinance
DIVISION 300 LANDSCAPING REGULATIONS

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 (3) 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.

Sec. 300-100 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. 300-110 Tree Preservation

Retention of existing vegetation to meet the landscaping requirements is strongly encouraged. Single-family detached 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.

Oldham County Comprehensive Zoning Ordinance
DIVISION 300 LANDSCAPING REGULATIONS

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.
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 for.

Sec. 300-120 Tree Protection during Construction and Maintenance

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.
8. An authorized inspector 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.

Sec. 300-130 General Standards

1. All plant materials proposed to meet landscaping requirements shall be living plants. 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

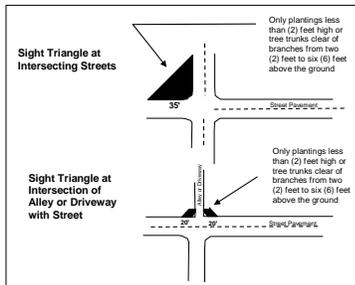
Oldham County Comprehensive Zoning Ordinance
DIVISION 300 LANDSCAPING REGULATIONS

another, and this change must be reflected on a revised plan or in a change order submitted to the Commission.

2. 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.
3. 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.
4. All required plant material shall meet the following minimum size criteria at 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 – 50 feet at maturity)	1 ¾ inch caliper
Shrubs (when required for 6-8 feet 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"-15"

5. 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").
6. 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. Ultimate determination of said potential interference and identification of any remedial specification of plantings vests in the landscape consultant.
7. No newly-planted trees may be planted closer together than 10 feet for small trees, 25 feet for medium trees, and 30 feet for large trees. 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.
8. No tree shall be planted in a space equal to or less than 3 feet in width.
9. A sight triangle will be observed at all street intersections including intersections of alleys or driveways as *illustrated to the right*. The sight triangle shall be measured from the edge of pavement to edge of pavement.



10. Ground covers, other than grass, used shall be installed in such a manner as to present a finished appearance and complete coverage within three (3) year of planting.
11. 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.

Oldham County Comprehensive Zoning Ordinance
DIVISION 300 LANDSCAPING REGULATIONS

12. 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.
13. 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.
14. Walls 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.
15. Fences shall be constructed of wood or other weatherproof, durable materials generally used for exterior construction and shall be maintained by the property owner.
16. Walls or fences used to satisfy screening requirements shall be at least 80% opaque.
17. All fences shall provide a finished side facing the less intensive use or the rights-of-way.
18. Chain-link fencing may be installed for purposes other than to satisfy screening requirements. Chain link fencing within the required buffer area is permitted if it is used in addition to plants, berms, or other allowable screening material and is not otherwise restricted by other applicable parts of this Ordinance.
19. Chain-link fencing may not under any circumstances be used to meet any screening requirements of this regulation, nor shall slats installed as part of a chain link fence be allowed to satisfy screening requirements.
20. 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.
21. 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.
22. To prevent erosion, mounds with side slopes greater than 2.5:1 shall be planted with a groundcover that does not require mowing.
23. Earth mounds/berms 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.
24. For sites that are greater than two (2) acres in size, plant material that is chosen to fulfill the requirement of this Division shall not exceed a maximum amount of 50% of one species.
25. When selecting plant materials, refer to the Oldham County Prohibited Plant List (Appendix 300-130A) for a list of plants that will not be accepted to meet the requirements of Division 300.
26. Within the city limits of LaGrange, when selecting plant materials, refer to the Oldham County Preferred Plant List (Appendix 300-130B) for a list of plants that will be accepted to meet the requirements of Division 300.

Sec. 300-140 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.

Oldham County Comprehensive Zoning Ordinance
DIVISION 300 LANDSCAPING REGULATIONS

Landscape Plans or Concept Landscape Plans may be submitted as part of any development plan or zoning change required by the 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.
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 300-110 and 300-120 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. 300-110.
 - 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.
 - h. Calculations that contain the total square footage of Vehicular Use Areas (VUAs) and related Interior Landscape Areas (ILAs), as required under Sec. 300-080. 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

Oldham County Comprehensive Zoning Ordinance
DIVISION 300 LANDSCAPING REGULATIONS

- inspections required under state regulations. This note must be shown on the Plan.
- k. Screening required under Sec. 300-100 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 Property Perimeter Landscape Buffer Areas and Plantings as per Section 300-050.
 - n. Data used to determine compliance with the requirements of Vehicular Use Area Perimeter Landscape Buffer Area and Planting requirements as per Sections 300-060 and 300-070.

Sec. 300-150 Permits and Waivers

- 1. Where landscaping is required, no building permit shall be requested until the required Landscape Plan has been submitted and approved, 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 Plan, unless a full cash bond or an irrevocable letter of credit from a banking institution with offices in Oldham County has been posted.
- 2. 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 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 Commission staff.
- 3. Upon application, the Commission may grant a waiver of requirements of this Division.

