

**THE
ZONING ORDINANCE
AND
DEVELOPMENT REGULATIONS
FOR
THE CITY OF RADCLIFF**



PREPARED BY:
THE RADCLIFF PLANNING COMMISSION
WITH THE ASSISTANCE OF:
PAUL R. TICE II, PLANNER

PREFACE

The Zoning Ordinance and General Development Regulations for the City of Radcliff were authored by Paul R. Tice II, Planner under the guidance of the Radcliff Planning Commission. The ordinance was developed during the months of November and December of 1983 and January, February and March of 1984. A completely new Zoning Ordinance was developed to achieve several objectives, including, but not limited to the following:

1. To encourage development which will act towards implementing the newly created and adopted Comprehensive Plan.
2. To make the Zoning Ordinance consistent with the newly created and adopted Subdivision Regulations.
3. To improve the over-all appearance of Radcliff with special emphasis of the mobile home, multi-family and commercial developments.
4. To allow flexibility in the zoning scheme while insuring compatibility between differing land uses.
5. To allow the citizens of Radcliff the maximum opportunity to use their property while protecting the welfare and value of the surrounding properties.

It is felt that this new ordinance will achieve the above-listed objectives.

It should be acknowledge that various groups and individuals contributed to the development of this set of growth-management regulations. The following persons are noted for their contributions:

Mayor Joseph B. Hutcherson

The Radcliff City Council

Mr. Allen Bell
Mr. William Faulkner
Mr. Vincent Kieta
Mr. Jennings Smith
Mrs. Martha Baker
Mr. Don Yates

The Radcliff Planning Commission

Mr. John Pearman, Chairman
Ms. Sandra Brown
Mr. Raymond Dawley, Jr.
Mr. William Mahanna
Mr. Oliver Sullivan
Mr. Allen Bell
Mr. Warren Wells

Mr. Ladislav J. Novak; City Engineer
Mr. Terry Bennett and Mr. Steve Wheatley, City Attorneys
Mr. Melvin Atcher and Mr. Tracy Arflin of the Radcliff Building Department
Ms. Brenda Kersey; Planning Commission Secretary and Typist
Mrs. Leslie Miller; City Secretary and Typist

TABLE OF CONTENTS

<u>ARTICLE I - INTRODUCTION</u>	<u>PAGE</u>
1.1 - Title	1
1.2 - Authority	1
1.3 - Adoption and Effective Date	1
1.4 - Purpose	1
1.5 - Interpretation and Scope of Regulations	2
1.6 - Severability Clause	2
1.7 - Repeal of Conflicting Ordinance & Regulations	2
 <u>ARTICLE II - DEFINITIONS</u>	
2.1 - Explanation of Word & Phrase Usage	3
 <u>ARTICLE III - GENERAL DEVELOPMENT REGULATIONS</u>	
3.1 - 3.8 - Miscellaneous Regulations	16
3.9 - Clear Intersection View Requirement for Corner Lots	17
3.10 - Corner Lot Requirements	18
3.11 - Street Frontage	18
3.12 - Fences	18
3.13 - Accessory Structures	19
3.14 - Habitable Floor Area Requirements	20
3.15 - Additions to Existing Structures Which Do Not Meet Required Dimensional Setbacks	21
 <u>ARTICLE IV - GENERAL DESIGN & IMPROVEMENT STANDARDS</u>	
4.1 - Drainage Standards	23
4.2 - Street & Drive Standards	23
4.3 - Sedimentation & Erosion Control Standards	23
4.4 - Utility Standards	23
4.5 - Lot Identification Standards	23
4.6 - Cut & Fill Standards	23
4.7 - Sidewalk Standards	24
4.8 - Special Requirements for Developments Containing Zero-Lot Line and/or Condominium Designs	25
 <u>ARTICLE V - GENERAL ADMINISTRATION, ENFORCEMENT AND APPEAL REGULATIONS</u>	
5.1 - Limitations On All Land And Structures	27
5.2 - Zoning Certificates Required	27
5.3 - Building Permits Required	27

5.4 - Permit To Use Or Occupy Structures	28
5.5 - Violations And Penalties	28
5.6 - Effect Of Other Ordinance, Regulations, Statutes and Private Covenants	29
5.7 - Duties And Powers Of City Staff Acting On Behalf Of The Planning Commission	29
5.8 - Enforcement	30
5.9 - Board of Adjustment	31
5.10 - Liability	34

**ARTICLE VI - ZONING & REZONING STANDARDS, MAP &
TEXT AMENDMENT PROCEDURES**

6.1 - Map & Text Amendment Procedure	35
6.2 - Zoning & Rezoning Procedure And Standards	35
6.3 - Zoning Of Annexed Territory	38

ARTICLE VII - ZONING MAP STANDARDS

7.1 - Description Of Map	39
7.2 - Changing Zone Boundaries	40
7.3 - Interpretation Of The Zone Boundaries	41
7.4 - Location District Boundary Lines Not Readily Determinable From Official Zoning Map	41

ARTICLE VIII - NONCONFORMING USE STANDARDS

8.1 - Definition Of A Nonconforming Use	43
8.2 - General Standards	43
8.3 - Replacement Of Nonconforming Mobile Homes	44

ARTICLE IX - HOME OCCUPATION STANDARDS

9.1 - Purpose	46
9.2 - Zones Allowed	46
9.3 - Prohibited Commercial Activities	46
9.4 - Specific Conditions	46
9.5 - Home Occupation Permit Required	47
9.6 - Business License	47

ARTICLE X - CONDITIONAL USE STANDARDS

10.1 - Purpose	48
10.2 - Kentucky Revised Statutes Concerning Conditional Uses (KRS 100.237)	48
10.3 - Basement Apartment Units	49
10.4 - Public And Quasi-Public Uses Allowed In Residential Zones	50
10.4.1-Limited Commercial use in a Residential Zone as a Mixed Use	51
10.5 - Public And Quasi-Public Uses Allowed In The Commercial And C-H Zone	51
10.6 - Other Conditional Uses Allowed In The Commercial And C-H Zone	52
10.6.1-Residential in a Commercial Zone as a Mixed Use.	52

10.7 - Reserved	53
10.8 - Conditional Uses Allowed In The Industrial And I-H Zone	53a
10.9 - Modular, Section Or Manufactured Dwelling Units	53a

ARTICLE XI - OFF-STREET PARKING STANDARDS

11.1 - General	54
11.2 - Required Number of Parking Spaces	54
11.3 - Off-Street Parking by Land Use	54
11.4 - Shared Parking	54
11.5 - Location of Lot	54
11.6 - Parking Space Dimensions	55
11.7 - Driveway Slopes	55
11.8 - Parking Space Accessibility	55
11.9 - Compact-to-Standard Parking Space Ratio	55
11.10 - Screening	55
11.11 - Striping	55
11.12 - Lighting	55
11.13 - Handicap Parking	56
11.14 - Parking Aisle Width	56
11.15 - Curb Cuts	56
11.16 - General Design Standards for Parking Facilities	56

ARTICLE XII - PLANNED BUILDING GROUP (P.B.G.)

12.1 - Purpose	58
12.2 - Restriction To Certain Zones	58
12.3 - Application And Review Procedures For Planned Building Groups	58
12.4 - Format And Content Requirements For Planned Building Group Site Plans	59
12.5 - General Lot Development And Design Standards	59
12.6 - Building Placement Standards	60
12.7 - Recording And Filing Of Approved Planned Building Group Site Plan	61
12.8 - Revisions To Approved Planned Building Groups	61

ARTICLE XIII - RESIDENTIAL-HOLDING ZONE STANDARDS

13.1 - Description Of The Zone	63
13.2 - Permitted Uses	64
13.3 - Lot Coverage	64
13.4 - Required Set-Backs	64
13.5 - Parking Requirements	64
13.6 - General Design & Improvement Standards	65
13.7 - General Development Regulations	65

ARTICLE XIV - RESIDENTIAL-ESTATE ZONE STANDARDS

14.1 - Permitted Uses	66
14.2 - Minimum Lot Area	66

14.3 - Lot Coverage	66
14.4 - Required Set-Backs And Dimensional Requirements	66
14.5 - Parking Requirements	66
14.6 - General Design And Improvement Standards	66
14.7 - General Development Regulations	66

ARTICLE XV - RESIDENTIAL -1 ZONE STANDARDS

15.1 - Permitted Uses	68
15.2 - Minimum Lot Area	68
15.3 - Lot Coverage	68
15.4 - Required Set-Backs And Dimensional Requirements	68
15.5 - Parking Requirements	68
15.6 - General Design & Improvement Standards	68
15.7 - General Development Regulations	68

ARTICLE XVI - RESIDENTIAL - 2 ZONE STANDARDS

16.1 - Permitted Uses	70
16.2 - Minimum Lot Area	70
16.3 - Lot Coverage	70
16.4 - Required Set-Backs And Dimensional Requirements	70
16.5 - Parking Requirements	71
16.6 - General Design And Improvement Standards	71
16.7 - General Development Standards	71

ARTICLE XVII - RESIDENTIAL - 3 ZONE STANDARDS

17.1 - Permitted Uses	73
17.2 - Minimum Lot Area	73
17.3 - Lot Coverage	74
17.4 - Required Set-Backs And Dimensional Requirements	74
17.5 - Parking Requirements	74
17.6 - General Design And Improvement Standards	74
17.7 - General Development Standards	74

ARTICLE XVIII - RESIDENTIAL - 4 ZONE STANDARDS

18.1 - Permitted Uses	76
18.2 - Minimum Lot Area	76
18.3 - Lot Coverage	77
18.4 - Required Set-Backs And Dimensional Requirements	77
18.5 - Parking Requirements	77
18.6 - General Design And Improvement Standards	77
18.7 - General Development Standards	77

ARTICLE XIX - RESIDENTIAL - 5 ZONE STANDARDS

19.1 - Permitted Uses	79
-----------------------	----

19.2 - Minimum Lot/Site Area	79
19.3 - Required Set-Backs And Dimensional Requirements	83
19.4 - Parking Requirements	83
19.5 - Screening Required	84
19.6 - Residential - 5 Development Site Plan Required	84
19.7 - General Lot Development And Design Standards	87
19.8 - Disapproval Of Residential - 5 Development Site Plans	87
19.9 - Approval Of Residential - 5 Development Site Plans	87a
19.10 - Amendment To Residential - 5 Development Site Plans	87a

ARTICLE XX - RESIDENTIAL - 6 ZONE STANDARDS

20.1 - Permitted Uses	89
20.2 - Minimum Lot/Site Area	89
20.3 - Required Set-Backs And Dimensional Requirements	93
20.4 - Parking Requirements	94
20.5 - Screening Required	94
20.6 - Residential - 6 Development Site Plan Required	95
20.7 - General Lot Development And Design Standards	97
20.8 - Disapproval Of Residential - 6 Development Site Plans	98
20.9 - Approval Of Residential - 6 Development Site Plans	98
20.10 - Amendment To Residential - 6 Development Site Plans	98

ARTICLE XXI - RESIDENTIAL - 7 ZONE STANDARDS

21.1 - Permitted Uses	100
21.2 - Minimum Lot Area	100
21.3 - Minimum Zone Area	100
21.4 - Lot Coverage	100
21.5 - Minimum Required Set-Backs And Dimensional Requirements	100
21.6 - Screening Required	101
21.7 - Parking Requirements	101
21.8 - Mobile Home Subdivision	101
21.9 - Mobile Home Parks	101
21.10 - Miscellaneous Development Standards For Mobile Home Parks And Mobile Home Park Subdivisions	102
21.11 - Mobile Home Permit	104
21.12 - This Section Reserved For Future Use	104
21.13 - Replacement Of Mobile Homes	105
21.14 - General Design And Improvement Standards	105
21.15 - General Development Regulations	105

ARTICLE XXII - PLANNED UNIT DEVELOPMENT (P.U.D.) STANDARDS

22.1 - Description Of The Zone	107
22.2 - Permitted Uses	107
22.3 - Ownership Control	107
22.4 - Minimum Zone Area	108

22.5 - Design Standards/Requirements	109
22.6 - Procedure For Obtaining A P.U.D. Zone	114
22.7 - Format & Contents Of Preliminary P.U.D. Plats	115
22.8 - Format & Contents Of Preliminary P.U.D. Site Plans	115
22.9 - Format & Contents Of Final P.U.D. Plats	116
22.10 - Format & Contents Of Final P.U.D. Site Plans	117
22.11 - Recording Of Approved Plat And Plan	117
22.12 - Revisions To Approved Plats And Plans	118
22.13 - Schedule Of Construction	119
22.14 - Project Time Frame	119
22.15 - Issuance Of Building Permits	119

ARTICLE XXIII - COMMERCIAL - HOLDING ZONE STANDARDS (C-H)

23.1 - Description Of The Zone	120
23.2 - Permitted Uses	121
23.3 - Lot Coverage	121
23.4 - Required Set-Backs And Dimensional Requirements	121
23.5 - Parking Requirements	121
23.6 - General Design And Improvement Standards	122
23.7 - General Development Regulations	122

ARTICLE XXIV - COMMERCIAL ZONE STANDARDS

24.1 - Description Of The Zone	123
24.2 - Permitted Uses	123
24.3 - Lot Coverage And Vegetation Requirements	124
24.4 - Minimum Lot And Zone Areas	126
24.5 - Minimum Required Set-Backs And Dimensional Requirements	126
24.6 - Parking Requirements	128
24.7 - Compatibility Standards	128
24.8 - Required Screening Of Dumpsters, Waste Materials And Outer Boundary Zone	128
24.9 - Commercial Development Site Plan Required	129
24.10 - General Lot Development And Design Standards	132
24.11 - Disapproval Of Commercial Development Site Plans	132
24.12 - Approval Of Commercial Development Site Plans	133
24.13 - Amendments To Commercial Development Site Plans	133

ARTICLE XXV - INDUSTRIAL - HOLDING ZONE STANDARDS (I-H)

25.1 - Description Of The Zone	134
25.2 - Permitted Uses	134
25.3 - Lot Coverage	135
25.4 - Required Set-Backs And Dimensional Requirements	135
25.5 - Parking Requirements	135
25.6 - General Design And Improvement Standards	135
25.7 - General Development Regulations	135

ARTICLE XXVI - INDUSTRIAL ZONE STANDARDS

26.1 - Description Of The Zone	136
26.2 - Permitted Uses	136
26.3 - Lot Coverage	137
26.4 - Minimum Lot And Zone Area	137
26.5 - Minimum Required Set-Backs And Dimensional Requirements	138
26.6 - Parking Requirements	139
26.7 - Compatibility Standards	139
26.8 - Required Screening Of Dumpsters, Waste Materials And Outer Boundary	140
26.9 - Industrial Development Site Plan Required	140
26.10 - General Lot Development And Design Standards	143
26.11 - Disapproval Of Industrial Development Site Plans	144
26.12 - Approval Of Industrial Development Site Plans	144
26.13 - Amendment To Industrial Development Site Plans	145

ARTICLE XXVII - RESERVED

ARTICLE XXVII-A - URBAN AGRICULTURE ZONE STANDARDS (AG)

27-A.1 - Intent Of The Zone	152
27-A.2 - Permitted Uses	152

ARTICLE XXVIII - SIGNS AND BILLBOARDS

28.1 - Purpose	154
28.2 - Definitions	154
28.3 - Exemptions	155
28.4 - General Regulations	157
28.5 - Residential Districts	159
28.6 - Commercial And Industrial Districts	161
28.7 - Shopping Centers	162
28.8 - Permits	163
28.9 - Removal Of Abandoned Signs	163
28.10 - Placing Billboards In Tourism Overlay Areas	164
28.11 - Penalties	165

ARTICLE XXIX - CELLULAR ANTENNA TOWERS AND CELLULAR
TELECOMMUNICATIONS SERVICES STANDARD

29.1 - Purpose	166
29.2 - Pre Application Conference	166
29.3- Definitions	166
29.4 - General	167
29.5 - Applicability	167
29.6 - Application Requirements	167
29.7 - Processing of Application	171

29.8 - Design Standards	173
29.9 - Criteria	174
29.10- Amendments	175
29.11 - Penalties	175

ARTICLE XXX-LANDSCAPING STANDARDS

30.1 - Purpose	176
30.2 - Development Regulated	176
30.3 - Development Exempted	176
30.4 - Definitions	177
30.5 - Conflicts	178
30.6 - Landscape Buffer Chart	178
30.7 - Landscape Buffer Types	178
30.8 - Tree Planting Standards	179
30.9 - Landscaping of Interior Off-Street Parking Areas	180
30.10 - Maintenance Standards for Landscape Areas	181
30.11 - Landscape Plan Required	182
30.12 - Plant Materials List	182

ARTICLE XXXI-RURAL ESTATES (RU-E) ZONE STANDARDS

31.1 - Description of Zone	183
31.2 - Permitted Uses	183
31.3 - Maximum Density	183
31.4 - Lot Coverage	183
31.5 - Required Set-Backs and Dimensional Requirements	183
31.6 - Parking Requirements	184
31.7 - General Design and Improvement Standards	184
31.8 - General Development Regulations	184
31.9 - Highway 313 Corridor	184

ARTICLE XXXII-COMMERCIAL BUILDING DESIGN STANDARDS

32.1 - Intent and Purpose	185
32.2 - Definitions	185
32.3 - Applicability	188
32.4 - Plans Required	188
32.5 - Design Standards - Buildings	188
32.5.1 Materials and Colors	188
32.5.2 Facades and Exterior Walls	189
32.5.3 Detail Features	191
32.5.4 Roofs	191
32.5.5 Entryways	193
32.6 Design Standards-Site Design	194
32.6.1 Building Entrances	194
32.6.2 Site Entrances	194
32.6.3 Parking Lot Orientation	195
32.6.4 Pedestrian Walkways	196

32.6.5 Landscaping	196
32.6.6 Outdoor Storage, Trash Collection, and Loading Areas	197
32.6.7 Features and Community Spaces	198
32.7 Waiver Procedure	199

LIST OF FIGURES

TITLE	PAGE
Figure 2.1 - Illustration Of Yards	14
Figure 2.2 - Illustration Of Yards	15
Figure 3.1 - Illustration Of Clear Intersection View Requirement For Corner Lots	17
Figure 3.2 - Illustration Of Ground Level	22
Figure 14.1 - Lot Standards For The R-E Zone	67
Figure 15.1 - Lot Standards For The R-1 Zone	69
Figure 16.1 - Lot Standards For The R-2 Zone	72
Figure 17.1 - Lot Standards For The R-3 Zone	75
Figure 18.1 - Lot Standards For The R-4 Zone	78
Figure 19.1 - Lot Standards For The R-5 Zone	88
Figure 20.1 - Lot Standards For The R-6 Zone	99
Figure 21.1 - Lot Standards For The R-7 Zone	106
Figure 32.1 - Wall Projection/Recesses & Facade	190
Figure 32.2 - Wall Projection/Recesses & Facade	190
Figure 32.3 - Expression of Architectural or Structural Bay	191
Figure 32.4 - Parapet Standards	192
Figure 32.5 - Development with Customer Entrances	194
Figure 32.6 - Center with Features and Community Spaces	198
Photograph 1 - Wall Projections/Recesses & Facade	190
Photograph 2 - Parapet Standards	192
Photograph 3 - Required Entryway Design Elements	193
Photograph 4 - Typical Site Entrance	195
Photograph 5 - Pedestrian Walkway	199
Appendix A - Illustration Of Selected Minimum Required Standards For All Zones	200
Appendix B - Comparison Of Multi-Family Lot Areas And Maximum Densities Between 1974 And 1984 Zoning Ordinances	202

ARTICLE I
INTRODUCTION

1.1 Title

The full title of this ordinance shall be *The Zoning Ordinance and General Development Regulations for the City of Radcliff*; this ordinance consists of the enclosed text and the Official Zoning Map.