**Oldham County Comprehensive Zoning Ordinance
DIVISION 300 LANDSCAPING REGULATIONS**

Appendix 300-130A Prohibited Plant List

PLANT TYPE	SCIENTIFIC NAME	COMMON NAME CULTIVAR'
A	Ailanthus altissima	Tree of Heaven
A	Betula papyrifera	Paper Birch
A	Betula pendula	European White Birch
A	Diospyros virginiana (female)	Persimmon (females only)
A	Ginkgo biloba (female)	Ginkgo (females only)
A	Gleditsia triacanthos	Common Honey Locust
A	Gymnocladus dioicus (female)	Ky Coffee Tree (females only)
A	Morus alba	Asian White Mulberry
A	Populus (all)	Poplars (all) White Poplars Lombardy Poplar Quaking Aspen
A	Populus alba	White Poplar
A	Populus deltoides	Eastern Cottonwood
A	Ulmus carpiniflora	Smoothleaf Elm
A	Ulmus Fulva	Red Elm
A	Ulmus pumila	Siberian Elm
B	Acer negundo	Box Elder
B	Albizia julibrissin	Mimosa Tree
B	Maclura promifera (female)	Osage orange (females only)
B	Malus pumila	Common Apple
B	Paulownia tomentosa	Princess Tree
B	Pyrus calleryana	Callery Pear "Bradford"
B	Pyrus communis	Common Pear
B	Saliz babylonica	Weeping Willow
B	Sorbus (species)	Mountain Ash (species)
C	Elaeagnus umbellata	Autumn Olive
C	Elaeagnus angustifolia	Russian Olive
C	Euonymus alatus	Winged Euonymus
C	Euonymus kiautschovicus	Spreading Euonymus
C	Hibiscus syriacus	Rose of Sharon
C	Laburnum x waterei	Golden Chain Tree
C	Ligustrum (all)	Privets (all)
C	Lonicera japonica	Japanese Honeysuckle
C	Lonicera maackii	Honeysuckle

Oldham County Comprehensive Zoning Ordinance
DIVISION 300 LANDSCAPING REGULATIONS

PLANT TYPE	SCIENTIFIC NAME	COMMON NAME CULTIVAR'
C	<i>Lonicera morrowii</i>	Honeysuckle
C	<i>Lonicera tatarica</i>	Tatarian Honeysuckle
C	<i>Malus</i> (selected)	Crabapples (as shown) Almey, Corovaria, Dorothea, Eley, Hopa, Loensis, Red Silver Radiant, Sylvestris
C	<i>Prunus cerasifera</i> (Straight Species)	Cherry Plum (Straight Species)
C	<i>Prunus persica</i>	Peach
C	<i>Rhamnus cathartica</i>	Common Buckthorn
C	<i>Rhamnus frangula</i>	Glossy Buckthorn
D	<i>Berberis thunbergii</i>	Japanese Barberry
D	<i>Lythrum salicaria</i>	Purple Loosestrife
D	<i>Ilex cornuta</i>	Chinese Holly
D	<i>Philadelphus cornoarius</i>	Sweet Mockorange
D	<i>Photinia x fraseri</i>	Fraser Photinia or Red Tip
D	<i>Photinia villosa</i>	Oriental Photinia
D	<i>Prunus glandulosa</i>	Dwarf Flowering Almond
D	<i>Pryacantha coccinea</i>	Scarlet Firethorn
E	<i>Rosa Multiflora</i>	Japanese Rose
F	<i>Euonymus fortunei</i>	Wintercreeper Euonymus
F	<i>Hedera Helix</i>	English Ivy
F	<i>Polygonum cuspidatum</i>	Japanese Knotweed
F	<i>Vinca Minor</i>	Lesser Periwinkle

KEY:

- A. Large Tree
- B. Medium Tree
- C. Small Tree/Large Shrub
- D. Shrub
- E. Vine
- F. Groundcover

Oldham County Comprehensive Zoning Ordinance
DIVISION 300 LANDSCAPING REGULATIONS

Appendix 300-130B Suggested Tree Species For the City of LaGrange

Proper landscaping and tree planting are critical components of the atmosphere, livability and ecological quality of a community's urban forest. The tree species listed below have been evaluated for factors such as size, disease and pest resistance, seed or fruit set, and availability. The following list is offered to assist all relevant community personnel in selecting appropriate trees species. These trees have been selected because of their aesthetic and functional characteristics and their ability to thrive in the soil and climate (USDA Zone 6) conditions found throughout Kentucky.

Deciduous Trees

Large Trees: Greater than 45 feet in Height at maturity

Scientific Name	Common Name	Cultivar
<i>Acer rubrum</i>	Red Maple	Red Sunset
<i>Acer saccharum</i>	Sugar Maple	Legacy
<i>Aesculus flava*</i>	Yellow Buckeye	
<i>Betula nigra</i>	River Birch	Heritage
<i>Carpinus betulus</i>	European Hornbeam	Franz Fontaine
<i>Castanea mollissima*</i>	Chinese Chestnut	
<i>Celtis laevigata</i>	Sugar Hackberry	
<i>Celtis occidentalis</i>	Common Hackberry	Prairie Pride
<i>Cercidiphyllum japonicum</i>	Katsuratree	Aureum
<i>Diospyros virginiana*</i>	Common Persimmon	
<i>Fagus grandifolia*</i>	American Beech	
<i>Fagus sylvatica*</i>	European Beech	(Numerous exist)
<i>Fraxinus americana</i>	White Ash	Autumn Purple®
<i>Fraxinus pennsylvanica</i>	Green Ash	Cimmaron®
<i>Fraxinus quadrangulata*</i>	Blue Ash	True Blue
<i>Fraxinus tomentosa*</i>	Pumpkin Ash	
<i>Ginkgo biloba</i>	Ginkgo	(Choose male trees only)
<i>Gleditsia triacanthos inermis</i>	Thornless Honeylocust	Shademaster
<i>Gymnocladus dioicus</i>	Kentucky Coffeetree	Prairie Tital ®
<i>Juglans regia*</i>	English Walnut	Hansen
<i>Larix decidua*</i>	European Larch	
<i>Liquidambar styraciflua</i>	American Sweetgum	Rotundiloba
<i>Liriodendron tulipifera*</i>	Tuliptree	Fastigiatum
<i>Magnolia acuminata*</i>	Cucumbertree Magnolia	(Numerous exist)
<i>Magnolia macrophylla*</i>	Bigleaf Magnolia	
<i>Metasequoia glyptostroboides</i>	Dawn Redwood	Emerald Feathers
<i>Nyssa sylvatica</i>	Black Tupelo	
<i>Platanus x acerifolia</i>	London Planetree	Yarwood
<i>Plantanus occidentalis*</i>	American Sycamore	
<i>Quercus alba</i>	White Oak	
<i>Quercus bicolor</i>	Swamp White Oak	

**Oldham County Comprehensive Zoning Ordinance
DIVISION 300 LANDSCAPING REGULATIONS**

Large Trees: Greater than 45 feet in Height at Maturity (Continued)

Scientific Name	Common Name	Cultivar
<i>Quercus coccinea</i>	Scarlet Oak	
<i>Quercus ellipsoidalis</i>	Northern Pin Oak	
<i>Quercus frainetto</i>	Hungarian Oak	
<i>Quercus imbricaria</i>	Shingle Oak	
<i>Quercus lyrata</i>	Overcup Oak	
<i>Quercus macrocarpa</i>	Bur Oak	
<i>Quercus muehlenbergii</i>	Chinquapin Oak	
<i>Quercus phellos</i>	Willow Oak	
<i>Quercus prinus</i>	Chestnut Oak	
<i>Quercus robur</i>	English Oak	Heritage ®
<i>Quercus rubra</i>	Northern Red Oak	Splendens
<i>Quercus shumardii</i>	Shumard Oak	
<i>Styphnolobium japonicum</i>	Japanese Pagodatree	Regent
<i>Taxodium distichum</i>	Common Baldcypress	Shawnee Brave
<i>Tilia americana</i>	American Linden	Redmond
<i>Tilia cordata</i>	Littleleaf Linden	Greenspire
<i>Tilia x euchlora</i>	Crimean Linden	
<i>Tilia tomentosa</i>	Silver Linden	Sterling
<i>Ulmus parvifolia</i>	Lacebark Elm	All'ee ®
<i>Zelkova serrata</i>	Japanese Zelkova	Green Vase

Medium Trees: 31 to 45 Feet in Height at Maturity

Scientific Name	Common Name	Cultivar
<i>Aesculus x carnea</i>	Red Horsechestnut	
<i>Alnus glutinosa*</i>	Common Alder	Pyramidalis
<i>Boussonetia papyrifera*</i>	Paper Mulberry	
<i>Cladrastis lutea</i>	American Yellowwood	Rosea
<i>Eucommia ulmoides</i>	Hardy Rubber Tree	
<i>Koelreuteria paniculata</i>	Goldenraintree	
<i>Ostrya virginiana</i>	American Hophornbeam	
<i>Parrotia persica</i>	Persian Parrotia	Vanessa
<i>Phellodendron amurense</i>	Amur Corktree	Macho
<i>Pistacia chinensis</i>	Chinese Pistache	
<i>Prunus sargentii</i>	Sargent Cherry	
<i>Prunus maackii</i>	Amur Chokecherry	Amber Beauty
<i>Petrocarya fraxinifolia*</i>	Caucasian Wingnut	
<i>Pyrus calleryana</i>	Callery Pear	Earlyred
<i>Quercus acutissima</i>	Sawtooth Oak	
<i>Quercus cerris</i>	Turkey Oak	
<i>Sorbus alifolia</i>	Korean Mountainash	Redbird
<i>Toona sinensis</i>	Chinese Toon	

Oldham County Comprehensive Zoning Ordinance
DIVISION 300 LANDSCAPING REGULATIONS