1.2 Authority

This ordinance has been developed pursuant to the provisions of K.R.S. 100.201 and K.R.S. 100.201.

1.3 Adoption and Effective Dates

A. Public Hearings

The Radcliff Planning Commission held public hearings concerning the development of this ordinance on the following dates:

October 24, 1983	January 23, 1984
December 15, 1983	January 30, 1984
January 16, 1984	

B. Planning Commission Adoption

The Radcliff Planning Commission adopted this ordinance on March 28, 1984.

C. City Council Reading and Adoption

The Radcliff City Council read an ordinance adopting these regulations, the first time on April 5, 1984; the ordinance was read the second time and duly adopted on April 17, 1984. The ordinance was duly published on April 26, 1984.

D. Effective Date

This ordinance becomes effective on the day after publication.

1.4 Purpose

The purpose of this ordinance is to avoid congestion in streets; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate adequate provision for traffic, transportation, water, sewerage, schools, parks and other

public requirements; to encourage the most appropriate use of land throughout the city with reasonable consideration to be given to the character of any district and its peculiar suitability for particular uses, and with a view to preserving the natural environment, the value of land, buildings and other structures; to guide and accomplish a coordinated, adjusted and harmonious development of all of Radcliff, Kentucky; to promote the public health, safety, morals and the general welfare; and to implement the approved *Comprehensive Plan*.

1.5 Interpretation and Scope of Regulations

- A. This zoning regulation shall be strictly construed and may not be extended by implication except where the intention of the city will prevail.
- B. This regulation shall apply to all lands located within the corporate limits of Radcliff.
- C. All existing and future structures and uses of premises within the area of jurisdiction shall conform with all applicable provisions of this regulation.

1.6 Severability Clause

If any word or words, phrase or phrases, sentence or sentences or this regulation should be declared unconstitutional it shall not thereby invalidate any other portion of this regulation.

1.7 Repeal of Conflicting Ordinance and Regulations

All ordinances, regulations, or parts of ordinances, or regulations in conflict with this zoning regulation, or inconsistent with the provisions of this regulation, are hereby repealed to the extent necessary to give this regulation full force and effect.

ARTICLE II **DEFINITIONS**

2.1 Explanation of Word & Phrase Usage

For the purpose of this regulation and in order to carry out the provisions and intentions as set forth herein, certain words, terms, and phrases are to be used and interpreted as defined hereinafter. Words used in the present tense shall include the future tenses; the word person includes a firm, partnership, or corporation as well as an individual; the word lot includes the word plot or parcel; the terms shall and will are always mandatory and not directory; and the word may is permissive.

1. Accessory Structure of Use: Any structure or use, other than the principal structure or use, directly incident to, or required for the enjoyment of, the permitted use of any premises.
2. Agricultural Property: Any piece of property which is classified and taxed as agricultural property by the Hardin County Property Valuation Administrator.
3. Agricultural Use: 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, fish, poultry, poultry products, grain, hay, pastures, soybeans, tobacco, timber, orchard fruits, vegetables, flowers or ornamental plants, including provisions 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.
4. Alley: A narrow way (less than 20 feet wide), which primarily functions to grant access to the back or sides of lots and/or buildings.
5. Authorized Agent: Any department, employee or advisor, elected or appointed body which is authorized by the Planning Commission and/or Council to administer any provision of the Zoning Ordinance or Subdivision Regulations.
6. Basement Apartment Unit: An accessory living unit located in the basement of a single-family detached structure on a Conditional Use basis.
7. Billboard: Any sign, notice or advertisement, pictorial or otherwise, used as an outdoor display for the purpose of making anything known, the origin or place of sale of which is not on the lot with such display. Billboards may also be known as off-premise signs and treated as such.
8. Board of Adjustment: The Radcliff Board of Adjustment; also referred to as the Board.
9. Boarding House/Group Home: A building or part thereof (other than a hotel or

motel) where lodging or meals or both are provided with or without compensation for six (6) or more persons.

10. Building: Any structure enclosed and isolated by exterior walls constructed or used for residence, business, industry or other public or private purposes, or accessory thereto, to include tents and swimming pools.
11. Building Line: A line across a lot establishing the minimum open space to be provided between the principal buildings and the property line. Said line may be established by a regulation of this ordinance or by a separate private covenant.
12. Building Line Front: A line drawn across a lot, as close to parallel to the street frontage as possible, which designates the minimum spacing between all buildings and property lines adjacent to streets (with the exception of reverse-frontage lots).
- 12a. Charitable Gaming: Games of chance, including but not limited to bingo, operated by charitable or religious organizations or institutions.
13. Child Care/Day Care Center: Any child care facility which provides full or part time care, day or night, to allow for the care of seven (7) or more children who are not the children, grandchildren, nieces, nephews or children in legal custody of the operator.
- 13a. Child Care Home: A private home which provides full or part time care day or night for six (6) or fewer children who are not the children, grandchildren, nieces, nephews, or children in legal custody of the provided.
14. Church: A building, together with its accessory buildings and uses, where persons regularly assemble for religious worship, and which building together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain public worship. Does not include an undertaker's chapel.
15. City: The City of Radcliff, Kentucky.
16. Clinic, Medical or Dental: A building in which a group of physicians, dentists, or physicians and dentists and allied professional assistance are associated for the purpose of carrying on their profession. The clinic may include a dental or medical laboratory. It may include out-patient care and/or operating rooms for minor surgery.
17. Club or Lodge: An association of persons for the promotion of some nonprofit common object, as literature, science, politics, good fellowship, meeting periodically and limited to members.
18. Commercial Floor Area: Floor area of buildings which is devoted to the storage and display of merchandise, the performance of consumer services, or the circulation accommodation of customers, and the housing or cooling equipment for the commercial building.

19. Commercial Lake: A lake or pond where a fee is charged for fishing, boating, or swimming, and where fishing supplies, equipment, bait and food or drink may be sold.
20. Commercial Use: The use of any land, building or structure which is involved in the sale, display or storage of merchandise, or is involved in the performance of consumer, business or personal services, or involved in the accommodation and circulation of customers.
21. Commission: The Radcliff Planning Commission.
22. Concealed Light Source: An artificial light intended to illuminate the face of a sign, which light is shielded from public view and from adjoining lots.
23. Conditional Use: A use which is essential to or would promote the public health, safety or welfare in one or more zone, 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.
24. Conditional Use Permit: Legal authorization to undertake a conditional use, issued by the Board of Adjustment, consisting of two parts:
 - (A) A statement of the factual determination by the Board of Adjustment which justifies the issuance of the permit; and
 - (B) A statement of the specific conditions, which must be met in order for the use to be permitted.
- 24a. Construction: The erection, fabrication, reconstruction, substantial alteration or conversion of a building, or the installation of equipment therein, but shall not include the ordinary repair of a building or structure.
25. Consumer Services: Sale of any service to individual customers for their own personal benefit, enjoyment, or convenience, and for fulfillment of their own personal needs. For example, consumer services include the provision of the personal services such as cleaning and barbering, the provision of lodging, entertainment, specialized instruction, financial services, automobile storage, transportation, and similar services.
26. Council: The Radcliff City Council.
27. Development: Any construction, reconstruction, modification, extension or expansion of buildings or structures, parking areas, placement of fill, dumping, storage of materials, land excavation, land clearing or any combination thereof.
28. Dimensional Variance: Departure from the terms of the Zoning Ordinance pertaining

to height and width or structure and size of yards and open spaces where such departure will not be contrary to the public interest, and where owing to shape, or topography and not as a result of the action of the applicant, the literal enforcement of this zoning regulation would result in unnecessary and undue hardship.

29. Dwelling Unit: A dwelling is a building providing shelter, sanitation, and the amenities for permanent habitation. It does not include mobile homes, temporary lodging, or sleeping rooms. A dwelling unit means the dwelling accommodation designed for one individual or family unit maintaining separate and independent housekeeping.
30. Dwelling Unit, Attached: A dwelling unit in which one or more of the exterior walls are party-common walls. Not to include mobile homes.
31. Dwelling Unit, Detached: A dwelling unit in which one of the exterior walls are attached to the exterior walls of another principal structure. Not to include mobile homes.
- 31a. Dwelling Unit, Intermodal Container: An intermodal container(s) used as a dwelling unit.
32. Dwelling Units, Multi-Family: A building, or portion thereof, designed for, or occupied by, three or more families living independently of each other.
33. Easement: A grant by a property owner to the general public and/or other specified persons for a specific use of a designated land area.
34. Easement, Access: A private way, which is reserved by vehicular and/or pedestrian access to abutting property and the size and location of which are of public record.
35. Engineer: A professional engineer registered by the Commonwealth of Kentucky through the Board of Registration of Professional Engineers and Land Surveyors.
36. Erosion: The process by which the ground surface is worn away by the action of wind and/or water.
37. Fabrication: Manufacturing, excluding the refining or other initial processing of basic raw materials such as metal ores, lumber or rubber. Fabrication relates to stamping, cutting, packaging or otherwise turning the processed materials into useful and/or saleable products.
38. Family, Single: One or more persons occupying a premise and living as a single non-profit housekeeping unit. Single families may consist of the following:
 - (A) Any number of persons immediately related by blood, marriage or adoption.
 - (B) Five (5) or fewer persons not necessarily related by blood, marriage or

adoption. Plus in each of these cases domestic servants employed for service on the premises shall be allowed. However, shall not include a boarding and rooming house; club; lodge; fraternity or sorority house.

39. Fence: Any construction of wood, metal, wire, masonry, or other material, created for the purpose of assuring privacy, protection, compatibility, enclosure or for aesthetic reasons, but excluding shrubbery and plantings.
40. Fill: Any material which is used to alter the contours of the original land surface.
41. Fine Art Objects: Individual art pieces not mass produced consisting of one or more of the following: paintings, drawings, etchings, sculptures, ceramics, inlays, needlework, knitting, weaving, and/or craftwork; leather, wood, metal, glass or photography.
42. Flat Sign: Any sign painted on or affixed to a building and which sign does not project more than eight (8) inches from such building.
43. Flashing Sign: Any sign having a conspicuous and/or intermittent variation in the illumination of the sign.
- 43a. Flea Market (Outdoor): Open-air commercial sale or sales of new or used goods conducted on real property by groups of one or more vendors, not to include yard sales, seasonal sales, or fund raising events.
44. Front Property Line: That boundary line of a lot or tract which abuts upon the boundary of a street or highway right-of-way to which there is existing or the possibility of future access.
45. Frontage Lots, Single: A lot or tract of land which has one property line adjacent to a street right-of-way to which there is existing or the possibility of future access.
46. Frontage Lots, Double: A lot or tract of land which has two (2) property lines adjacent to a street right-of-way to which there is existing or the possibility of future access.
47. Frontage Lots, Triple: A lot or tract of land which has three (3) property lines adjacent to a street right-of-way which there is existing or the possibility of future access.
48. Frontage Lots, Quadruple: A lot or tract of land which has all property lines adjacent to street right-of-ways to which there is existing or the possibility of future access.
49. Frontage Lots, Reverse: A lot or tract of land which has one or more property lines adjacent to a street right-of-way but where there is no existing nor any possibility of future access. Said access may be limited by topography; state, federal and/or local regulations; and/or private covenants. The property line adjacent to the right-of-way

to which there is no access shall be defined as having reverse frontage.

50. Garage, Private: A detached accessory building or portion of a main building, used for the storage of self-propelled vehicles, or other chattels where the capacity does not exceed four (4) vehicles, or not more than one per family housed in the building to which such garage is accessory, whichever is the greater, and not more than one-third the total number of vehicles stored in such garage shall be commercial vehicles.
51. Gross Floor Area: The sum of the gross horizontal areas of the several floors of a building, including interior balconies and mezzanines. All horizontal dimensions are to be made between the exterior faces of walls, including the walls of roofed porches having more than one wall. The floor area of a building shall include the floor area of accessory buildings, on the same lot, measured the same way. May be referred to as the Gross Leasable Floor Area.
- 51a. Ground Floor: The floor of a building at or nearly at ground level on the street side of the house where the main entrance is.
52. Ground Sign: Any sign which is supported or attached directly to the ground by more than one member or pole.
- 52a. Halfway House: A licensed or unlicensed facility for persons on release from more restrictive custodial confinement, or initially placed in lieu of such more restrictive custodial confinement, wherein supervision, rehabilitation, and counseling are provided to mainstream residents back into society, enabling them to live independently.
53. Height of Structure: The vertical distance measured from the average finished grade at any point where an exterior wall meets the ground to the highest point of the structure.
54. Hospital: An institution providing health services, primarily for in-patients, and medical or surgical care of the sick or injured, including as an integral part of the institution, such related facilities as laboratories, out-patient departments, training facilities, central service facilities and staff offices.
55. Illuminated Sign: Any sign designed to emit or reflect artificial light from any source fixed or incidental.
- 55a. Industrial Park: A grouping of at least three lots that is planned, developed and operated as an integrated facility for a number of industrial and limited commercial land uses allowed by Article XXIV of the Zoning Ordinance and Development Regulations. Lot layout is determined by a centralized road network, transportation facilities and utility needs. Aesthetics, compatibility and open space planning are also key components of these parks.
56. Industrial Use: Any use which is primarily involved in the manufacture storage, transporting, assembly, processing, packaging, disassembly or fabrication of any product, raw materials or salvage materials. Transportation, warehousing and wholesaling firms which are primarily serviced by truck (other than pick up trucks)

traffic shall also be defined as industrial uses.

- 56a. Inoperative Motor Vehicle: Any motor vehicle which is partially dismantled or wrecked and which cannot safely or legally be operated.
- 56b. Intermodal Container: A standardized reusable steel box used for the safe, efficient, and secure storage and movement of materials and products within a global containerized intermodal freight transport system. Intermodal indicates that the container can be moved from one mode of transportation to another (from ship, to rail, to truck) without unloading and reloading the contents of the container.
57. Junk Yard (Including Auto Salvage Yards): A place where waste or discarded or salvaged materials are bought, sold, exchanged, stored, baled, cleaned, packed, disassembled, handled, used lumber yards and places or yards for use of salvaged house wrecking structural steel materials and equipment, but excluding such uses when conducted entirely within completely enclosed buildings.
57. Land Disturbance Activity: Any activity involving the clearing, grading, transporting, filing and any other activity which causes land to be exposed to erosion.
58. Lot: A parcel of land under one (1) ownership of at least sufficient size to meet the minimum requirements for width, depth and area.
59. Lot of Record: Any lot which has been recorded in the office of the County Court Clerk or any lot illustrated on an active preliminary plat as of the effective date of this ordinance which does not have to meet lot area nor lot width standards.
60. Lot Lines: The lines bounding the outer area of a lot as defined herein.
61. Lot Width: The distance generally parallel to the front lot line, measured between side lot lines at the front building line.
62. Manufacturing: The processing and converting of raw, unfinished or finished materials or products, or any of these, into an article or substance of a different character, or for use for a different purpose.
64. Manufactured (mobile) Home: A residential structure designed for transportation after fabrication on its wheels and arriving at the site basically ready for occupancy, except for minor incidental unpacking, placement of stands and connection to utilities. A manufactured (mobile) home is built in compliance with the Federal Manufactured Housing Construction and Safety Standards Code as set forth in the Code of Federal Regulations and as mandated by the United States of America and as administered by the United States Department of Housing and Urban Development which is commonly referred to as the HUD Code. This definition includes all single and sectional manufactured (mobile) homes.
65. Manufactured (Mobile) Home Park: A tract of land containing two (2) or more manufactured (mobile) homes on one (1) lot or tract of land.
66. Manufactured (Mobile) Home Subdivision: A subdivision designed and intended for

residential use where residence is in manufactured (mobile) homes exclusively with a minimum of two (2) manufactured (mobile) homes, and each being located on a separate and individual deeded lot.