Small Trees: 15 to 30 Feet in Height at Maturity

Scientific Name	Common Name	Cultivar
<i>Acer buergerianum</i>	Trident Maple	Streetwise ®
<i>Acer campestre</i>	Hedge maple	Queen Elizabeth tm
<i>Acer cappadocicum</i>	Coliseum Maple	Aureum
<i>Acer ginnala</i>	Amur Maple	Red Rhapsody tm
<i>Acer griseum</i>	Paperbark Maple	
<i>Acer nigrum</i>	Black Maple	
<i>Acer pensylvanicum*</i>	Striped Maple	
<i>Acer triflorum</i>	Three-flower Maple	
<i>Aesculus pavia</i>	Red Buckeye	
<i>Amelanchier arborea</i>	Downy Serviceberry	(Numerous exist)
<i>Amelanchier laevis</i>	Allengheny Service berry	
<i>Carpinus caroliniana*</i>	American hornbeam	
<i>Cercis canadensis</i>	Eastern Redbud	Forest Pansy
<i>Chionanthus virginicus</i>	White Fringetree	
<i>Cornus alternifolia</i>	Pagoda Dogwood	
<i>Cornus kousa</i>	Kousa Dogwood	(Numerous exist)
<i>Cornus mas</i>	Corneliancherry dogwood	Spring Sun
<i>Corylus avellana</i>	Eurpoean Filbert	Corntorta
<i>Continus coggygria *</i>	Common Smoketree	Flame
<i>Cotinus obovata*</i>	American Smoketree	
<i>Crataegus phaenopyrum</i>	Washington Hawthorn	Princeton Sentry tm
<i>Crataegus viridis</i>	Green Hawthorn	Winter King
<i>Franklinia alatamaha*</i>	Franklinia	
<i>Halesia tetraptera*</i>	Carolina Silverbell	Arnold Pink
<i>Laburnum x watereri</i>	Goldenchain Tree	
<i>Maackia amurensis</i>	Amur Maackia	
<i>Magnolia x soulangiana*</i>	Saucer Magnolia	Alexandrina
<i>Magnolia stellata*</i>	Star Magnolia	Centennial
<i>Magnlia tripetala*</i>	Umbrella Magnolia	
<i>Magnolia virginiana*</i>	Sweetbay Magnolia	Moonglow ®
<i>Malus spp.</i>	Flowering Crabapple	(Disease resistant only)
<i>Oxydendrum arboreum</i>	Sourwood	Mt. Charm
<i>Prunus subhirtella</i>	Higan Cherry	Pendula
<i>Prunus virginiana</i>	Common Chokecherry	Schubert
<i>Staphylea trifolia*</i>	American Bladdernut	
<i>Styrax japonicus</i>	Japanese Snowbell	Emerald Pagoda
<i>Syringa reticulata</i>	Japanese Tree Lilac	Ivory Silk

Note: * denotes species that are not recommended for a use as street trees.

Oldham County Comprehensive Zoning Ordinance
DIVISION 300 LANDSCAPING REGULATIONS

Coniferous and Evergreen Trees

Large Trees: Greater than 45 Feet in Height at Maturity

Scientific Name	Common Name	Cultivar
<i>Abies balsamea</i>	Balsam Fir	
<i>Abies concolor</i>	White Fir	Violacea
<i>Cedrus Libani</i>	Cedar-of-Lebanon	
<i>Chamaecyparis nootkatensis</i>	Nootka Falsecypress	Pendula
<i>Cryptomeria japonica</i>	Japanese Cryptomeria	Sekkan-sugi
<i>X Cupressocyparis leylandii</i>	Leyland Cypress	
<i>Ilex opaca</i>	American Holly	
<i>Picea omorika</i>	Serbian Spruce	
<i>Picea orientalis</i>	Oriental Spruce	
<i>Pinus densiflora</i>	Japanese Red Pine	
<i>Pinus strobus</i>	Eastern White Pine	
<i>Pinus sylvestris</i>	Scotch Pine	
<i>Pinus taeda</i>	Loblolly Pine	
<i>Pinus virginiana</i>	Virginia Pine	
<i>Pseudotsuga menziesii</i>	Douglasfir	
<i>Thuja plicata</i>	Western Arborvitae	(Numerous exist)
<i>Tsuga canadensis</i>	Eastern Hemlock	

Medium Trees: 31 to 45 Feet in Height at Maturity

Scientific Name	Common Name	Cultivar
<i>Chamaecyparis thyoides</i>	Atlantic Whitecedar	(Numerous exist)
<i>Juniperus virginiana</i>	Eastern Redcedar	
<i>Pinus bungeana</i>	Lacebark Pine	
<i>Pinus flexilis</i>	Limber Pine	
<i>Pinus Pparviflora</i>	Japanese White Pine	
<i>Thuja occidentalis</i>	Eastern arborvitae	(Numerous exist)

Small Trees: 15 to 30 Feet in Height at Maturity

Scientific Name	Common Name	Cultivar
<i>Ilex x attenuata</i>	Foster's Holly	
<i>Pinus aristata</i>	Bristlecone Pine	
<i>Pinus mugo mugo</i>	Mugo Pine	

Note: Coniferous species are not recommended for use as street trees.

This suggested species list was compiled through the use of the excellent references Dirr's Hardy Trees and Shrubs (Dirr, 2003) and Manual of Woody Landscaping Plant (5th Edition) (Dirr, 1998). Cultivar selection are recommendations only and are based on Davey Resource Group's experience; tree availability will vary by nursery.

DIVISION 310 ALL NONCONFORMING USES AND STRUCTURES

Sec. 310-010 Continuation and Maintenance

Any lawful use of land or structure existing at the time of adoption of the Interim 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. 310-020 Expansion of a Nonconforming Use

Non-conforming uses may not expand. Residential uses on lots of more than one (1) acre are exempt from this provision.

Sec. 310-030 Restoration of a Damaged Structure or Building

Any non-conforming building or structure which has been damaged to the extent of fifty percent (50%) 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 causes, and if a building permit has been issued within twelve (12) months of the date of damage and rebuilt within twelve (12) months of the issuance of the building permit.

Sec. 310-040 Abandonment of Nonconforming Use

No non-conforming use shall be re-established 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. 310-050 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. 310-060 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.

Sec. 310-070 Additions to Nonconforming Structures and Buildings

Any proposed addition to substantial remodeling of a non-conforming structure may be granted, after public hearing as a dimensional variance, by the appropriate Board of Adjustments. The

Oldham County Comprehensive Zoning Ordinance
DIVISION 310 ALL NONCONFORMING USES AND STRUCTURES

Board of Adjustments and Appeals shall first determine whether the proposed addition or substantial remodeling will facilitate or expand a non-conforming use.