67. Modular Home: Homes which are manufactured off site and then transported to the site in two (2) or more sections, placed on permanent foundations, designed for permanence and utilize architecture and building designs found in other single family dwelling units. These homes are inspected in the manufacturing plant by a Kentucky State Certified Building Inspector, using the CABO One and Two Family Building Code, or the current edition of the locally adopted and State mandated Building Code. Single and sectional manufactured (mobile) homes are not modular homes.
- 67a. Motor Vehicle: Any self-propelled land vehicle that can be used for towing or transporting people or materials, including but not limited to automobiles, trucks, buses, motor homes, motorized campers, motorcycles, motor scooters, tractors, snowmobiles, dune buggies, and other off-the-road vehicles.
- 67b. Motor Vehicle Towing and/or Storage Class I: A business that tows motor vehicles to a holding lot and stores them on a temporary basis not to exceed more than one hundred and twenty (120) days and having more than ten (10) inoperative vehicles at any one time. (No sale of parts from the vehicles is allowed.) But excluding such uses when conducted entirely within completely closed buildings.
- 67c. Motor Vehicle Towing and/or Storage Class II: A business that tows motor vehicles to a holding lot and stores them on a temporary basis not to exceed more than one hundred and twenty (120) days and having no more than ten (10) inoperative vehicles at any one time. (No sale of parts from the vehicles is allowed.) But excluding such uses when conducted entirely within completely closed buildings.
68. Nonconforming Structure or Use: A structure or use of any premises which does not conform with all applicable provisions of this zoning regulation, but which existed before its designation as nonconforming by the adoption or amendment of this regulation.
- 68a. Ordinary Repair: Any nonstructural reconstruction or renewal of any part of an existing building for the purpose of its maintenance or decoration, and shall include, but not be limited to, the replacement or installation of nonstructural components of the building such as roofing, siding, windows, storm windows, insulation, drywall or lath and plaster, or any other replacement, in kind, that does not alter the structural integrity, alter the occupancy or use of the building, or affect, by rearrangement, exitways and means of egress; but shall not include additions to, or alterations of, or relocation of any standpipe, water supply, sewer, drainage, gas, soil, waste, vent or similar piping, electric wiring or mechanical equipment including furnaces and hot water heaters or other work affecting public health or safety.
69. Permitted Structure: A structure meeting all the requirements established by this ordinance for the district in which the structure is located.
70. Permitted Use: Any use listed as a permitted use, a conditional permitted use, a use by temporary permit, a home occupation or an accessory use in any given district.

71. Principal Building or Structure: A structure or building on a lot which performs an independent significant function and which does not need the support of another building on the lot to make its function complete.
72. Processing: Manufacturing, packaging, repairing, cleaning, and any other similar original or restorative treatment applied to raw materials, products, or personal property. Processing does not refer to the fabrication of structures.
73. Professional Office: The office of a person engaged in any occupation, vocation or calling, not purely commercial, mechanical or agricultural, in which a professed knowledge or skill in some department of science or learning is used by its practical application to the affairs of others, either advising or guiding them in serving their interest or welfare through the practice of an act founded thereon.
74. Public Facility: Any use of land whether publicly or privately owned for transportation, utilities, or communications or for the benefit of the general public, including but not limited to libraries, streets, schools, fire or police stations, county buildings, municipal buildings, recreational centers including parks and cemeteries.
75. Retail Sales: Sale of any product or merchandise to customers for their own personal consumption and use, not for resale.
76. Sediment: Soil or other surface materials that are transported by wind or water as a result of erosion.
77. Set-Back Space: The required distance, and the land resulting therefrom, between a lot line and the closest possible line of a conforming structure.
78. Sign: Any words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, pictures, trade names, or trademarks by which anything is made known such as are used to designate an individual, a firm, an association, a corporation, a profession, a business, a service or a commodity or product, which are visible from any public street or right of way and designed to attract attention. For Sale or For Rent signs shall be deemed signs within the meaning of this definition, but the term sign shall not include the flag, pennant or insignia or any nation, state, city or other political unit, or of any political, educational, charitable, philanthropic, civic, professional, religious or like campaign, drive, monument or event, used for a public purpose in the public interest.
79. Single-Family Dwelling Unit: A single detached structure, either site built or modular housing units, having but one (1) kitchen (with no fixtures or equipment installed or roughed in for additional kitchens) and housing only one (1) of the following groups of persons living together as a single non-profit housekeeping unit:
 - (a.) Any number of persons immediately related by blood, marriage or adoption, or
 - (b.) Five (5) or fewer persons not necessarily related by blood, marriage, or adoption, plus in each of the foregoing instances, domestic servants employed

for services on the premises.

80. Street: Any open vehicular way which affords the principal means of access to two (2) or more properties.
- (a.) Arterial: A street which provides an avenue for a high level of traffic (8,000 A.D.T. and up) to move steadily and expeditiously from one large area to another. Normally, arterials are of considerable scope and size, have limited access points and have collectors feeding into them.
 - (b.) Collector: A street which provides access to various large sections of a city. Collectors are characterized by volumes of traffic ranging from 3,000 to 8,000 A.D.T. and have several local streets feeding traffic into them.
 - (c.) Cul-De-Sac: A permanently dead end street with an appropriate turn around facility at the end. Cul-de-sacs have minimum pavement length and width standards associated with them and carry volumes of traffic less than 500 A.D.T.
 - (d.) Local: A street which provides access to the various parcels of land which are not served by other streets. Minor/local streets carry loads of traffic ranging from 500 to 3,000 A.D.T., which has been primarily generated from the abutting properties.
81. Structure: Anything constructed or erected, the use of which requires location on the ground or attached to something having a location on the ground, but not including fences or poles and appurtenances thereto used for the provision of public utilities; includes principal and accessory buildings above and below ground.
- 81.a Street Vendor: An individual that conducts business from a mobile vending structure which is commercially manufactured and will be used in a manner consistent with its design. These structures may be self propelled, towed, pushed or a commercially designed kiosk. This does not include pickup trucks, flatbed trailers, tables, awnings or the like.
82. Trade & Business Schools: Secretarial school or college, or business school or college, when not public and not owned or conducted by or under the sponsorship of a religious or charitable organization; school conducted as commercial enterprise for teaching industrial skills in which machinery is employed as a means of instruction.
83. Trailer Park or Campground: Any premises where two or more trailer coaches are parked for living and sleeping purposes on a short term basis, or any premises used or set apart for the purpose of supplying to the public short term parking space for two or more trailer coaches for living and sleeping purposes, and which includes any buildings, structures, vehicles or enclosure used or intended for use as a part of the equipment of such trailer camp or court.
84. Unit: One (1) living unit or independent household.
85. Usable Open Space: Outdoor area of a lot which is designed and used for normal outdoor living, recreation, pedestrian access or landscaping. Such areas may be

ground or roof spaces which are 75% open to the sky, balconies a minimum of 5 feet wide, an unenclosed deck or porch. Off-street parking and loading, driveways and areas of severe slope or flood proneness do not qualify as usable open space.

86. Wall Sign: Any sign which is painted or otherwise depicted directly upon a wall.
87. Warehousing: The depositing or securing of goods, wares and merchandise in a warehouse.
88. Wholesaling: Sale for resale, not for direct consumption.
89. Window Sign: Any sign visible through a window and designed to be visible through a window or painted or otherwise affixed to the external surface of a window.
90. Yard: The open space surrounding the principal building on any lot, unoccupied and unobstructed by any portion of that building from the ground to the sky except where specifically permitted by the zoning regulation. Yards are illustrated in Figures 2.1 & 2.2 and further defined as follows:
 - (a) Front Yard: That portion of the yard extending the full width of the lot and located between any property line adjacent to a street and a parallel line tangent to any exterior wall of the principal structure which is adjacent to said property line.
 - (b) Rear Yard: That portion of the yard extending the full width of the lot and measured from the lot line to the rear of the primary structure towards the structure the required distance set by ordinance.
 - (c) Side Yards: Those portions of the yard extending from the front yard to the rear yard and measured between the side lot lines and parallel lines tangent to the nearest parts of the principal building.
91. Zero Lot Line Design: A site design technique in which two (2) or more buildings are located on lots in such a manner that one or both of their exterior walls are placed upon one or both side lot lines.

ARTICLE III

GENERAL DEVELOPMENT REGULATIONS

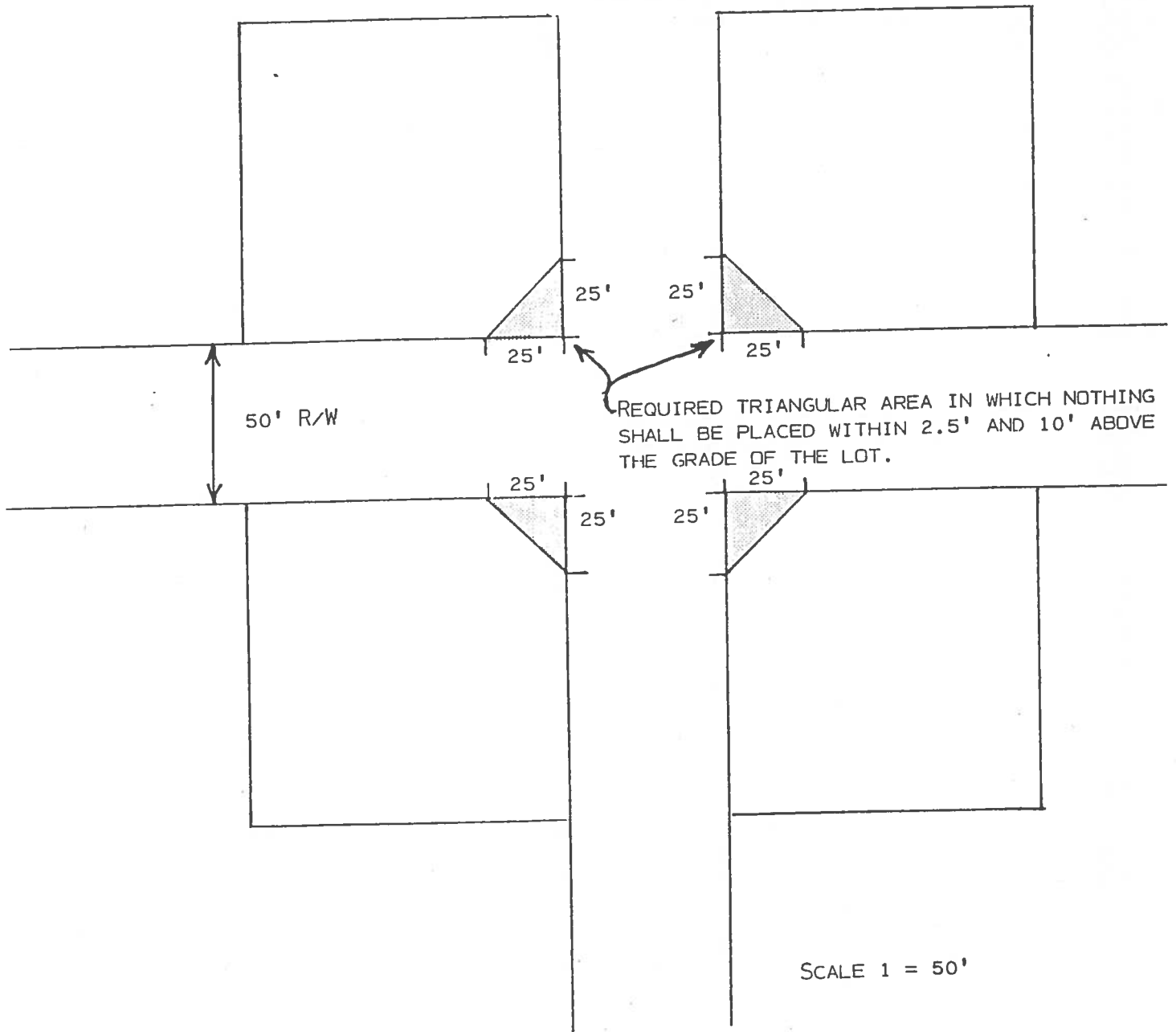
- *3.1** No incidental portion of any building in any zone shall extend any farther than 18 inches into any required dimensional set-back; including, but not limited to: steps, porches, attached walls, roof over-hangs, eaves, attached chimneys and gutters. Handicap ramps and all appurtenances (existing and proposed) shall be exempt from any required dimensional setbacks.
- 3.2** No lot shall be reduced or subdivided in a manner which results in any open space, landscaping, set-backs or lot area to be smaller than the minimum required under this ordinance or by agreement with the Planning Commission.
- 3.3** In no case shall there be more than one principal building and its accessory buildings on a lot unless a Planned Building Group or P.U.D. has been approved in accordance with the procedure found herein.
- 3.4** No materials or waste shall be deposited upon any lot in such form or manner that they may be transferred or are transferred off the lot by normal, natural causes or forces and shall not be allowed to pollute the air nor any water course, stream, lake or underground water supply.
- 3.5** All materials or waste which might cause fumes or dust or which constitutes a fire hazard or which may be edible by or otherwise be attractive to rodents or insects shall be stored outdoors only in closed containers.
- 3.6** Where any requirement of this ordinance results in a fraction of a unit; a fraction of five-tenths or greater shall be treated as a whole number and a fraction less than five-tenths shall be treated as zero.
- 3.7** Lots of Record - Any lot which has been recorded in the Office of the Hardin County Court Clerk or any lot illustrated on an active preliminary plat approval (reference Section 3.63, G. of the *Radcliff Subdivision Regulations*), as of the effective date of this ordinance shall be classified and treated as a Lot of Record. Lots of Record may be built upon even though they do not meet the lot width and/or lot area requirements set forth for the zone in which they are located. Lots of Record shall meet all other set-backs, use and development requirements and standards for the zone in which they are located with the exception of the lot coverage standard for R-H, R-E, R-1, R-2, R-3, and R-4 properties in which case the specific maximum coverage may be increased by 20%. For example the maximum lot coverage of 25% in the R-2 Zone may be increased to 30%.
- 3.8** Any approved Multi-Family, Commercial or Industrial Development Plan; Planned Unit Development Plan or Planned Building Group Plan shall run with the land and be binding on the owner and applicant, their successors, heirs, or assignees unless the Plan has been properly voided.

*Amended July 30, 2015

3.9 Clear Intersection View Requirement For Corner Lots:

In order to provide a clear view to motorist at all intersections there shall be a triangular area of clear vision. Said triangle shall be formed by the two intersecting lot lines which are adjacent to the street right-of-ways and a line connecting these two lot lines. Said line shall start 25' from the point of intersection of both lot lines, as illustrated below. Nothing shall be erected, placed, planted or allowed to grow in such a manner that will impede vision between the height of 2.5' and 10' of the grade of the lots.

FIGURE 3.1



- 3.10** Special requirements for lots which have more than one lot line adjacent to a street, i.e., corner lots, double, triple and quadruple frontage lots, and reverse frontage lots.
- A. Each of these special types of lots has been defined in the definition section of this ordinance.
 - B. In the case of corner, double, triple and quadruple frontage lots all yards adjacent to streets shall be defined and treated as front-yards.
 - C. In the case of reverse-frontage lots the yard adjacent to the street to which there is no access shall be defined and treated as a rear-yard.
 - D. Corner lots have 2 front-yards, 1 side-yard and 1 rear-yard. The location of the rear and side-yard shall be established in accordance with the orientation of the structure, i.e., rear-yard to the rear of the structure, side-yards to the side of the structure. In the case of angled placement of a structure upon a corner lot there shall still be 1 side-yard and 1 rear-yard which meet the minimum requirement for same. However, the location of the area to be defined as the rear and as the side-yards shall be at the option of the owner.
 - E. In the case of double, triple or quadruple frontage lots all yards adjacent to a street shall be defined and treated as front-yard. Any remaining yards shall be defined and treated as side-yards, i.e., double-frontage lots have 2 front-yards and 2 side-yards; triple-frontage lots have 3 front-yards and 1 side-yard and quadruple frontage lots have 4 front-yards.

3.11 Street Frontage

All lots shall have guaranteed street frontage of not less than a certain dimension to a private or public street. Said frontage shall vary by zone and is required as follows:

- **A. RU-E, R-E, R-1, R-5, R-6, R-H, I-H, and C-H Zones - sixty (60) feet.
- B. R-2, R-3, R-4, R-7, Commercial and Industrial Zones - forty (40) feet.
- C. P.U.D. - No set requirement.

***3.12 Fences**

Fences shall be allowed only under specific conditions in the following zones:

- *&***A. RU-E; R-E; R-1; R-2; R-3; R-4; R-5; R-6; R-7 and R-H zones:

- *&***1. Fences exceeding six (6) feet in height shall be constructed only with approval from the Planning Commission.

*Amended March 26, 1992

**Amended November 2, 2017

***Amended February 1, 2018

&**2. Front yard fences may be permitted based upon specific conditions (for example medical extenuating conditions) with the approval of the Planning Commission. Permitted front yard fences shall not extend beyond 15 feet from the façade of the principal structure. The height of such fences shall not exceed 5 feet. These fences may be constructed of only vinyl, aluminum or wood. Such fences cannot be solid or opaque. Multiple frontage lot (double, triple and quadruple frontage lots) fence locations, heights and materials shall be approved by the Planning Commission.

*&*****3. No wire fences (excluding chain link) are allowed unless approved by the Planning Commission.

****4. The unfinished side (the side of the fence with support beams) of any fence must face inwards, towards the property that it surrounds. This must be done in order to prevent the devaluation of abutting property.

*&*****B. Commercial; Commercial-Holding; Industrial; and Industrial-Holding:

*****1. All fences in these zones shall receive approval from the Planning Commission prior to construction.

**C. Agriculture:

1. This zone is exempt from the above mentioned fence guidelines.

3.13 Accessory Structures

&**A. In the following zones accessory structures may be allowed as long as the listed conditions are met: RU-E; R-E; R-1; R-2; R-3; R-4; R-5; R-6; R-H; C-H; and I-H:

1. Shall not be placed any closer than 5' from any property line within the rear yard setback.
2. Not to be located in a side-yard setback or front-yard setback.
3. Not to be allowed in easement areas unless the applicant has authorization from the organization(s) for whom the easement has been reserved.

B. In the R-7 Zone accessory structures shall meet the conditions set forth in 3.13 A, in addition they shall not be placed any closer than 15' to another mobile home or vacant mobile home stand.

C. See Section 22.5, D. for the P.U.D. standards.

*Amended March 26, 1992
**Amended March 17, 1994
***Amended April 28, 1994
****Amended December 27, 2001
*****Amended November 2, 2017
*****Amended February 1, 2018

***D. In the Commercial and Industrial Zones, accessory structures may be allowed as long as the following conditions are met:

1. Shall not be placed any closer than 10' from any property line within the rear yard setback.
2. Not to be located in a side-yard setback or front-yard setback.
3. Not to be allowed in easement areas unless the applicant has authorization from the organization(s) for whom the easement has been reserved.

****3.14 Habitable Floor Area Requirements**

Minimum total habitable floor area to be contained in each principal dwelling unit shall be as follows:

- RU-E – 1800 square feet
- R-E - 1800 square feet
- R-1 - 1400 square feet
- R-2 - 1000 square feet
- R-3 - 900 square feet

R-4 - 560 square feet for one (1) bedroom duplexes, 800 square feet for duplexes with two (2) or more bedrooms and for single-family homes.

R-5, R-6, & R-7 - 400 square feet except for efficiency apartments (those having no defined bedroom area), which may contain 280 square feet.

Habitable floor area shall include rooms on the ground floor and upper stories of a structure which have a ceiling clearance of 7' over at least 50% of the room area and no area less than 5', at least one electrical outlet, the ability to be adequately heated and have adequate entrance and exit ways. (See Figure 3.2., pg. 22)

Two-thirds (2/3) of the required habitable floor area shall be contained on the ground floor.

*NOTE: House designs which utilize an energy-efficient under-ground and earth-bermed techniques are encouraged. They will be allowed a variance from this standard as long as they contain the total required square footage and the design is approved by the Planning Commission as falling into the energy-efficient under-ground and/or earth-bermed category. Simply capped basements shall not be placed into this category. Bi- and tri-level designs may also be granted a variance from this standard if the total required square footage is provided and the design is approved by the Planning Commission.

*Amended December 18, 1984

**Amended December 31, 1992

***Amended April 28, 1994

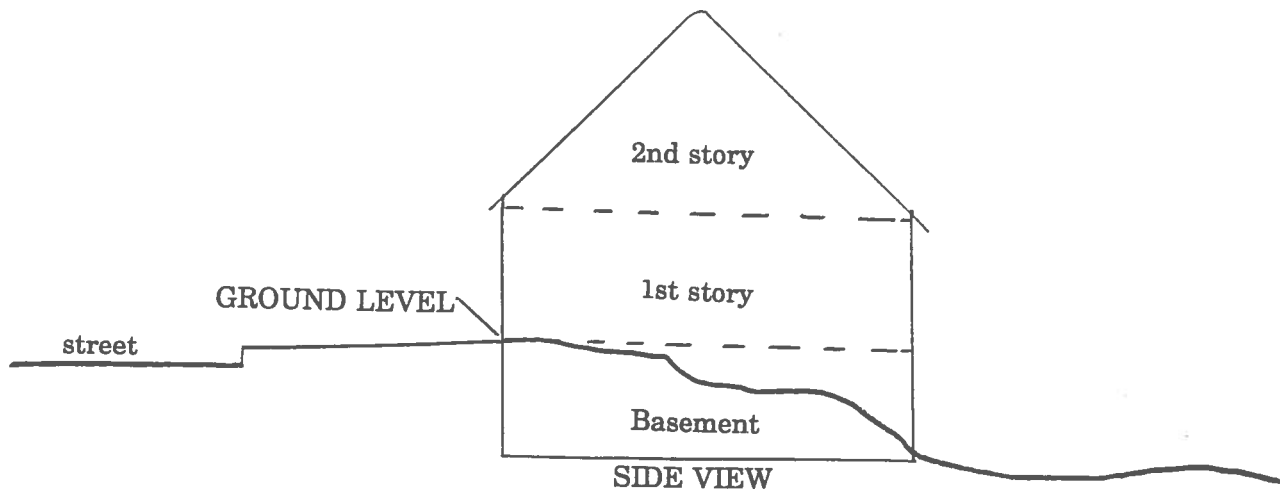
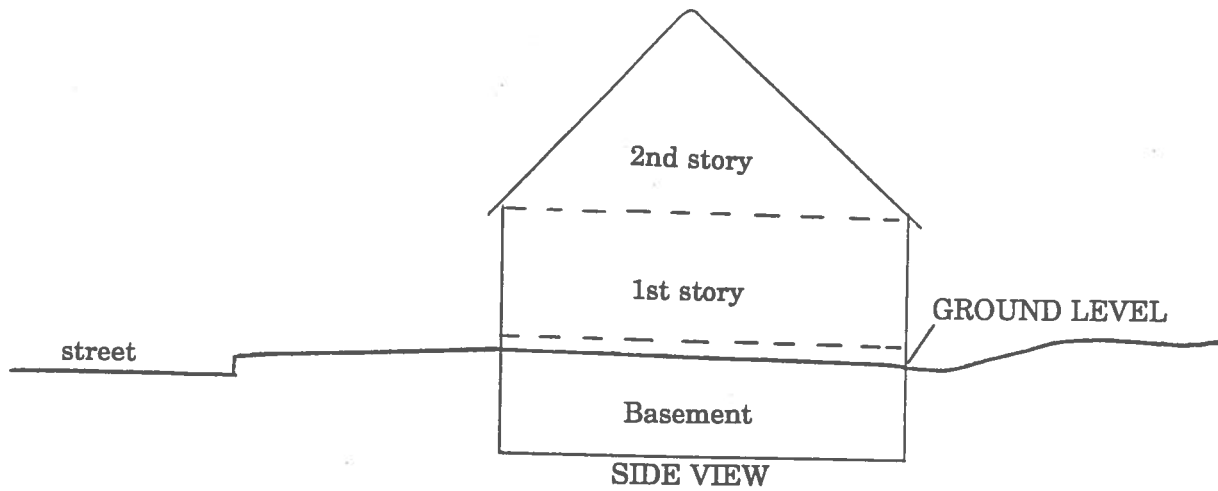
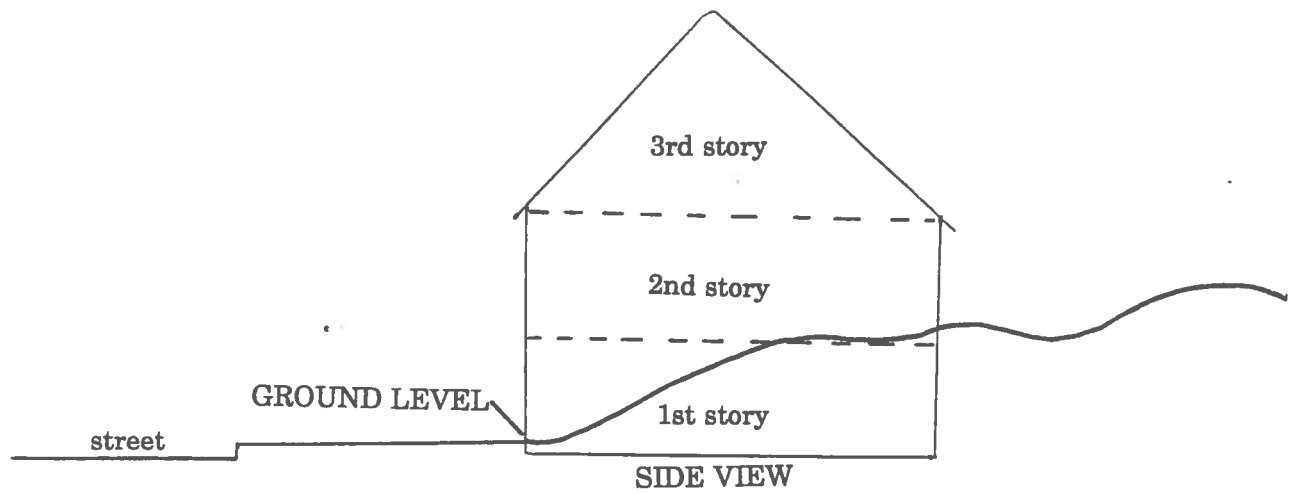
3.15 Additions To Existing Structures Which Do Not Meet Required Dimensional Set-Backs

Structures existing as of the effective date of this ordinance may be expanded in accordance with the set-backs (distance from property lines) of the existing structure, even though the existing structure might violate the required dimensional set-backs. However, the following conditions shall prevail:

- A. In no case shall an addition to a structure be built any closer than five (5) feet from any lot line without first applying for and receiving a dimensional variance from the Board of Adjustments.
- B. In no case shall an addition to a structure be built in such a manner that it will infringe upon or impede the function of any recorded easement.

FIGURE 3.2

GROUND LEVEL IS AS SHOWN



GROUND FLOOR: The floor of a building at or nearly at ground level on the street side of the house where the main entrance is.

ARTICLE IV

GENERAL DESIGN AND IMPROVEMENT STANDARDS

All developments and construction within the corporate limits of Radcliff which occurs after the effective date of this ordinance shall comply with the following design and improvement standards:

- *4.1 All developments shall provide an adequate drainage system which meets the design and improvement standards for drainage systems as set forth in Article IV, Section 4.4.5 of the *Radcliff Subdivision Regulations*. Retention of storm-water will only be required of multi-family, commercial and industrial developments. Retention shall be accomplished in accordance with Article IV, Section 4.4.5.6 of the *Radcliff Subdivision Regulations*. No additional retention shall be required of developments sited upon lots located in subdivisions which meet the standards found in 4.4.5.6 of the *Radcliff Subdivision Regulations*.
- *4.2 All developments shall provide adequate street, drive and parking facilities which met the design and improvement standards for transportation systems as set forth in Article IV, Section 4.3 of the *Radcliff Subdivision Regulations*.
- *4.3 All developments shall provide adequate sedimentation and erosion control as set forth in Article IV, Section 4.7.8 of the *Radcliff Subdivision Regulations*. Information regarding the manner in which these standards will be met shall be provided with the multi-family, commercial or planned building group site plan.
- *4.4 All developments shall provide adequate utility facilities which shall meet design and improvement standards for utility facilities as set forth in Article IV, Section 4.4 of the *Radcliff Subdivision Regulations*.
- *4.5 All developments shall provide adequate lot identification which meets the surveying and lot standards set forth in Article IV, Sections 4.2 and 4.6 of the *Radcliff Subdivision Regulations*.
- 4.6 All cut and fill operations shall comply with Article IV, Section 4.7.8 of the *Radcliff Subdivision Regulations*.

*Reserved for future use.

*March 11, 2010

*4.7 The following (excluding F.) shall provide for a sidewalk system which shall meet the design & ****and improvement standards for sidewalks as set forth in Article IV, Section 4.3.2 of the *Radcliff Subdivision Regulations*:

- *A. Any new Commercial/Industrial buildings and Public and Quasi-Public buildings.
- **B. Any addition 500 square feet and over built onto an existing Commercial/Industrial buildings and Public and Quasi-Public buildings.
- *C. Any new single-family dwelling, duplex or multi-family structures.
- ***D. Any addition 500 square feet and over of habitable floor space built on a residential lot.
- ****E. Any time there is a purchase of more than one lot for any development for buffering reasons the property owner shall be responsible for constructing sidewalks on all lots within six (6) months.

*Amended September 24, 1992

**Amended April 29, 1993

***Amended May 18, 1995

****March 11, 2010

****F. The following areas shall be exempt from the requirement to construct sidewalks. However, the Radcliff Planning Commission may deviate from the approved Sidewalk Map and require sidewalks in areas where redevelopment occurs even though they may be exempt on the Map. (Example: A 60 unit mobile home park is converted into a 20 unit residential subdivision.) These areas are generally listed as follows and are specifically represented upon the official Radcliff Sidewalk Map:

- A. MacLyndee Acres
- B. Redmar Heights
- C. Stinson Place
- D. New Street, Brown Street & Park Avenue
- E. Spring Street and Oak Street
- F. Hillcrest Estates
- G. Mill Creek Road & Hargan Street
- H. Deer Haven Estates
- I. KY 313
- J. Nalls Lane
- K. Dunaway Lane
- L. Horseshoe Court
- M. Rodney Street
- N. Stovall Church Road
- O. Dabra Court
- P. Rogers Street
- Q. Hollis Street
- R. Briargate Court
- S. Cardinal Circle
- T. Carter Drive
- U. Bobby Lane
- V. Moon Lane
- W. Safari Trail & Combs Lane
- X. Cedar Oaks Road
- Y. Shelby Avenue from Dixie Boulevard six hundred feet (600') on the north side, excluding the first two hundred feet (200')
- Z. Blackjack Road, east of U.S. Hwy. 31-W
- AA. All mobile home parks
- BB. All Industrial Parks

*G. Conditions such as topographical limitations, the character of adjacent land uses, and the need for sidewalks based on existing pedestrian traffic may allow for deviations to the above requirements. Sites possessing these characteristics may be considered for deviation or exemption from the above standards by the Planning Commission.

4.8 Special Requirements for Developments Containing Zero-Lot Line and/or Condominium Designs

Developments proposing to contain zero-lot line and/or condominium structures shall submit the following materials to the Planning Commission for approval prior to the construction of

****Amended February 21, 2002

*Amended December 19, 1996

said structures. The submittal may accompany the Preliminary and/or Final Plat or may be submitted at another time.

- A. A maintenance agreement which provides for the appropriate and adequate maintenance of all zero-lot line or condominium properties. Said agreement shall cover both private and common properties.
- B. A party or common wall agreement which provides for the appropriate and adequate maintenance of all common walls. A model common wall agreement is provided as a reference.
- C. Model common or party wall agreement: Walls between adjoining residential structures may be party walls. With respect to a party wall adjoining a residence, the owner of the residence shall have the following rights against the other owner adjoining the party wall and shall be subject to the corresponding duties to the other owner adjoining the party wall.
 - 1. The right to have the other owner adjoining the party wall bears half of the expenses of maintaining the party wall.
 - 2. The right to have the other owner adjoining a party wall bear one half the expense of repairing or rebuilding a party wall damaged or destroyed by any cause whatsoever, except that when such damage or destruction results from the negligence of either owner adjoining the party wall, the entire expense of repair or replacement shall be borne by the negligent party.
 - 3. The right to enter upon the premises of the other owner adjoining a party wall or to break through the party wall, or both, for the purpose of repairing or restoring sewerage, water or utilities, subject to the obligations to restore the wall to the obligations to its previous structural condition, to pay for such restoration and to pay the other owner the amount of any damages negligently caused by such repairing or restoring.
 - 4. The right to have the other owner adjoining the party wall refrains from altering or changing the party wall in any manner, interior decorations excepted.
 - 5. The right to an easement for party wall purposes in that part of the premises of the other owner on which the party wall is located.

Both the property maintenance and the party/common wall agreements shall be recorded instruments. They may be included as deed and/or subdivision restrictions.

ARTICLE V

GENERAL ADMINISTRATION, ENFORCEMENT AND APPEAL REGULATIONS

5.1 Limitations On All Land and Structures

No land or structures shall be designed, erected, altered, used or occupied except in conformity with all regulations herein established and upon performance of all conditions herein set forth.

5.2 Zoning Certificates Required

- A. No structure shall be erected or altered nor any foundation poured or constructed until a Zoning Certificate for such erection or alteration has been issued by the Planning Commission or their authorized agent.
- B. Neither the use of or the uses upon any land nor the use of or the uses within any structure shall be changed until a Zoning Permit for such change or use shall have been issued by the Planning Commission or their authorized agent.

5.3 Building Permits Required

- A. No structure shall be erected nor any foundation constructed until a Building Permit for such construction has been issued by the appropriate Building Official.
- B. Building Permits shall be issued for structures which conform to the requirements of this ordinance as well as those of the *Kentucky Building Code*.
- C. Any construction involving multi-family, commercial or industrial structures or places of assembly shall be required to submit various plans for plan review as required under the *Kentucky Building Code*. Additional information concerning the information required and the specific review procedures can be obtained from the City Building Official.
- D. Fees will be charged for Building Permits and/or Plan Review. Said fees will be set by separate ordinance and/or the *Kentucky Building Code*.
- E. Building Permits shall be effective for six (6) months from the date issued. If substantial construction has not occurred in this time period then a new Building Permit must be applied for and a new fee paid. Said reapplication will be subject to any code and/or ordinance changes which have occurred since the original permit was issued. In cases where substantial construction has occurred during the first six (6) months period, and the applicant has shown a good-faith effort toward

completing the project, the Building Official may grant a six (6) month extension to the original permit. In this case no additional fee needs to be paid and no code and/or ordinance changes shall be considered.

- F. Any construction which takes place prior to the issuance of a Building Permit shall be recorded in the Building Inspector's Office. At such a time that a Building Permit is applied for after construction has begun, the Building Permit fee for that structure shall be double the cost of the normal fee. The Building Official will record any building activity in violation of this ordinance and place a Stop Work Order at the site of violation.

***5.4 Permit To Use Or Occupy Structures**

No new structure shall be used or initially occupied until an Occupancy Permit for such use and/or occupancy has been issued.

- A. Criteria To Obtain An Occupancy Permit:

The prospective occupant of a newly developed facility shall request final inspection for purpose of receiving an Occupancy Permit after all provisions of the approved site plan and building plans, as applicable, have been met. No occupancy is permitted without an Occupancy Permit. No permit will be issued without an on-site inspection by the Building Official and City Planner and their subsequent approval, except as provided below.

- B. Temporary Occupancy Permit:

A temporary Occupancy Permit may be issued for a period not exceeding six (6) months in a situation where uncontrollable conditions, such as weather, will not allow immediate compliance to the terms of the site plan. Determination as to the appropriateness of issuing a Temporary Occupancy Permit shall rest with the City Planner or Building Official or both.

****5.5 Violations and Penalties**

Wherever by the provisions of this ordinance the performance of any act is required or the performance of any act is prohibited or wherever any regulations, dimension or limitation is imposed on the use or change of use of or upon any land or on the erection or alteration of any structure or the use or change of use of such structure or the uses within such structure, a failure to comply with the provisions of this ordinance shall constitute a violation of this ordinance. Any person who violates any of the provisions of this article for which no other penalty is provided shall upon conviction be fined in an amount not less than twenty dollars (\$20.00) nor more than two hundred fifty dollars (\$250.00). Each day of the violation shall constitute a separate offense. Any

*Amended December 16, 1986

**Amended March 25, 1993

person violating this ordinance may also be found guilty of a civil offense. The civil fine shall be no less than twenty dollars (\$20.00) nor more than two hundred fifty dollars (\$250.00). The civil fine shall be paid directly to the City of Radcliff. If the fine is not paid within thirty (30) days from the date of notification, then the City may recover said fine in a civil action in a Court of proper jurisdiction. The City may also obtain injunctions or abatement orders to insure compliance with this ordinance or pursue administrative remedies when appropriate, including injunctions and abatement proceedings.