Oldham County Comprehensive Zoning Ordinance
DIVISION 320 ACCESS MANAGEMENT REGULATIONS

DIVISION 320 ACCESS MANAGEMENT REGULATIONS (RESERVED)

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. The buildable width of a corner lot which is of record at the time of the adoption of these regulations shall not be reduced to less than thirty-two feet (32') by the application of the required side yard on the street side. Nothing in this section shall be construed to allow reduction of any other required side yard.
5. Where dwelling units are erected above, and as a subordinate use to, commercial and industrial structures in commercial and industrial districts, and each dwelling unit has openings to the outside only on the front and the rear and is no more than two rooms in depth, no side yard is required except such side yard as may be required in the district regulations for a commercial or industrial building on the side of the lot adjoining a residential district.
6. Whenever a lot abuts an alley, one-half (1/2) of the alley width may be considered as a portion of the required yard.

Oldham County Comprehensive Zoning Ordinance
DIVISION 330 EXCEPTIONS AND MODIFICATIONS

7. 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.
8. 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.
9. Fences and walls in the R-1, R-1A, R-2, R-2A, R-3, R-4A and R-4 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 (3½') 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.
10. An open, unenclosed porch or paved terrace may project into a required front yard or required back yard a distance of not more than ten feet (10').
11. 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.
12. 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.
13. 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.
14. A private family swimming pool may be constructed in required rear yard in excess of the maximum coverage of thirty percent (30%) by accessory buildings, provided that such pool shall be no closer than five feet (5') to any property line, and also is enclosed by a fence or other protective device at least four feet (4') in height prior to its use. Any buildings or structures in conjunction with a pool shall be classified as accessory buildings unless they are part of the main building.
15. 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').
16. 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, except the C-1, Local Business District, 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.

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,

Oldham County Comprehensive Zoning Ordinance
DIVISION 330 EXCEPTIONS AND MODIFICATIONS

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 sewer facilities approved by the Oldham County Health Department. 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.

The 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. All plans for sewage disposal must be approved by the County Health Department Officer or the Kentucky Division of Water and any other State or Federal agency deemed appropriate by the Commission and/or the Board of Adjustments.

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 TELECOMMUNICATIONS 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 that proposes to construct an antenna tower for telecommunications services or personal communications services 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 (1/2) 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;
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

Oldham County Comprehensive Zoning Ordinance

DIVISION 340 ANTENNA TOWERS FOR TELECOMMUNICATIONS SERVICES OR PERSONAL COMMUNICATIONS SERVICES

- County Clerk and, if applicable, the portion of the agreement demonstrating compliance with KRS 100.987(2);
8. The identity 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 feet (500') of the proposed site on the property on which the tower will be located, and all easements and existing structures within two hundred feet (200') 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 feet (500') 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 feet (500') 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 (2'x4') in size, stating the "[Name of applicant] proposes to construct a telecommunications tower on this site" and including the addresses 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 (2'x4') in size, stating that "[Name of applicant] proposes to construct a telecommunications tower near this site" and including the addresses and telephone numbers of the applicant and the Commission, has been posted on the public road nearest the site;

Oldham County Comprehensive Zoning Ordinance

DIVISION 340 ANTENNA TOWERS FOR TELECOMMUNICATIONS SERVICES OR PERSONAL COMMUNICATIONS SERVICES

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 an antenna tower should, pursuant to radio frequency requirements, be located.

Sec. 340-030 Notice

Written notice of the meeting at which the application 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 specific 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 the 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 or the sixty (60) day time period has expired and the Commission has failed to issue a decision. The Commission may require the applicant to make a reasonable attempt to co-locate

Oldham County Comprehensive Zoning Ordinance

DIVISION 340 ANTENNA TOWERS FOR TELECOMMUNICATIONS SERVICES OR PERSONAL COMMUNICATIONS SERVICES

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 statement 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 contract with an owner of property upon which a telecommunication antenna tower is to be constructed shall include a provision that specifies, in the case of abandonment, the method that will be followed for dismantling and removing a telecommunication 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

Oldham County Comprehensive Zoning Ordinance

DIVISION 340 ANTENNA TOWERS FOR TELECOMMUNICATIONS SERVICES OR PERSONAL COMMUNICATIONS SERVICES

deposit to an amount equal to the cost of the most costly demolition and removal times twenty-five percent (25%) 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 map 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 feet (50') from the property line of any residentially zoned property and shall, in all 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 feet (200') regardless of the maximum allowed height for the district in which it is located. This also applies to any tower taller than fifteen feet (15') constructed on the 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 taller than the distance from its base to the nearest property line, the applicant shall furnish the

Oldham County Comprehensive Zoning Ordinance

DIVISION 340 ANTENNA TOWERS FOR TELECOMMUNICATIONS SERVICES OR PERSONAL COMMUNICATIONS SERVICES

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 current ANSI/EAI/TAI standards. When a tower taller than fifteen feet (15') constructed on the 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 foot (8') 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 emissions. (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 have no more than twelve (12) months from submittal of the FCC notice to 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 or telecommunication antenna tower or alternative telecommunication antenna tower structure shall be presumed abandoned,

Oldham County Comprehensive Zoning Ordinance

DIVISION 340 ANTENNA TOWERS FOR TELECOMMUNICATIONS SERVICES OR PERSONAL COMMUNICATIONS SERVICES

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 his 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 question, 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 available to the general public. A transcript of the minutes of Board of Adjustments shall be provided if requested 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 Board of Adjustments.