5.6 Effect of Other Ordinance, Regulations, Statues and Private Covenants

- A. Wherever higher or more restrictive standards are established by the provisions of any other applicable statute, ordinance or regulations than are established by the provisions of this ordinance, the provisions of such other statute, ordinance or regulations shall govern.
- B. Wherever higher or more restrictive standards are established by the provisions of private covenants than are established by the provisions of this ordinance, the provisions of such covenants shall govern.
- C. Whenever this ordinance is more restrictive than a private covenant or a state or federal statute or regulation, the provisions of this ordinance shall prevail.

5.7 Duties and Powers of City Staff Acting On Behalf of the Planning Commission

There is hereby vested in the Staff the duty of administering this ordinance and the power necessary for such administration, incidental to which duty and power the Staff shall:

- A. Intervene, for an on behalf of the municipality; in all public hearings before the Board of Adjustment, present facts and information to assist the Board in reaching a decision, resist and oppose any unfounded deviations from the standard provisions of this ordinance and have decisions of the Board reviewed in a Court of proper jurisdiction when, in the judgment of the Administrator and with the approval of the Commission, such review is desirable.
- B. Propose and recommend to the Commission and Council the enactment of amendments to this ordinance for the purpose of improving administration and enforcement of this ordinance.
- C. Propose and recommend to the Commission and Council the enactment of amendments to the Official Map as made desirable or necessary by judicial or administrative proceedings or as deemed desirable or necessary because of changed or changing conditions. All amendments proposed hereunder shall be subject to the limitations and procedure hereinafter set forth under amendment procedures.
- D. Review all applications for Zoning Certificates and shall upon compliance to this ordinance

approve and issue said Zoning Certificates.

- E. Receive all applications for amendments to this ordinance including the Zoning Map and refer such applications to the proper agencies for examination and submit to the Commission all such applications together with recommendations of the examining agencies and any recommendations or reports by the Staff deemed desirable or necessary.
- F. Administer rules and regulations established by the Commission for proceedings without and within the Commission, together with regular forms for such proceedings, and a schedule of fees established by ordinance for processing amendments, issuing permits and certificates and for recording those matters required by this ordinance to be recorded.
- G. Maintain a map showing the current zoning classification of all land in the municipality and the location, type and identity of all nonconforming uses.
- H. Maintain a current register of all nonconforming uses and regulate the registration of such uses.
- I. Record with the City Clerk and County Court Clerk all matters required to be recorded by this ordinance.
- J. Maintain written records of all actions taken by the Commission under this ordinance.

5.8 Enforcement

There is hereby vested in the Commission the duty of enforcing this ordinance and the power necessary for such enforcement, incidental to which duty and power the Commission shall:

- A. Conduct investigations and surveys to determine compliance or non-compliance with the provisions of this ordinance. The right to entry and inspection to enforce this ordinance may be enforced by application to and proper orders from a Court of proper jurisdiction.
- B. Make written orders requiring compliance with the provisions of this ordinance. Such orders shall be served personally or by registered mail upon the person, firm or corporation deemed by the Commission to be violating the provisions of this ordinance; provided, however, that if such person, firm or corporation is not the owner of the land on or the structure in which the violation is deemed to exist or have occurred, a copy of the order shall be sent by registered mail to the owner of such land or structure, the owner to be determined from the tax roll for the preceding tax year in the office of the County Assessor. The date of mailing shall be deemed the date of service of any order served by registered mail.
- C. Through the City's Attorney to institute, in courts of proper jurisdiction, proceedings for

the enforcement of the provisions of this ordinance and administrative orders and determinations made hereunder.

- D. Any person aggrieved or any officer or department of the municipality may appeal to the Board of Adjustment from any order or decision of the Commission. Such appeal shall be taken by filing with the Commission and with the Board of Adjustments within the time provided by the rules of the Board, a notice of appeal specifying the particular grounds upon which the appeal is taken. Upon receipt of a notice of appeal, the Commission shall transmit to the Board of Adjustment all of the original documents and materials, or true copies thereof, constituting the record upon which the order or decision appealed from was based. Said appeals shall conform to and follow the procedures set forth in K.R.S. 100.257; 100.261; and 100.263.

5.9 **Board of Adjustment**

- A. Appointment of Board:
A Board of Adjustment shall be appointed as stipulated by K.R.S. 100.217. Meetings shall be held at the call of the chairman who shall give written or oral notice to all members of the Board at least seven days prior to the meeting which notice shall contain the date, time, and place for the meeting and the subject or subjects to be discussed.
- B. Rules for Proceeding Before Board:
The Board shall adopt rules governing all proceedings before it; such rules shall provide and require that:
1. Public notice shall be given of all hearings and all hearings shall be open to the public, in accordance with K.R.S. Chapter 100.
 2. Due notice of all hearings shall be given in writing to parties in interest and to the Planning Commission which Commission shall be permitted to intervene, for and on behalf of the municipality, in all public hearings
 3. At any public hearing a representative of the Commission and any other interested party may appear in person or by agent or by attorney, offer evidence and testimony and cross-examine witnesses.
 4. All witnesses shall be sworn or shall affirm their testimony in the manner required in courts of record.
 5. All evidence and testimony shall be presented publicly. The Board may take judicial notice of facts to the same extent and in the same manner as courts of record and may consider any relevant facts within the personal knowledge of any member. For each case or matter heard, the Board shall cause a record of its

proceedings to be prepared. The record of proceedings shall include all documents and physical evidence considered in the case together.

6. The chairman, or in absence, the vice-chairman shall administer oaths to or accept affirmations from witnesses and may compel the attendance of witnesses.

C. Powers of the Board

1. The Board of Adjustment shall have three (3) major functions:

- a. Administrative Reviews/Appeals
- b. Variances
- c. Conditional Use Permits

2. Administrative Review and Appeal

- a. The Board has the authority to hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of this ordinance.
- b. The Board may reverse or affirm, wholly or partly, or may modify the order, requirements, decision or determination appealed from or may make such order, requirements, decision or determination and, to that end, shall have all the powers of the officer or department from whom the appeal is taken.
- c. All appeals to the Board shall follow the procedures set forth in K.R.S. 100.257; 100.261; and 100.263.

3. Conditional Use Permits

The Board shall have the authority to issue Conditional Use Permits in accordance with the provisions of Article X.

- *4. Variances

The Board shall have the power to hear and decide on applications for variances. The Board may impose any reasonable conditions or restrictions on any variance it decides to grant. A variance applies to the property for which it is granted, and not to the individual who applied for it. A variance 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. Application shall be made on forms provided in the Planning

*Amended July 3, 1986; Amended June 10, 1993

& Zoning Office. However, before any variance is granted, the Board must find that the granting of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the Board shall consider whether:

- a. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone.
- b. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.
- c. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

The Board shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulations from which relief is sought.

The Board shall not possess the power to grant a variance to permit a use of any land, building, or structure which is not permitted by the zoning regulation in the zone in question, or to alter density requirements in the zone in question.

D. Limitations on Power of Board

1. **Concurring Vote Required:**
The concurring vote of a simple majority of a quorum of the Board shall be necessary to reverse any order, requirement, decision or determination of any administrative official or to decide in favor of the applicant on any matter upon which the Board is required to pass under this ordinance or to effect any variation in this ordinance.
2. **Findings of Fact:**
Every decision of the Board shall be based upon findings of fact and every finding of fact shall be supported in the record of its proceedings. The required conditions enumerated in 5.8, C 4, (A-C), shall be construed as limitations on the power of the Board to act. A mere finding or recitation of the enumerated conditions unaccompanied by findings of specific facts shall not be deemed findings of fact and shall not be deemed compliance with this ordinance.

E. Appeals From the Board

1. Procedure:

Any person aggrieved, any taxpayer, the municipality or any officer or department of the municipality may have a decision of the Board reviewed in the manner provided by rules relating to civil proceedings. No such review shall be granted unless a petition therefore, duly verified, setting forth that such decision is illegal, in whole or part, and specifying the grounds of the illegality, is presented to a court of record within thirty (30) days after the filing of the decision in the office of the Board. The Board shall not be required to return the original papers acted upon by it, but it shall be sufficient to return certified or sworn copies thereof or such portions thereof as may be called for. The return shall concisely set forth such other facts as may be pertinent and material to the decision appealed from and shall be verified.

2. Effect of Appeal:

The issuance of a writ on a petition hereunder shall not stay proceedings upon the decision appealed from but the court, on application after notice to the Board and on due cause shown, may grant restraining order.

5.10 Liability

Any Commissioner, employee, or member of the Board of Adjustment, charged with the enforcement of this code, acting for the City in the discharge of their duties shall not thereby render themselves liable personally, and they are hereby relieved from all personal liability for any damage that may occur to persons or property as a result of any act required or permitted in the discharge of their duties. Any suit brought against any Commissioner, employee, or member of the Board of Adjustment, because an act performed by them in the enforcement of any provision of this code shall be defended by the municipality's legal representative until the final termination of the proceedings.

ARTICLE VI

ZONING & REZONING STANDARDS, MAP & TEXT AMENDMENT PROCEDURE

6.1 Map & Text Amendment Procedure

The regulations, conditions, and restrictions set forth in the text of this ordinance and the district boundaries illustrated on the Zoning Map may from time to time be amended or repealed through the following procedure:

A proposal to change any provision of the text of this ordinance may originate with the Planning Commission or the City Council. Either body may initiate such proceedings although the Planning Commission shall hold a public hearing and forward a recommendation to the City Council prior to the Council taking any action on the amendment. Said amendment procedure shall conform to the standards set forth in K.R.S. 100.321; 100.211; 100.207 and 100.212.

A majority of the entire legislative body shall be required to pass a zoning regulation which contains any changes or departures from the zoning regulation as proposed by the Planning Commission.

* **6.2 Zoning & Rezoning Procedure & Standards

A proposal to rezone any properties may be initiated by: The owners of said property; persons having a vested interest (such as a sales contract) and the owners approval; the owners legal representative; the Planning Commission or the City Council. The application shall be made on forms provided in the Planning Office. In any case the zoning or rezoning request shall be forwarded to the Planning Commission who shall hold a public hearing and make a recommendation to the City Council regarding the request. Said rezoning to zoning procedure shall conform to the standards set forth in K.R.S. 100.207; 100.211; 100.212 and 100.213 as well as any other appropriate provisions of this ordinance. The Planning Commission may also hear and decide on applications for variances or conditional use permits when a proposed development requires a map amendment and one (1) or more variances or conditional use permits. The Planning Commission shall assume all powers and duties otherwise exercised by the Board of Adjustment pursuant to KRS 100.231, 100.233, 100.237, 100.241, 100.243, 100.247, and 100.251.

**Any judicial proceeding to appeal the planning commission action in granting or denying any variance or conditional use permit shall be taken pursuant to KRS 100.347 (2).

A. Any person requesting a new zoning classification for a specific parcel of land shall provide the following information:

*Amended July 3, 1986

**Amended September 23, 2004

1. An accurate legal description of the outer-boundaries of the property.
 2. Information regarding the current zoning and the zoning classification requested.
 3. The name, address and associated P.V.A. lot number for all adjacent properties including those across from adjacent streets, right-of-ways and railroads.
 4. Information regarding the intended land use.
 5. Proof of ownership or vested interest.
- B. It shall be the responsibility of the person making a zoning or rezoning request to prove one or more of the following:
1. That the existing zoning classification is inappropriate as proven by reference to specific sections of the *Comprehensive Plan*, and that the proposed zoning classification is in conformance with specific sections of the *Comprehensive Plan* as proven by reference to said sections.
 2. That the proposed zoning classification is more or equally appropriate and/or proper than the existing zoning as proved by reference to specific sections of the *Comprehensive Plan*.
 3. That there have been specific major economic, physical or social changes which were not anticipated by the *Comprehensive Plan* and which have made the specific guideline and/or recommendations found within the Plan no longer valid. In this case these specific economic, physical or social changes as well as the specific guideline and/or recommendations which the applicant believes are no longer valid shall be listed by the applicant.
 4. In the case of zoning newly annexed land, or land in any of the Holding Zones the applicant shall prove that the proposed zoning classification is in conformance with the *Comprehensive Plan* and the specific sections of the Plan shall be referenced.
- C. It shall be the duty of the applicant to set forth to the Commission the factual reasons which support the proposed zone change at the time of making the application and at the public hearing.
- D. Upon receipt of a zoning or rezoning request the Commission shall hold a public hearing in accordance with K.R.S. 100.211. Due notice of the proposal shall be published in a local newspaper and on the property as required by law in accordance with K.R.S. 100.212

- E. In making a recommendation to the City Council on any zoning or rezoning request the Planning Commission shall make findings of facts which illustrate the specific reasons for their particular recommendation. Said findings shall be recorded in the official minutes or records of the Planning Commission. Said findings shall also be based on information found in the official record of the hearing at which the proposal was reviewed.
- F. Upon a receipt of a recommendation from the Planning Commission, or upon presentation of a proposal which has not been acted upon by the Planning Commission within the required 60 day time period, the Council shall take such action as they deem appropriate concerning the zoning or rezoning request. However, all such actions shall be limited by the following conditions:
1. In the case where the Council has been forwarded a proposal which has not been acted upon within the 60 day time period they shall make specific findings of facts which shall be recorded in their official minutes or records prior to taking any final action on the proposal. Said findings shall be based upon information found in the official record of the hearing at which the proposal was reviewed.
 2. In the case where the Council takes action on a proposal contrary to the Planning Commission's recommendation they shall make specific findings of facts as set forth in Section F. 1. of this article.
 3. In the case where the Council takes action contrary to the Planning Commission's recommendation on the proposal it shall take a majority of the entire Council to override the Commission's recommendation. (Reference K.R.S. 100.211)
 4. In any case the Council may hold a separate public hearing on a proposal and/or make separate findings of fact based on information provided at any public hearing held on the proposal.
 5. The Council may send a proposal back to the Planning Commission for further public hearings and/or further consideration.
- G. All amendments to the ordinance and the Zoning Map shall be listed in the order adopted in a separate register and on the Zoning Map kept current by the Commission.
- H. When an application for an amendment to the ordinance for a specific parcel or parcels has been denied, re-application for the same zone shall not be made for a period of one (1) year from the date of the original application; however, re-application may be made for a zone other than the one denied. Re-application may also be made to rezone a portion of the specific parcel which has been denied if special permission is granted by the Planning Commission or City Council.

***6.3 Zoning of Annexed Territory**

- A. When the City of Radcliff proposes to annex new territory, it may amend its *Comprehensive Plan* and official Zoning Map to incorporate and establish zoning for the property proposed for annexation prior to adoption of the ordinance of annexation. If the City elects to follow this procedure, the Planning Commission shall hold a public hearing after the adoption of the ordinance stating the City's intention to annex and prior to final action upon the ordinance of annexation for the purpose of adopting the *Comprehensive Plan* amendment and making its recommendations as to the zoning which will be effective for the property upon its annexation. Notice setting forth the time, date, location and purpose of the public hearing shall be published as required by K.R.S. Chapter 424 and shall be given to the owners of all properties within the area proposed for annexation and to adjoining property owners in accordance with K.R.S. 100.212 (2). The City legislative body shall take final action upon the Planning Commission's recommendations prior to the adoption of the ordinance of annexation and shall include in the ordinance of annexation a map showing the zoning which will be effective for the annexed property period.
- *B. If the City elects to follow the procedure provided for above prior to the adoption of the ordinance of annexation, the newly annexed territory subject to the same land use restrictions, if any, as applied to it prior to annexation until those restrictions are changed by zoning map amendments or other regulations in accordance with K.R.S. 100.209.

*Amended September 24, 1992

ARTICLE VII

ZONING MAP STANDARDS

7.1 Description Of Map

**A. An Official Zoning Map which illustrates the zoning of every piece of property within the Radcliff corporate limits is part of this ordinance. Said map is drawn at a scale of one (1) inch equals four hundred (400) feet and the outer bounds of all zones are indicated by solid lines; one of the following combinations of letters is placed within the specific zone boundaries; R-E, R-H, R-1, R-2, R-3, R-4, R-5, R-6, R-7, Commercial, Commercial-Holding, Industrial, Industrial-Holding, P.U.D. or Urban Agriculture.

Said combination of letters represent the following zones:

R-H - Residential Holding

R-E - Single-Family Estate

R-1 - Residential-1 (Low Density, Single-Family)

R-2 - Residential-2 (Low Density, Single-Family)

R-3 - Residential-3 (Medium Density, Single-Family and Duplex)

R-4 - Residential-4 (High Density, Single-Family and Duplex)

R-5 - Residential-5 (Medium Density, Multi-Family)

R-6 - Residential-6 (High Density, Multi-Family)

R-7 - Residential-7 (Mobile Home Residential)

Comm. - Commercial

C-H - Commercial Holding

Indus. - Industrial

I-H - Industrial Holding

P.U.D. - Planned Unit Development

*AG - Urban Agriculture

B. Official Zoning Map Certification Required

The Official Zoning Map shall contain a certification which identifies it as the Official Zoning Map. Said certification shall be as follows:

"I hereby certify that this is the Official Zoning Map for the City of Radcliff, Ky., referred to in Article VII, Section 7.1 of the Zoning Ordinance and Development Regulations for the City of Radcliff, adopted by the City Council on April 17, 1984."

Mayor

_____ *Date* _____

City Clerk

_____ *Date* _____

*Amended September 24, 1992

**Amended November 2, 2017

C. Amendment Certification Required

The Official Zoning Map shall contain a certification which identified all amendments to it by date, zone change and ordinance number. Said certification shall be as follows:

ZONING MAP AMENDMENTS				
Date of Amendment	Previous Zone	New Zone	Ordinance Number	Date Map Changed
1.				
2.				
3.				
4.				
5.				
6.				

D. Location Of The Official Zoning Map

A paper print of the original Official Zoning Map shall be kept on file with the Hardin County Court Clerk and with the Radcliff City Clerk; the mylar version of the Official Zoning Map shall be kept in the Planning Commission's office where it shall be updated as to reflect the new zone boundaries and the amendment certification updated by the Planning Commission or their authorized agent within ten (10) days of the effective date of the rezoning ordinance.

E. Replacement Of The Official Zoning Map Mylar

In the event that the mylar of the Official Zoning Map becomes damaged, destroyed, lot or difficult to read, the City Council may by resolution adopt a new mylar version of the Official Zoning Map. Said mylar shall be drawn in accordance with an existing updated print of the Official Zoning Map.

F. Correcting Of Errors Found On The Official Zoning Map

Minor errors found on the Official Zoning Map may be corrected by a resolution adopted by the Council. However, no corrections shall be made which are not in strict compliance with the legal description contained within an ordinance which establishes the location of a specific zone boundary line.

7.2 Changing Zone Boundaries

A. Zone boundaries may be changed, moved or revised in accordance with the standards set forth in Article VI of this ordinance.

- B. After each zoning change is adopted by the Council, the Planning Commission or their designated agent shall revise the boundaries of the Official Zoning Map to reflect the legal description of the parcel contained in the body of the rezoning ordinance.
- *C. Any zone boundary may be adjusted in conformance with Section 7.4 of this ordinance.

7.3 Interpretation Of The Zone Boundaries

*Generally zone boundaries are intended to follow along property lines. If a parcel or lot of land has more than one zone then said parcel shall be used in conformance with the following guidelines:

- A. Each parcel of land so divided may be used in conformity with and subject to the regulations herein established for the zone in which each such parcel of land is located; or
- B. If a parcel is divided into two (2) or more zones the entire area may be used in conformity with and subject to the regulations herein established for the zone which occupies more than one-half (1/2) of the area of the entire parcel; or
- C. If a parcel is divided into two (2) equal zone areas the entire area may be used in conformity with and subject to the regulations herein established for either zone; provided however,
- D. That no parcel of land containing more than six thousand two hundred fifty (6,250) square feet shall be used in any manner except in conformity with and subject to the regulations herein established for the zone in which each parcel of land is located.
- E. The lot area requirements set forth in 7.3 D may be circumvented by any change of lot lines occurring after the establishment of the zoning line, whether by subdivision, re-subdivision, agreement or otherwise.

7.4 Location District Boundary Lines Not Readily Determinable From Official Zoning Map

If for any reason the location of any district boundary line is not readily determinable from the Official Map, the location of the district boundary line shall be fixed by the Planning Commission in accordance with the following provisions:

- A. Where a zone boundary line is established with reference to a fixed distance, reference point, and/or dimensional bearings said information shall control the location.

*Amended November 2, 2017

- B. Where a zoning boundary line is established based upon a specific legal description said description shall prevail.
- C. Where a zone boundary line approximately follows platted lot lines, the zone line shall be assumed to coincide with said lot lines.
- D. Where a zone boundary line divides a platted lot or crosses un subdivided property, the location of the zone line shall be fixed from the scale of the Official Zoning Map.
- E. In determining the zoning classifications of properties by scaling the distance off from the Official Zoning Map all such measurements shall be made from the outer edge of the zone line.
- F. Where a zone boundary approximates a corporate boundary said line shall be deemed to coincide with said boundary.
- G. Where a zone boundary line is fixed with reference to a natural feature the actual location of said feature shall control the location of the zone boundary line.

ARTICLE VIII

NONCONFORMING USE STANDARDS

8.1 Definition: Of A Nonconforming Use

Any activity, building, sign or structure which lawfully existed before the adoption of the zoning regulation, but which does not conform to all regulations contained in the zoning regulation which pertain to the zone in which it is located shall be defined as a nonconforming use.

Thus a building may be nonconforming by virtue of the land use activities which occur within it or by virtue of its placement on a lot.

8.2 General Standards

- A. All nonconforming uses shall be treated in conformity with the provisions of K.R.S. 100.253.
- B. In the event that there is a cessation of operation of any nonconforming use for a period of four (4) consecutive calendar months, said use shall be considered abandoned and its nonconforming status lost.
- *C. Generally, a structure or use of land which is nonconforming shall not be enlarged or extended beyond the scope and area existent when it became nonconforming. However, changes merely incidental to its continued use may be permitted as long as it is not converted into a new or substantially different structure.

If the extension or enlargement is found to be within the scope and area, then the structure may be enlarged to encompass only an additional four hundred (400) square feet above the existing building size at the time when it became nonconforming. See also Sections 8.2 F and 8.3 of this article.

- D. Structures which are nonconforming due to the manner in which they are sited upon their respective lots may not be enlarged or expanded unless they are brought into conformity with this ordinance via a variance from the Board of Adjustment or through some other proper means. However, structures falling into this category may be expanded in accordance with the provisions of Article III, Section 3.
- E. Nonconforming uses may change use types if the Board of Adjustments finds that the new proposed use is no more nonconforming than the previous nonconforming use and that the other provisions of this section will not be violated.

*Amended April 19, 1990

- F. In the case of total or partial destruction, nonconforming uses may be repaired, rebuilt, or reconstructed as long as the following conditions are met:
1. Such repair or reconstruction is substantially completed within twelve (12) calendar months of the date of destruction, and a building permit to begin such repair or reconstruction is applied for within ninety (90) days of the destruction.
 2. The repaired or reconstructed nonconforming portion of the structure contains no more square feet of building area than the nonconforming portion prior to the destruction.
 3. The reconstructed building shall be placed no closer to any property line than the previous structure if said distance is less than that required under the specific zoning of the site; unless a dimensional variance has been authorized by the Board of Adjustments.
- G. Structural changes and/or improvements to nonconforming structures required by governmental agencies for the purpose of protecting the health, safety or general welfare of the community's citizens shall be allowed.

8.3 Replacement Of Nonconforming Mobile Homes

Residential mobile homes sited on lots which are not zoned R-7 shall be considered nonconforming uses and thus have certain specific regulations applied to them, which differ from the typical nonconforming regulations. Said regulations will depend upon whether or not the lot is owner-occupied as of the effective date of this ordinance.

- A. Owners of lots which are owner-occupied as of the effective date of this ordinance may continue to use the lot for mobile home purposes under the following conditions:
1. The mobile home may be replaced with another mobile home as long as the new mobile home does not contain more than 20% additional square feet than the previous model sited on the lot.
 2. The lot or stand shall not remain vacant for more than 120 days; any mobile home stand which remains vacant for more than 120 consecutive days shall be considered to have been abandoned and its nonconforming status lost.
- B. Owners of residential mobile home lots which have been purchased after the effective date of this ordinance may replace mobile homes which are or have been recently sited upon the lot in conformance with the following conditions:
1. The lot or stand shall not have remained vacant for over 120 days any mobile

home stand which remains vacant for 120 consecutive days shall be considered to be abandoned and its nonconforming status lost.

2. The new mobile home shall contain no more than 20% additional square feet from the previous model.
 - *3. The new mobile home shall not be more than five (5) years old.
- C. Owners of residential mobile home lots which are renter occupied, that is the occupants are renting the lot and the mobile home or the occupants own the mobile home and are renting or leasing the lot or stand, shall abide by the same regulations as set forth in 8.3, B., 1, 2 and 3 of this article.
- D. Before any person places a residential mobile home on a lot which is not zoned R-7, the owner of the lot shall provide the city with information regarding the size and the model year of the mobile home, location of the lot upon which the mobile home is to be placed and the approximate time (within a month) that the lot/stand has been vacant. Replacement of mobile homes shall only be allowed if the specific conditions are met. If replacement is allowed, the city shall revise the owners mobile home permit to reflect the information regarding the new mobile home. Failure of an mobile home lot/stand owner to comply with the permit requirement of this ordinance shall be grounds for refusal to issue future permits.

*Amended May 17, 1990

ARTICLE IX

HOME OCCUPATION STANDARDS

*****9.1 Purpose**

The purpose of this article is to allow only certain limited commercial activities such as home offices, professional services, handicrafts, home catering, barber shops and beauty parlors (with a maximum of one station/chair) among other limited activities to occur in specific residential zones on a Home Occupation basis if specific conditions are met. All such Home Occupations shall obtain a Home Occupation Permit from the Planning Commission or their authorized agent.

****9.2 Zones Allowed**

Home Occupations are allowed in the following zones: R-E, R-1, R-2, R-3, R-4, R-5, R-6, R-7 and R-H.

*****9.3 Prohibited Commercial Activities**

Auto related services and any activity that stores any amount of work related material outside shall be expressly prohibited on any residentially zoned property.

9.4 Specific Conditions

No Home Occupation Permit shall be issued unless all of the following conditions exist:

- A. Is operated entirely within the dwelling unit and is operated solely by the person living in said unit.
- B. Does not have a separate entrance which is not also used for normal residential purposes.
- *C. Does not display or create outside the building any external evidence of the operation of the Home Occupation.
- D. Does not utilize more than 350 square feet of floor area.
- E. Does not have more than one employee or regular assistant who does not reside in the single unit dwelling where the Home Occupation is conducted.

*Amended April 29, 1993

**Amended March 17, 1994

*** Amended March 17, 1994 & October 18, 2007

- F. Does not generate any heavy commercial traffic other than common carrier deliveries. Said deliveries shall be made by trucks other than semi-trucks and shall not be any more frequent than 4 deliveries per month.
- G. Does not generate client traffic exceeding 10 cars per day, nor any more than 2 client related cars at any one time.
- H. Shall not involve the sale of merchandise which occurs on the premises; the sale of merchandise which is delivered or mailed is allowed. Fine art objects created by the home owner are excluded from this standard.
- I. Shall not create noise, light, heat, dust, odors or vibrations nor have any other characteristic which detracts from the quality of life within the neighborhood.
- J. Shall be incidental to the principal residential use of the structure.
- K. Home Occupations which will involve client created vehicular traffic shall provide two (2) additional parking spaces in addition to those required for residential purposes.
- L. The Planning Commission shall allow no Home Occupation in an area which has private protective covenants which specifically prohibits commercial activity which would apply to the Home Occupation.
- **M. State and local approvals and permits must be obtained prior to operating a home catering business (eg. Catering Permit from the Hardin County Health Department).

***9.5 Home Occupation Permit Required**

No person shall operate a Home Occupation until after they have obtained a Home Occupation Permit from the Planning Commission or, if delegated, from their authorized agent. Application shall be made on forms provided in the Planning Office. The Planning Commission or their agent shall have the authority to impose any conditions they deem necessary on the Home Occupation to insure compatibility with the neighborhood.

Refusal to issue a Home Occupation Permit may be appealed to the Planning Commission if said refusal has been made by their authorized agent and refusals made or reaffirmed by the Planning Commission may be appealed to the Board of Adjustment. Said appeals shall be made in conformance with K.R.S. 100.257; 100.261; and 100.267.

9.6 Business License

Prior to operating an approved Home Occupation the operator shall obtain a City of Radcliff Business License; said licenses are issued by the office of the Radcliff City Clerk.

*Amended July 3, 1986
 ** Amended October 18, 2007

ARTICLE X

CONDITIONAL USE STANDARDS

10.1 Purpose

Certain uses are allowed in specific zones on a conditional use basis. The conditional use concept rests upon the premise that a specific land use may be appropriate in a particular zone, if certain conditions exist or are adhered to. All persons proposing to place any use in a zone in which it is only allowed on a conditional use basis shall first obtain a Conditional Use Permit from the Board of Adjustment. The Board shall consider review and act on all such requests in a manner set forth in K.R.S. 100.237. The Board shall also consider the effect the proposed conditional use will have on the character of the area and the manner in which the proposed use will meet the specific standards for that particular use as found herein.

10.2 Kentucky Revised Statutes Concerning Conditional Uses (K.R.S. 100.237)

100.237 Conditional Use Permits: The Board of Adjustment (B.O.A.) shall have the power 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 which may be suitable only in specific locations in the zone only if certain conditions are met:

- A. The Board may approve, modify, or deny any application for a Conditional Use Permit. Application shall be made on forms provided in the Board of Adjustment Office. If it approves such 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's minutes and the Conditional Use Permit along with a reference to the specific section in the zoning regulation listing the conditional use under consideration. The Board shall have power to revoke Conditional Use Permits, or variances for noncompliance with the condition thereof. Furthermore, the Board shall have a right of action to compel offending structures or uses removed at the cost of the violator and may have judgment in personam for such cost.
- B. Granting of a Conditional Use Permit does not exempt the applicant from complying with all of the requirements of buildings, housing and other regulations.
- C. In any case where a Conditional Use Permit has not been exercised within the time limit set by the Board, or within one year, if no specific time limit has been set, such Conditional Use Permit shall not revert to its original designation unless there has been a public hearing. Exercised, as set forth in this section, shall mean that binding contracts for the construction of the main building or other improvement has been let; or in the absence of contracts that the main building or other improvement is under construction to

a substantial degree, or that prerequisite conditions involving substantial investment under contract, in development, are completed. When construction is not a part of the use, exercised shall mean that the use is in operation in compliance with the conditions as set forth in the permit.

- D. The Administrative Official shall review all Conditional Use Permits, except those for which all conditions have been permanently satisfied, at least once annually and shall have 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 land owner is not complying with all of the conditions listed or the Conditional Use Permit, the Administrative Official shall report the fact in writing to the Chairman of the Board of Adjustments. The report shall state specifically the manner in which the land owner at the is not complying with the conditions on the conditional use permit, and a copy of the report shall be furnished to the land owner at the same time that it is furnished to the Chairman of the Board of Adjustments. The Board shall hold a hearing on the report within a reasonable amount of time and notice of the time and place of the hearing shall be furnished to the land owner at least one week prior to the hearing. If the Board of Adjustments finds that the facts alleged in the report of the Administrative Official are true and that the land owner 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 Administrative Official 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 authorizes.
- E. 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 Administrative Official, upon request of the applicant, may, if the facts warrant, make a determination that the conditions have been satisfied and the conclusion in the margin of the copy of the Conditional Use Permit which is on file with the County Clerk, as required in K.R.S. 100.344. Thereafter said use, if it continues to meet the other requirements of the regulations, will be treated as permitted use. (1966, C. 172, S51; 1978, C. 384, S23)

10.3 Basement Apartment Units

- A. Zones allowed in: R-1, R-2, R-3 and R-4.
- B. Special Site Conditions Required (NOTE: The Board shall find that all conditions exist before issuing a permit.):
1. Basement/units shall only be allowed in single-family detached units; there shall be no more than one (1) accessory unit in any single-family detached structure.
 2. 4,000 square feet additional land area shall be required for the basement unit.
 3. Total area used for basement unit purposes shall not exceed 30% of the total square footage contained in the residence.

4. No basement unit shall contain more than 2 bedrooms.
5. Two additional off-street parking spaces shall be provided.
6. Shall only be allowed on lots connected to public sanitary sewer and treated water facilities.
7. Outward appearance of all structures shall architecturally resemble single-family detached structures from all approaches. Only one front entrance will be allowed, additional entrances may be located to the side or rear of the structure.
8. The basement unit shall not be allowed if it violates private subdivision and/or deed restrictions.
9. The basement unit shall not cause the structure to be out of character with the existing neighborhood.

10.4 Public And Quasi-Public Uses Allowed In Residential Zones

A. Zones allowed in: R-H, R-2, R-3, R-4, R-5, R-6 and Residential P.U.D.'s.

B. Specific uses allowed: All Types Of Churches
 Synagogues
 Libraries
 Associated School Facilities:
 Elementary
 Middle or Junior High
 High Schools
 Cemeteries
 Nursing/Convalescent Homes
 Public Recreational Facilities
 Governmental Offices and Facilities
 Hospitals
 Out-Patient Clinics
 Surgical Centers

C. Special Site Conditions Required (Note: The Board shall find that all conditions exist before issuing a permit.):

The Board of Adjustment shall only allow public and quasi-public uses which meet the following conditions:

1. The use has access to a street which can adequately handle the anticipated traffic;

preferably a collector or arterial street.
2. The use will not create traffic which will significantly reduce the quality of life in the surrounding residential area.

3. The use will utilize building and/or site designs which will make it compatible with the adjacent land uses.
4. The use will not adversely effect the character of the neighborhood.
5. The use will not violate any private deed or subdivision restrictions.

10.4.1 Limited Commercial use in a Residential Zone as a Mixed Use.

- A. Zones Allowed on a conditional use basis: R-5 and R-6 (Multi-level/Multi-unit apartment complexes)
- B. Under specific conditions certain commercial uses can be allowed as a subordinate use in the residential zone if the following conditions can be met:
 1. All building code requirements can be met to include egress, fire separation and required floor area.
 2. The use has access to a street which can adequately handle the anticipated traffic; preferably a collector or arterial street.
 3. The use will not create traffic which will significantly reduce the quality of life in the surrounding residential area.
 4. The use will utilize building and/or site designs which will make it compatible with the adjacent land uses.
 5. The use will not effect the character of the neighborhood.
 6. The use will not violate any private deeds or subdivision restrictions.

10.5 Public And Quasi-Public Uses Allowed In The Commercial And C-H Zone

- A. Specific Uses Allowed:
 - Nursing/Convalescent Homes
 - Pre-Schools
 - Lodges and Clubs (Private)
 - *Charitable Gaming Establishments
- B. Special Site Conditions Required (Note: The Board shall find that all of the conditions exist before issuing a permit.):

The Board of Adjustment shall only allow public and quasi-public uses which meet the following conditions:

1. The use has access to a street which can adequately handle the anticipated traffic; consideration should be given to how near a street currently is to its maximum capacity and the effect the proposed use will have on the traffic

flow.

2. The use will utilize building and/or site designs which make it compatible with existing and/or future proposed adjacent land uses.

10.6 Other Conditional Uses Allowed In The Commercial And C-H Zone

A. Specific Uses Allowed:

Recycling Collection and Minor Processing Centers (Paper, Plastics, Glass and Aluminum Products)
Circus/Carnival Grounds
Commercial Campground/Trailer Park (Short Term)
Mobile Homes, or Manufactured Commercial Units and Intermodal Containers used as commercial buildings shall have the same architectural features as a permanent commercial structure.

B. Special Site Conditions Required:

The site conditions required shall be the same as those for public and quasi-public uses; reference - 10.5, B. 1 and 2 of this article.