Oldham County Comprehensive Zoning Ordinance
DIVISION 350 BOARDS 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 with 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.
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 Adjustment 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 in 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:

Oldham County Comprehensive Zoning Ordinance
DIVISION 350 BOARDS OF ADJUSTMENTS

- 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 regulation.
- 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 Uses:** 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 in the zoning regulation 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 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 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 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 Board of Adjustments. Board of Adjustments shall hold a hearing on the report within a reasonable time, and notice of the time and place of the hearing shall be furnished to the landowner at least one week prior to the hearing. If the Board of Adjustments finds that the facts alleged in the report of the Administrator are true and that the landowner has taken no steps to comply with them between the date of the report and the date of the hearing, the Board of Adjustments may authorize the Administrator to revoke the conditional use permit and take the necessary legal action to cause the termination of the activity on the land which the conditional use permit authorized.

Oldham County Comprehensive Zoning Ordinance
DIVISION 350 BOARDS OF ADJUSTMENTS

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 enter the facts which indicate 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, will be treated as a permitted use.

4. **Uses Not Specifically Permitted in Zoning Districts.** The Board of Zoning Adjustments shall have the power to determine which uses are of the same general character 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 administrative official. No building permit shall be issued by the Administrator except in conformity with the provisions of this regulation, unless the Administrator receives a written order from the Board of Adjustments in the form of an administrative review, conditional use, or variance as provided by this regulation.

If no building permit has been issued and a builder or individual begins or continues to build, 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 publicly 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. [AMENDED 4-17-84 – DOCKET 1211 ORDINANCE NO. 84-920.142]
4. Installation of required improvements according to an approved preliminary subdivision plat.

Sec. 360-030 Building Permit Procedure

All applications shall be accompanied by a dimensional drawing of the building plot, in duplicate, showing the location of buildings and structures, lot area to be used, auto parking areas, and water supply and sewage disposal facilities. The County Health Officer's certificate approving proposed water and sewage facilities must accompany applications according to Sec.330-060 of this Zoning Ordinance. One copy of the building plot drawing shall be returned to the applicant by the Administrator marked as approved or disapproved, and attested to same by his signature on such copy. One copy similarly marked shall be retained by the Administrator. Building permit applications shall be acted on within a reasonable time.

Sec. 360-040 Construction Equipment

No construction equipment shall be parked more than twenty-four (24) hours on any publicly dedicated subdivision street or county or state highway 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 Administrator who may be a member of the Commission and who shall be appointed by the county judge-executive subject to the approval of the Fiscal Court. The salary of the Administrator 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 contract with all incorporated cities in the county for joint administration and enforcement of all regulations adopted by the 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 Administrator 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 Enforcement

1. Any person, firm, corporation, or entity that violates any of the provisions of these regulations for which no other penalty is provided shall upon conviction be fined not less than ten dollars (\$10.00) but no more than five hundred dollars (\$500.00) for each conviction. Each day of violation shall constitute a separate offense.
2. Any person, owner, agent, or entity that violates these regulations shall upon conviction be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for each lot or parcel which was the subject of a sale or transfer, or a contract for sale or transfer in violation of these regulations. Any person who fails to file applications for a building permit shall be subject to a penalty fee in an amount determined by the Commission.
3. 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 Subdivision Regulations

As used herein references to these regulations shall have reference to the Zoning Ordinance or the Subdivision Regulations as the facts or questions before the Commission may require. Both the Comprehensive Zoning Ordinance and Subdivision Regulations shall be considered as one. 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 in 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 Ordinance shall be deemed a part of the Subdivision Regulations, the same as if fully copied

Oldham County Comprehensive Zoning Ordinance
DIVISION 370 ADMINISTRATION, ENFORCEMENT AND PENALTIES

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 Administrator to inform the applicable Mayor of all violations of this ordinance within the incorporated area which he 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 of any affected property. 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 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 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.

Oldham County Comprehensive Zoning Ordinance
DIVISION 380 ZONING MAP AMENDMENT PROCEDURES AND DEVELOPMENT PLAN REQUIREMENTS

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. This 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 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 complied with 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, the 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 review of a development plan:

1. 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;
2. The provisions for safe and efficient vehicular and pedestrian transportation both within the development and the community;
3. The provision for sufficient open space (scenic and recreation) to meet the needs of the proposed development;
4. 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;
5. 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;
6. 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 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 assigns, unless otherwise amended as herein provided or

released by the Commission. The “binding elements” designated 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 amendment of the zoning map and the appropriateness of the development plan for the site in question.

A qualified court reporter may be requested by the applicant or objectors at any hearing before the Commission ten (10) days prior to the hearing. The reporter shall be paid by the applicant, or objectors, 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.

Oldham County Comprehensive Zoning Ordinance
DIVISION 380 ZONING MAP AMENDMENT PROCEDURES AND DEVELOPMENT PLAN REQUIREMENTS

The Administrator can request the Commission determine if the development plan or the 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 change 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. Such letter shall be filed with the appropriate legislative body within fifteen (15) days from the date the minutes of the Commission are approved, reflecting its action regarding said Zoning Map change and development plan. A copy of said letter shall also be forwarded, by the legislative body, to the Commission.