(Note: The Board shall find that all of the conditions exist before issuing a permit.)

10.6.1 Residential in a Commercial Zone as a Mixed Use.

A. Specific uses allowed: all residential

B. Under specific conditions apartments can be allowed as a subordinate use in the commercial zone if the following conditions can be met:

1. All building code requirements can be met to include egress, fire separation and required floor area.
2. The commercial use must be located on the ground or street level with the residential use on either an upper or lower floor. No apartment can be located on the same floor as the commercial use.
3. All entrances to the residential portion of the building shall be from the rear and shall not be visible from the main street that the business fronts.
4. Any additions to the building shall be of the same architectural design and material as the existing structure.
5. Adequate parking spaces, two (2) per unit must be provided in addition to the off street parking that is required for the business.

10.7 Reserved

10.8 Conditional Uses Allowed In The Industrial And I-H Zone

- A. Specific Uses Allowed: Those listed in Section 26.2 B of the Industrial Zone Standards.
- B. Special Site Conditions Required:

The Board of Adjustments shall only allow uses which meet all of the following conditions:

1. The use will be developed in a manner which will be compatible with the surrounding land uses.
2. The use will not pose a threat to the health, safety or general welfare of the surrounding properties nor to the city as a whole.
3. The use will have access to a street which can adequately handle the anticipated traffic flow.
4. The use will not violate any private deed and/or subdivision restrictions.

(Note: The Board shall find that all of the conditions exist before issuing a permit.)

10.9 Modular, Sectional, Or Manufactured Or Intermodal Container Dwelling Units

- A. Zones allowed on a conditional use basis: R-2, R-3 and R-4.
- B. Special Home Characteristics Required (Note: The Board shall find that all of the conditions exist before issuing a permit.):
 1. There shall be no wheels, axles, lights, tongues or other pieces of equipment or hardware needed for transportation purposes left on the unit once it has been placed on the site.
 2. The unit shall be placed upon a permanent foundation, i.e., basement, slab, or brick or concrete walled crawl space.
 3. The unit shall be designed for permanence; that is, it should be no more easily removed from the site than other dwelling units.
 4. The unit shall have a roofline, siding, windows, doors, steps and porches which resemble typical single-family architecture.
 5. The unit shall not be placed on sites from which they have been restricted by private covenants.

***ARTICLE XI**

OFF-STREET PARKING STANDARDS

11.1 General

Minimum off-street parking space, with adequate provision for ingress and egress, must be provided in accordance with this ordinance for both principal and accessory structures at the time of erection, alteration, enlargement, conversion or increased capacity of any building.

11.2 Required Number of Parking Spaces

The required number of off-street parking spaces according to land use must conform to the minimum standards presented in Article 11.3 Off-Street Parking by Land Use. Any fractional parking space shall be treated as a whole space.

11.3 Off-Street Parking by Land Use

USE	NUMBER OF PARKING SPACES REQUIRED
DWELLING UNITS	2/DU
OFFICE	1/300 GROSS SQUARE FEET
RETAIL	1/200 GROSS SQUARE FEET
RESTAURANT	1/100 GROSS SQUARE FEET
HEALTH CLUB	1/100 GROSS SQUARE FEET
WAREHOUSE	1/500 GROSS SQUARE FEET
ASSEMBLY	1/300 GROSS SQUARE FEET
MEDICAL OFFICE	1/200 GROSS SQUARE FEET
SCHOOLS	1/3.5 SEATS IN ASSEMBLY ROOMS & 1/FACULTY MEMBER
HOTELS/MOTELS	1/GUEST ROOM & 1/500 SQUARE FEET OF COMMON AREA
INDUSTRY	1/500 SQUARE FEET
CHURCHES	1/4 SEATS

11.4 Shared Parking

Where there is a combination of land uses on the same lot, the required number of parking spaces shall equal the sum of the mandatory parking spaces for each land use on site.

11.5 Location of Lot

Parking spaces located in residential zones must be provided on the same lot as the land use for which they serve. Commercial and industrial land uses may provide parking

*Amended November 29, 2001

on another lot not more than 500 feet from the subject lot. Adequate sidewalks shall connect the parking facilities to said structures.

***11.6 Parking Space Dimensions**

Each parking space must be a minimum of nine (9) feet wide. Exceptions to this rule include compact and parallel parking spaces. Both compact and parallel parking spaces shall be permitted to be a minimum of eight (8) feet wide. Each parking space must be a minimum of eighteen (18) feet in length. Parallel parking spaces must be a minimum of twenty-two (22) feet in length.

11.7 Driveway Slopes

The maximum slope of any parking lot driveway shall not exceed twenty (20) percent. Transition slopes in driveways shall be provided in accordance with the standards set by the project engineer.

11.8 Parking Space Accessibility

All parking spaces shall be easily accessible and free of obstructions. No automobile shall be required to back onto any public street or sidewalk, in order to enter or exit a parking space (other than residential uses). All portions of a public lot or garage must be accessible to other portions thereof without requiring the use of any public street.

11.9 Compact-to-Standard Parking Space Ratio

For every two (2) standard parking spaces, a maximum of one (1) compact parking space is permitted.

11.10 Screening

All parking lots shall be screened in accordance with Article XXX Landscaping Standards of the City of Radcliff Zoning Ordinance.

11.11 Striping

Each individual parking space must be striped, with the exception of parking spaces serving single-family detached dwelling units.

11.12 Lighting

All lights illuminating a parking lot shall be directed in such a manner that light is not reflected towards the street. In addition, glare from lights that illuminate parking areas must be minimized.

*Amended March 15, 2007

11.13 Handicap Parking

- *A. Handicap parking spaces must be thirteen (13) feet wide and eighteen (18) feet in length.
- *B. Parking spaces for handicap accessible vans must be a minimum of sixteen (16) feet wide and eighteen (18) feet in length.
- C. Handicap parking spaces must be clearly marked with the universal handicap parking signage.
- D. The minimum number of handicap accessible parking spaces required is one (1) handicap space per twenty-five (25) standard spaces.
- E. Handicap parking spaces must meet all requirements mandated by the *American Disabilities Act* and the *Kentucky Building Code*.

11.14 Parking Aisle Width

AISLE WIDTH (FEET)	PARKING ANGLE		
	0°	45°	90°
ONE-WAY TRAFFIC	12	12	24
TWO-WAY TRAFFIC	18	24	24

The Planning Department may authorize the approval of parking aisle widths that do not conform to the above table.

11.15 Curb Cuts

- A. No curb cut or drive entrance shall exceed forty (40) feet in width.
- B. There shall be thirty (30) feet of space between all curb cuts or drive entrances on a specific lot.
- C. There shall be ten (10) feet of space between all curb cuts or drive entrances of adjacent lots unless the curb cuts or drive entrances have been combined in which case they shall not exceed the forty (40) foot width standard.

11.16 General Design Standards for Parking Facilities

- A. When land uses change, the adequateness of the parking facilities must be reviewed and approved by the Planning Commission or their agent prior to the new use occupying the

*Amended March 15, 2007

structure or the lot.

- B. Parking facilities and driving lanes shall be allowed in drainage easement areas once the approval of the Planning Department has been obtained. Neither parking facilities, nor driving lanes shall impede the function of a drainage easement.
- C. No parking facilities shall be placed within 5 feet of a front property line.
- D. All non-residential parking facilities and all residential facilities designed to park more than four (4) cars shall provide for an adequately designed turn-around space which will permit vehicles to enter the highway going forward.
- E. Parking facilities shall be graded, provided with adequate drainage and surfaced with asphalt.

ARTICLE XII

PLANNED BUILDING GROUPS (P.B.G.)

12.1 Purpose

The P.B.G. provision exists to allow more than one principal structure to be placed upon an individual lot. It is understood that often good land use designs are pre-empted by the normal restriction of allowing only one principal structure per lot. The purpose of this article is to allow for those excellent designs which incorporate more than one principal structure on a lot or tract of land. In applying the P.B.G. provisions, the regulations for the zone in which the land lies shall be in full force unless specifically pre-empted.

12.2 Restriction To Certain Zones

The P.B.G. provisions may only be applied to property which lies in the following zones: R-5, R-6, R-7, Commercial and Industrial; and public and quasi public uses sited in any zone.

12.3 Application And Review Procedures For Planned Building Groups

A. Application

The applicant shall submit a completed P.B.G. site plan to the Planning Commission's office, and pay any appropriate fees as set by ordinance.

B. Review

The P.B.G. site plan will be reviewed for completeness, adequacy of design and conformity to the standards of the ordinance by the Planning Commission or if designated by their authorized agent. As a result of said review the P.B.G. site plan will either be approved, disapproved, conditionally approved or postponed. Said actions shall follow the same format as the Commission's review and action on Final Plat Package as outlined in Section 3.80, B. (1 - 4) of the *Radcliff Subdivision Regulations*, with the exception that the action process shall be completed in sixty (60) days unless a time extension is granted by the applicant.

C. Appeal

In the case where a P.B.G. site plan has been disapproved by the Planning Commission's authorized agent, the applicant may appeal the decision to the Planning Commission. In cases where the Planning Commission has disapproved a Planned Building Group site plan, the applicant may appeal the decision to the Radcliff Board of Adjustments. All appeals

shall take place within thirty (30) days of notification of the disapproval decision and shall conform with the provisions of K.R.S. 100.257; 100.261; and 200.263.

12.4 Format And Content Requirements For Planned Building Group Site Plans

A. Format - All plans shall follow the format as outlined below:

1. Be drawn on a 24 inch by 36 inch sheet.
2. Be drawn at a minimum scale of 1 inch = 20 feet.
3. Be drawn upon a survey indicating the outer boundaries of the development.
4. The applicant shall have a surveyor, engineer, architect, planner or other qualified professionals prepare the P.B.G. site plan.
5. Information found on deeds and/or approved Final or Preliminary Plat Packages may be used and/or reference in meeting format and/or content requirements if such information is believed to be accurate.

B. Contents

All P.B.G. site plans shall contain the following contents:

1. Information regarding all existing and/or proposed structures (principal and accessory) to be placed in the plan, including:
 - a. The location and use to be contained in each building.
 - b. The outer dimensions, the total square footage of the ground floor, the number of stories and the height.
 - c. The location of all building walls which contain building entrances (other than emergency), and windows, or both entrances and windows.
2. All information required for a multi-family development site plan for residential P.B.G.'s and all the information required for commercial development site plans for commercial P.B.G.'s and all the information required for industrial development plans for industrial P.B.G.'s. (Note: These content requirements are set forth in other articles of this ordinance.)

12.5 General Lot Development And Design Standards

- A. All P.B.G.'s shall be developed in accordance with the design and improvement standards set forth in Article IV.
- B. All structures within P.B.G.'s shall meet all regulations for structures within the zone in which it is located unless a specific requirement has been increased or decreased by a provision of this article.
- C. In all P.B.G.'s vegetated and/or landscaped open space shall be provided which meets the open space/lot coverage requirements for the zone in which it is located.
- D. Outdoor lighting may be provided which adequately lights all major parking facilities but shall be located in a manner which does not flood adjacent residential areas with light.
- E. Screening and/or buffering shall be provided as required for the zone in which the specific use is located.

12.6 Building Placement Standards

- A. Residential Buildings
 - 1. Residential buildings which are placed corner to corner in a manner in which perpendicular wall facades do not over-lap shall have no minimum required spacing between each other.
 - 2. Residential building walls which contain both windows and an entrance (other than an emergency entrance) shall be no closer than 50 feet from another building.
 - 3. Residential building walls which contain only windows or only an entrance (other than an emergency entrance) shall be sited no closer than 20 feet to another building.
 - 4. All primary and accessory residential buildings shall meet all of the dimensional and set-back requirements for the zone in which they are located unless said requirements have been explicitly increased or decreased by the provisions of this article.
 - 5. All buildings shall be placed so that they meet all applicable fire and building codes.
- B. Commercial and Industrial
 - 1. Buildings which are placed corner to corner in a manner in which perpendicular wall facades do not over-lap shall have no minimum spacing between each other.

2. Building walls which contain both windows and an entrance (other than an emergency entrance) shall be sited no closer than 50 feet to another building.
3. Building walls which contain either windows or an entrance (other than an emergency entrance) shall be sited no closer than 20 feet if there is no street or parking facility between them and no closer than 30 feet if there is.
4. All primary and accessory buildings shall be sited in a manner which meets all of the dimensional and set-back requirements for the zone in which they are located unless said requirements have been explicitly increased or decreased by the provision of this article.
5. All buildings shall be placed so that they meet all applicable fire and building codes.

12.7 Recording And Filing Of Approved Planned Building Group Site Plans

A. Recording

If a P.B.G. site plan is contained on a tract of land which is not recorded on a Final Plat or if the recorded conditions (i.e., easements, lot boundaries) on the Final Plat are to be changed, then a new plat shall be recorded in the Hardin County Clerk's Office which meets the design standards for a minor subdivision record plat as set forth in Article V, Section 5.10 of the *Radcliff Subdivision Regulations*.

B. Filing

All approved P.B.G. site plans shall be filed in the office of the Planning Commission. The Planning Commission shall keep the plan on file for city use and public review. Plans may only be purged from the files if they are voided and/or replaced with an amended plan.

12.8 Revisions To Approved Planned Building Groups

All approved P.B.G. site plans shall be binding upon the original applicant and/or property owner their successors and assigns; building permits shall only be issued for structures which conform to the approved P.B.G. site plan.

Only minor changes will be allowed in approved P.B.G. site plans. Any of the following changes listed shall void the approved site plan and shall require a new plan to be submitted, approved, filed and/or recorded:

- A. Changes which change the character of the development.

- B. Changes which increase the ground coverage by structures.
- C. Changes in the intensity of commercial or industrial uses.
- D. Changes in the total number of residential units.
- E. Changes in the total bedroom breakdown.
- F. Reductions in the originally approved distance between structures.
- G. Reductions in the originally approved set-backs from the outer boundaries.
- H. Reductions in the amount of off-street parking provided.
- I. Reduction or other significant change in the open space and/or recreational areas provided.
- J. Any change in the bearings or dimensions of the outer boundaries.
- K. Any change in the recorded easements.
- L. Any increase in the external effects on adjacent property.
- M. Any significant change in the size, lighting or orientation of originally approved signs.

Approved P.B.G. site plans may also be voided at the request of the applicant and/or owner. This action will void the plan filed with the Planning Commission but will have no effect on any record plat recorded in the Court Clerk's office.

ARTICLE XIII

RESIDENTIAL-HOLDING ZONE STANDARDS (R-H)

13.1 Description Of The Zone

The primary function of this zone is to retain land in a basically undeveloped state until the owner is ready to develop it residentially. Typically land within this zone is presently vacant but is land the Planning Commission feels should develop in a residential manner when it does develop. The majority of the land within this zone is not contiguous to existing development at the time of the adoption of this ordinance. It is the intention of the Planning Commission that land within this zone will be rezoned at some future date into one of the specific residential zones. A request to rezone land zoned Residential-Holding into a specific residential zone may be initiated by the land owner, the Planning Commission or the City Council; such a request shall follow the normal rezoning procedure as set forth in Article VI. In determining the most appropriate new residential zone to apply to this land, the Planning Commission shall consider the following:

- A. Whether or not the land is adjacent or nearly adjacent to existing residential development. (Note: In order to hinder the propensity towards urban sprawl, land which is adjacent to existing residential development should be given the strongest rezoning consideration.)
- B. The type and adequateness of the transportation system which serves the property.
- C. The nature of the surrounding development and the compatibility of the new residential development with the existing development.
- D. The environmental characteristics of the property.
- E. The city and area-wide demand for additional residential land and for residential land in a specific residential category.
- F. The condition of the national, state, and local economy and housing market.
- G. Whether rezoning the property would act towards implementing the *Comprehensive Plan*.
- H. The short and long range impact to the general welfare of the city of a development which is proposed to be placed on a Residential-Holding site, and whether or not adequate alternative residentially zoned sites are available.

Requests may also be made to rezone land which is zoned Residential-Holding into a Commercial and/or Industrial Zone(s); however, the applicant must make a case which clearly proves the land would be more appropriately zoned Commercially and/or Industrially than Residentially.

13.2 Permitted Uses

The following permitted uses are allowed within the Residential-Holding Zone:

- A. All types of agriculture uses.
- B. Limited single family detached dwelling unit structures on tracts of land which contain five (5) or more acres.
- C. Limited commercial activity as a Home Occupation; (reference Article IX).
- D. One residential dwelling unit including one mobile home and/or any type of agricultural related building or structure on properties which meet the definition of agricultural properties (reference Article II). There shall be no building permits, certificates of occupancy, height, yard or location requirement imposed on structures located on agricultural property with the exception of set-back requirements needed for the protection of existing and/or proposed streets and regulations which restrict building placement in flood plains. (Note: The regulations set forth in 13.3; 13.4; 13.5; 13.6; and 13.7 shall not apply to agricultural property in the R-H Zone.)
- E. Public and Quasi Public uses on a conditional use basis.
- F. Any residential structures existing as of the effective date of this ordinance.

13.3 Lot Coverage

- A. Residential Uses - 10% maximum; 90% of the lot shall remain as vegetated, landscaped or cultivated open space.
- B. Public or Quasi Public uses - 75% maximum; 25% shall remain as vegetated and/or landscaped open space.

13.4 Required Set-Backs And Dimensional Requirements

- A. Front-yard (any yard adjacent to a street) - 50 feet
- B. Side-yard - 25 feet
- C. Rear-yard - 25 feet
- D. Minimum width of lot at front building line - 200 feet. (This dimension is to be measured as close to parallel to the front property line as possible.)

13.5 Parking Requirements

- A. Each lot shall provide at least two (2) off-street parking spaces.

- B. The parking spaces shall conform to the general parking standards found in Article XI.

13.6 General Design And Improvement Standards

All developments within this zone shall comply with the appropriate standards set forth in Article IV of this ordinance.

13.7 General Development Regulations

All developments within this zone shall comply with the appropriate standards set forth in Article III of this ordinance.

ARTICLE XIV

RESIDENTIAL ESTATE (R-E) - SINGLE FAMILY ESTATE ZONE STANDARDS

14.1 Permitted Uses

- A. Single family detached dwelling units.
- B. All residential lots shall have only one principal structure per lot.