B. Notice

- a. 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.
- b. 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 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 development plan on zoning records and issue building permits in conformance with said change.

F. Judicial Review of Legislative Action

Oldham County Comprehensive Zoning Ordinance
DIVISION 380 ZONING MAP AMENDMENT PROCEDURES AND DEVELOPMENT PLAN REQUIREMENTS

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:

2. Residential Uses: Attached housing developments of 10 units or more.
3. Non-residential Uses: Prior to the issuing of a building permit, site plan approval shall be obtained for nonresidential 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 twenty-five hundred (2,500) square feet of building/structure area;
 - c. An addition/expansion that will contain more than twenty (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 fifty (50) percent of the original square footage of building/structure area for sites one-half acre and less.
4. Manufactured Home Park: Site plan approval shall be obtained for all new manufactured home parks.
5. 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 twenty (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 (1) inch equals fifty (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 (1) inch equals one thousand (1,000) feet, which shall include streets and corporate limit lines within a one-half (0.5) mile radius of the site.
4. Names, addresses and telephone numbers of the owner and the applicant.
5. Names, addresses telephone numbers, and seals (on the section of the plan that they prepare) of each professional consultant participating in the design.
6. North arrow.
7. City, county and state.

Oldham County Comprehensive Zoning Ordinance
DIVISION 390 SITE PLAN REGULATIONS

8. Date.
9. Existing zoning and parcel number for the site.
10. Proposed use.
11. Name of owner(s), address, parcel number, zoning and use of adjoining properties.
12. Minimum required front, side and rear setback lines.
13. Location of the 100-year floodplains per FEMA maps.
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 type.
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. Statistics for the proposed development:
 - a. Total lot area
 - b. Lot width
 - c. Total floor area of buildings
 - d. Floor Area Ratio (FAR) for all uses
 - e. Total lot area covered by structures
 - f. Percentage of lot covered by structures
 - g. Total lot area covered by impervious surface
 - h. Percentage of lot covered by impervious surface

Oldham County Comprehensive Zoning Ordinance
DIVISION 390 SITE PLAN REGULATIONS

- i. Height of structures in stories and feet
 - j. Setbacks of all buildings, structures and parking area (front yard, side yard and rear yard).
26. 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.1-400.

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.

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 (1) 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.

Oldham County Comprehensive Zoning Ordinance
DIVISION 400 COMMUNITY FACILITY REVIEW

DIVISION 400 COMMUNITY FACILITY REVIEW

Any proposal 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.

Oldham County Comprehensive Zoning Ordinance
DIVISION 410 ENVIRONMENTAL PERFORMANCE STANDARDS

DIVISION 410 ENVIRONMENTAL PERFORMANCE STANDARDS (RESERVED)

Oldham County Comprehensive Zoning Ordinance
DIVISION 420 DEFINITIONS

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 documents, those definitions shall take precedence over definitions in this division where differences exist.

Accessory Service and Retail Use	Accessory service and retail uses serving primarily (75% 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 and located on the same lot with such principal use or building.
Acre-foot	Acre-foot means a measure of volume equivalent to a material that is one foot (1') deep 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.
Agricultural Uses	“Agricultural use” means the use of 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 above agricultural use on the tract, but not including residential building development for sale or lease to the public, and shall also include, regardless of the size of the tract of land used, small wineries licensed under KRS 243.155, and farm wineries licensed under the provisions of KRS 243.156;
Alley	Any public or private way set aside for public travel less than twenty feet (20') in width and providing only a secondary means of access to property abutting thereon.

Oldham County Comprehensive Zoning Ordinance
DIVISION 420 DEFINITIONS

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	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 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 the Civil War), early forts (pioneer and the Civil War) and stations (pioneer), petroglyphs (prehistoric art on rocks or 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 for 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.
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 rearrangement for definite periods, lodging, and/or morning meals are provided for ten (10) rooms or less.
Board 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.
Building	Any structure constructed or used 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

Oldham County Comprehensive Zoning Ordinance
DIVISION 420 DEFINITIONS

Building Envelope	and the relationship of grade to floor level. The three-dimensional space within which a structure is permitted to be built on a lot and that is defined by maximum height regulations, 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 grade 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 for 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 Religions Institutions	A building, structure, group of buildings, or place of worship in which 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 educational institution authorized by the state to award baccalaureate or higher degrees.
Commercial Resort	A resort furnishing lodging, meals, and such recreational facilities as swimming, boating, shuffleboard, horseback riding, and golf. The recreational facilities shall be

Oldham County Comprehensive Zoning Ordinance
DIVISION 420 DEFINITIONS

(Common) Open Space	incidental to the furnishing of lodging and meals. An open space area within or related to a site designated as a development, and that is designed and intended for the use or enjoyment of residents and owners of the development. (Common) Open Space may contain such complementary structures and improvements as are necessary and appropriate for the use or enjoyment of residents and owners of the development.
Commercial 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.
Community Residences	A residence licensed by the Commonwealth of Kentucky Department for Human Resources, operated and maintained to provide a homelike setting for developmentally disabled individuals (see definition), having only one kitchen and only one dining area (both of which must be common to the residence), not adjacent to or part of an institutional campus, operated by a sponsoring agency or individual for individuals who shall participate in community activities and use community resources, where there are more than five persons who are not related to any other resident by blood, legal adoption or marriage.
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 (1000) 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 performance are imposed in addition to those 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

Oldham County Comprehensive Zoning Ordinance
DIVISION 420 DEFINITIONS

	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.
Deciduous Density	Foliage that sheds at the end of the growing season. 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 or equipment.
Development Site	See "Building Site".
Developmentally Disabled Individual	An individual having a disability attributable to mental retardation, cerebral palsy, epilepsy, autism (or dyslexia resulting from these), or to any other conditions closely related to mental retardation in terms of intellectual and adaptive problems.
Dripline	A vertical projection to the ground surface from the furthest lateral extent of a tree's leaf canopy.
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, Multiple-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 or facilities for the housing of transient residents.
Dwelling Units Per Acre (DU)	The number of dwelling units divided by the lot area.
Evergreen	Foliage that remains on a plant and green throughout the year.
Family	A group of one or more persons occupying a premises and living as a single housekeeping unit, whether or not related to each other by birth, adoption, or marriage; but no unrelated group shall consist of more than five

Oldham County Comprehensive Zoning Ordinance
DIVISION 420 DEFINITIONS

	persons, as distinguished from a group occupying a boarding or lodging house or hotel
Floor Area Ratio (FAR)	The gross floor area of all non-residential 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.
Height, Building	The vertical distance from the finished grade at the front and street side of the building or structure to the top of the coping of a flat or mansard roof; or to the average height level between the eaves and ridge for gable or slope of a hip roof. Note: Height restrictions apply to building façade on front and street side (for corner lots). Walkout basements at the rear will not count toward building height.
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	Historic Structure – means any structure that is: <ol style="list-style-type: none">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 or 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; or4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:<ol style="list-style-type: none">a. By an approved state program as determined by the Secretary of the Interior, orb. 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.

Oldham County Comprehensive Zoning Ordinance
DIVISION 420 DEFINITIONS

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 ratio (FAR) for nonresidential development, such as commercial, office and industrial.
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.
Kenel	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 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 aldermen, 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.
Lot	A piece, parcel, or plot of land occupied or to be occupied

Oldham County Comprehensive Zoning Ordinance
DIVISION 420 DEFINITIONS

	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 for 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.
Manufactured Home	A structure transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes park trailers, travel trailers, and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.
Medical Office/Clinic	An establishment providing therapeutic, preventive, 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.
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.
Manufactured Home	Any vehicle or similar portable structure used, or so constructed as to permit its being used as a conveyance upon the public streets or highways, and designed to permit occupancy thereof as a dwelling place for one or more persons, including camper or vacation trailers; or any structure fabricated in offsite manufacturing facility for installation or assembly at the building site as a permanent structure with transport features removed, bearing a seal certifying that it is built in compliance with the federal Manufactured Housing Construction and Safety Standards Code as set forth in the Code of Federal Regulations, title 24, Part 3280, 3282, 3283, and 42 USC 5401, et seq., and as mandated by the United States of America and as administered by the United States Department of Housing and Urban Development

Oldham County Comprehensive Zoning Ordinance
DIVISION 420 DEFINITIONS

	and commonly referred to as the HUD Code.
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.
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 or 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 or 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.
Nursing Home	A home for the aged, chronically ill or incurable persons 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 diagnoses, treatment, or care of the sick or injured.
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.

Oldham County Comprehensive Zoning Ordinance
DIVISION 420 DEFINITIONS

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 professional 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.
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 items(s) outside a building in a nonresidential 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.
Planned Unit Development (PUD)	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.
Planning Commission Staff	
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.
Public Utility, Buildings and Facilities	Any system, facility, or building that is operated by a municipality, governmental agency, or a public utility providing to the public a service deemed necessary for the public health, safety, and welfare.
Recreational Vehicle	A vehicle which is (a) built on a single chassis, (b) four hundred (400) square feet or less when measured at the largest horizontal projection (c) designed to be self-

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Oldham County Comprehensive Zoning Ordinance
DIVISION 420 DEFINITIONS

	propelled or permanently towable to a light duty truck (d) and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
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 similar 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 regulations.
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 sight distance of motorists entering or leaving the intersection.
Small Sites	Small Sites are defined as developments totaling ten thousand (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. [Added 1/15/91 – Ordinance KOC 91-800-843]
Street	Any public or private ways dedicated to public travel twenty feet (20') or more in width. The word "street" shall include the words "road", "highway", and

Oldham County Comprehensive Zoning Ordinance
DIVISION 420 DEFINITIONS

Structure	<p>“thoroughfare”.</p> <p>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.</p>
Substantial Damage	<p>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 percent (50%) of the market value of the structure before the damage occurred.</p>
Substantial Improvement	<p>Any combination of repairs, reconstruction, alteration, or improvements to a building taking place during a five (5) year period in which the cumulative cost equals or exceeds fifty percent of the market value of the building. The market value of the building should 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 Official 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”.</p>
Subdivision	<p>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</p>

Oldham County Comprehensive Zoning Ordinance
DIVISION 420 DEFINITIONS

	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.
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 open 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 or storing of such vehicles or their parts thereof.
Vehicular Use Area (VUA)	Any area occupied in whole or in part by motorized vehicles, including, but not limited to, parking lots, parking stalls, driveways, service areas, and roadways.
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.
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 refer 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

Oldham County Comprehensive Zoning Ordinance
DIVISION 420 DEFINITIONS

	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 closest point of any building.
Yard Sale 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.
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.