14.2 Minimum Lot Area

- A. Single family detached - 30,000 square feet.

14.3 Lot Coverage

- A. Residential Uses - 20% maximum, 80% of the lot shall remain as vegetated and/or landscaped open space.

14.4 Required Set-Backs And Dimensional Requirements

- A. Front-yard (any yard adjacent to a street) - 50 feet.
- B. Side-yard - 25 feet.
- C. Rear-yard - 25 feet.
- D. Minimum width of lot at front building line - 150 feet. (This dimension is to be measured as close to parallel to the front property line as possible.)

14.5 Parking Requirements

- A. Each lot shall provide at least two (2) off-street parking spaces.
- B. The parking spaces shall conform to the general parking standards found in Article XI.

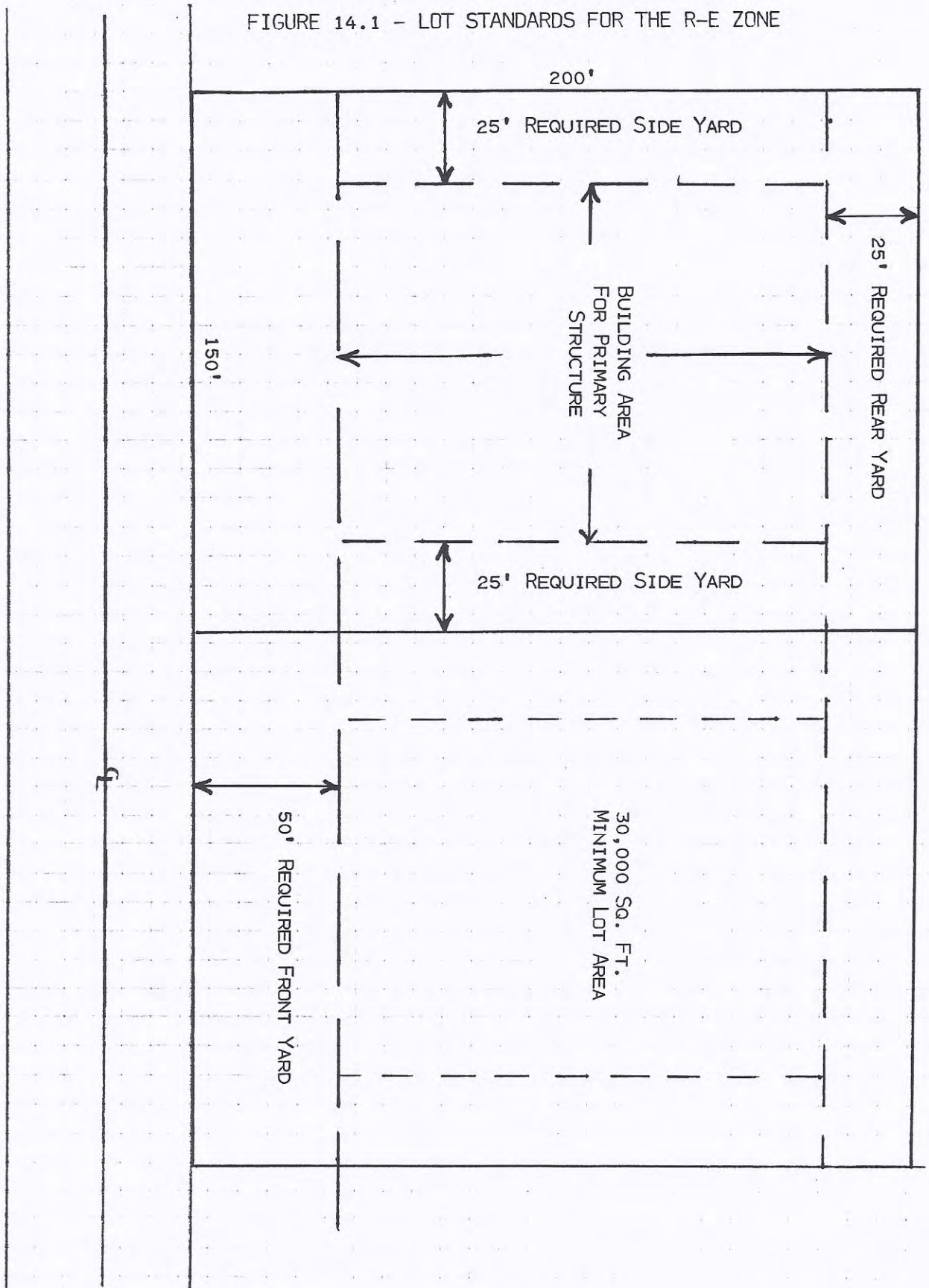
14.6 General Design And Improvement Standards

All developments within this zone shall comply with the appropriate standards set forth in Article IV of this ordinance.

14.7 General Development Regulations

All developments within this zone shall comply with the appropriate standards set forth in Article III of this ordinance.

FIGURE 14.1 - LOT STANDARDS FOR THE R-E ZONE



SCALE: 1" = 40'

ARTICLE XV

RESIDENTIAL - 1 LOW DENSITY SINGLE FAMILY STANDARDS

15.1 Permitted Uses

- A. Single family detached dwelling units.
- B. All residential lots shall have only one principal structure per lot.
- C. One basement apartment on a Conditional Use basis.

15.2 Minimum Lot Area

- A. Single family detached dwelling units - 15,000 square feet.

15.3 Lot Coverage

- A. Residential Uses - 25% maximum, 75% of the lot shall remain as vegetated and/or landscaped open space.

15.4 Required Set-Backs And Dimensional Requirements

- A. Front-yard (any yard adjacent to a street) - 30 feet.
- B. Side-yard - 15 feet.
- C. Rear-yard - 25 feet.
- D. Minimum width at front building line - 100 feet. (This dimension to be measured as close to parallel to the front property line as possible.)

15.5 Parking Requirements

- A. Each lot shall provide at least two (2) off-street parking spaces.
- B. The parking spaces shall conform to the general parking standards found in Article XI.

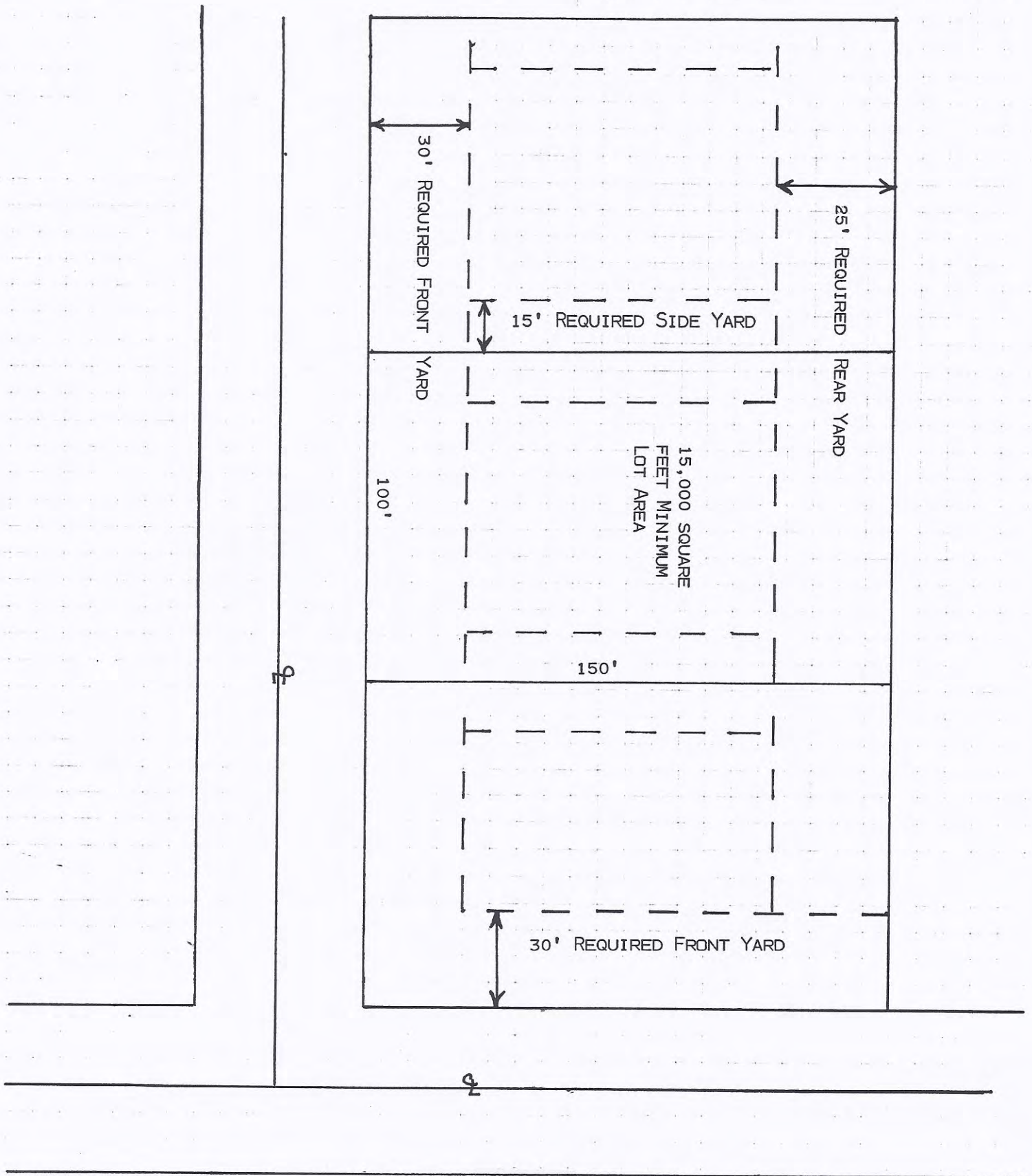
15.6 General Design And Improvement Standards

All developments within this zone shall comply with the appropriate standards set forth in Article IV of this ordinance.

15.7 General Development Regulations

All developments within this zone shall comply with the appropriate standards set forth in Article III of this ordinance.

FIGURE 15.1 - LOT STANDARDS FOR THE R-1 ZONE



ARTICLE XVI

RESIDENTIAL-2 (R-2) LOW DENSITY SINGLE FAMILY ZONE STANDARDS

16.1 Permitted Uses

- A. Single family detached dwelling units.
- B. Single family detached dwelling units with basement/apartment units on a conditional use basis.
- C. Public and Quasi-Public uses such as schools, parks, churches, etc., on a conditional use basis. Planned Building Groups apply.
- D. Home Occupations in accordance with Article IX.
- *E. Sectional manufactured (mobile) home units on a conditional use basis.
- F. All residential lots shall have only one principal structure/lot.

16.2 Minimum Lot Area

- A. Single family detached - 10,000 square feet, except for corner lots which shall contain a minimum of 12,000 square feet. (A 20% increase)
- B. Single family detached with basement/apartment units - 10,000 square feet plus 4,000 additional square feet for each unit.
- C. Public and Quasi-Public uses no minimum lot size, however, lot coverage and set-back requirement must be met.

16.3 Lot Coverage

- A. Residential Uses - 25% maximum; 75% of the lot shall be contained in vegetated and/or landscaped open space.
- B. Public and Quasi-Public uses - 75% maximum; 25% of the lot shall be contained in vegetated and/or landscaped open space.

16.4 Required Set-Backs And Dimensional Requirements

- A. Front-yard (any yard adjacent to a street) - 25 feet.

*Amended October 12, 2000

- B. Side-yard - 10 feet.
- C. Rear-yard - 25 feet.
- D. Minimum width of lot at front building line - 85 feet. (This dimension to be measured as close to parallel to the front property line as possible.)

16.5 Parking Requirements

- A. Each lot shall provide at least two (2) off-street parking spaces.
- B. The parking spaces shall conform to the general parking standards found in Article XI.

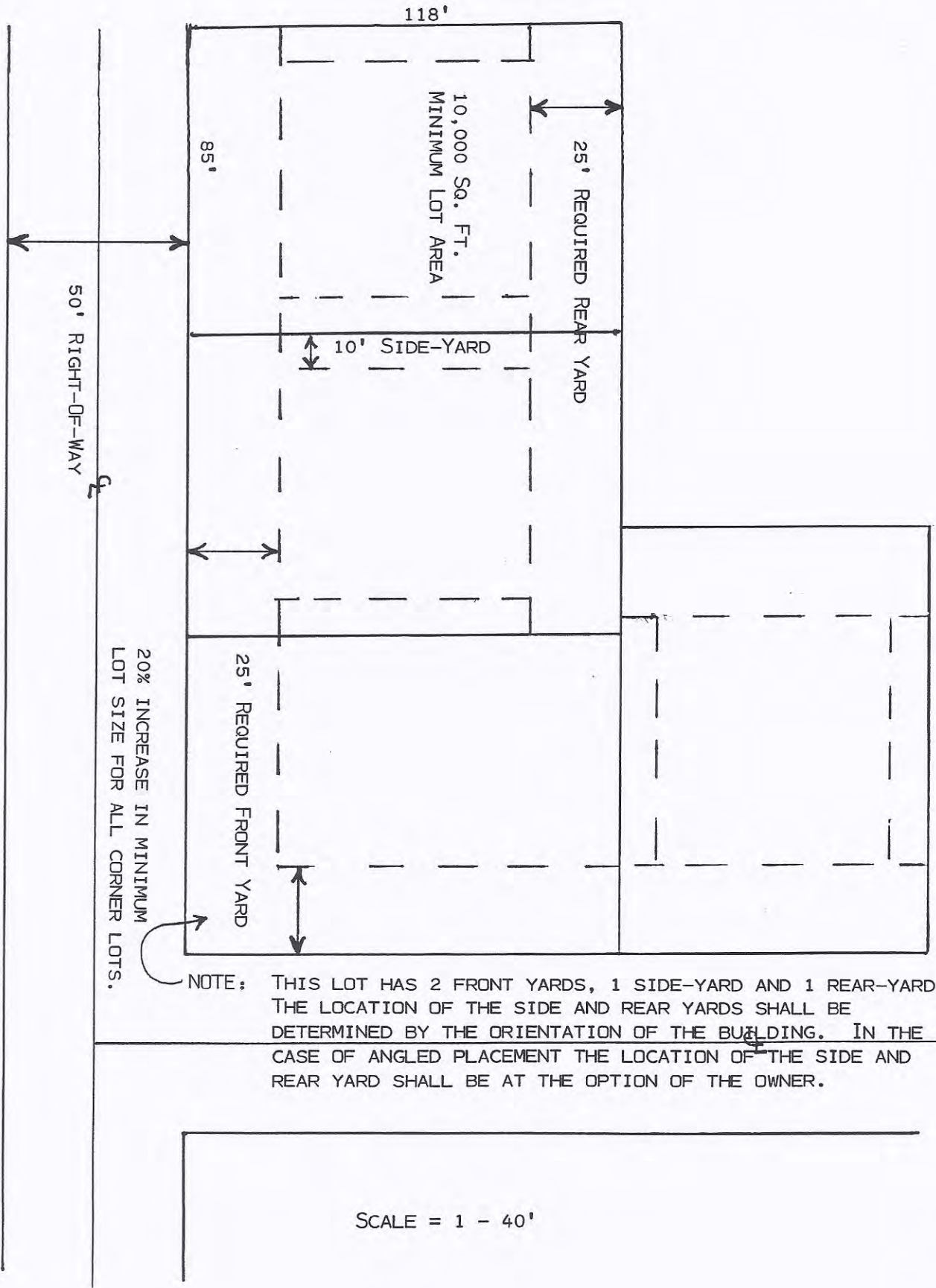
16.6 General Design And Improvement Standards

All developments within this zone shall comply with the appropriate standards set forth in Article IV of this ordinance.

16.7 General Development Standards

All developments within this zone shall comply with the appropriate standards set forth in Article III of this ordinance.

FIGURE 16-1- LOT STANDARDS FOR R-2 ZONE



ARTICLE XVII

RESIDENTIAL - 3 (R-3): MEDIUM DENSITY SINGLE FAMILY AND DUPLEX ZONE STANDARDS

17.1 Permitted Uses

- A. Single family detached dwelling units.
- B. Single family detached dwelling units with basement/apartment units on a conditional use basis.
- C. Single family attached dwelling units.
- D. Duplex dwelling units
(Note: One-owner; fee-simple, zero lot line; or condominium ownerships are allowed.)
- E. Public and Quasi-Public uses such as schools, churches, etc., on a conditional use basis. Planned Building Group applies.
- *F. Sectional manufactured (mobile) home units on a conditional use basis.
- G. Home Occupations in accordance with Article IX.
- H. All residential developments shall have only one principal structure/lot.

17.2 Minimum Lot Area

- A. Single family detached - 8,000 square feet, except for corner lots which shall contain 9,600 square feet. (A 20% increase)
- B. Single family detached with basement/apartment units - 8,000 square feet plus 4,000 additional square feet for each apartment unit.
- C. Single family attached and duplexes - 12,000 square feet; 6,000 square feet in each sub-lot in the case of zero lot line structure; increase 20% to 14,400 and 7,200 square feet for corner lots.
- D. Public and Quasi-Public uses - no minimum lot size, however, lot coverage, setback and other dimensional requirements shall be met.

*Amended October 12, 2000

17.3 Lot Coverage

- A. Residential Uses - 35% maximum; 65% of the lot shall be contained in vegetated and/or landscaped open space.
- B. Public and Quasi-Public uses - 75% maximum; 25% of the lot shall be contained in vegetated and/or landscaped open space.

17.4 Required Set-Backs And Dimensional Requirements

- A. Front-yard (any yard adjacent to a street) - 25 feet.
- B. Side-yard - 10 feet.
- C. Rear-yard - 20 feet.
- D. Minimum width of lot at front building line - 75 feet for single family detached; 110 feet for single family attached and duplexes; 55 feet minimum for each sub-lot for zero lot line designs. (This dimension to be measured as close to parallel to the front property line as possible.)

17.5 Parking Requirements

- A. Each living unit shall provide at least two (2) off-street parking spaces.
- B. The parking spaces shall conform to the general parking standards found in Article XI.

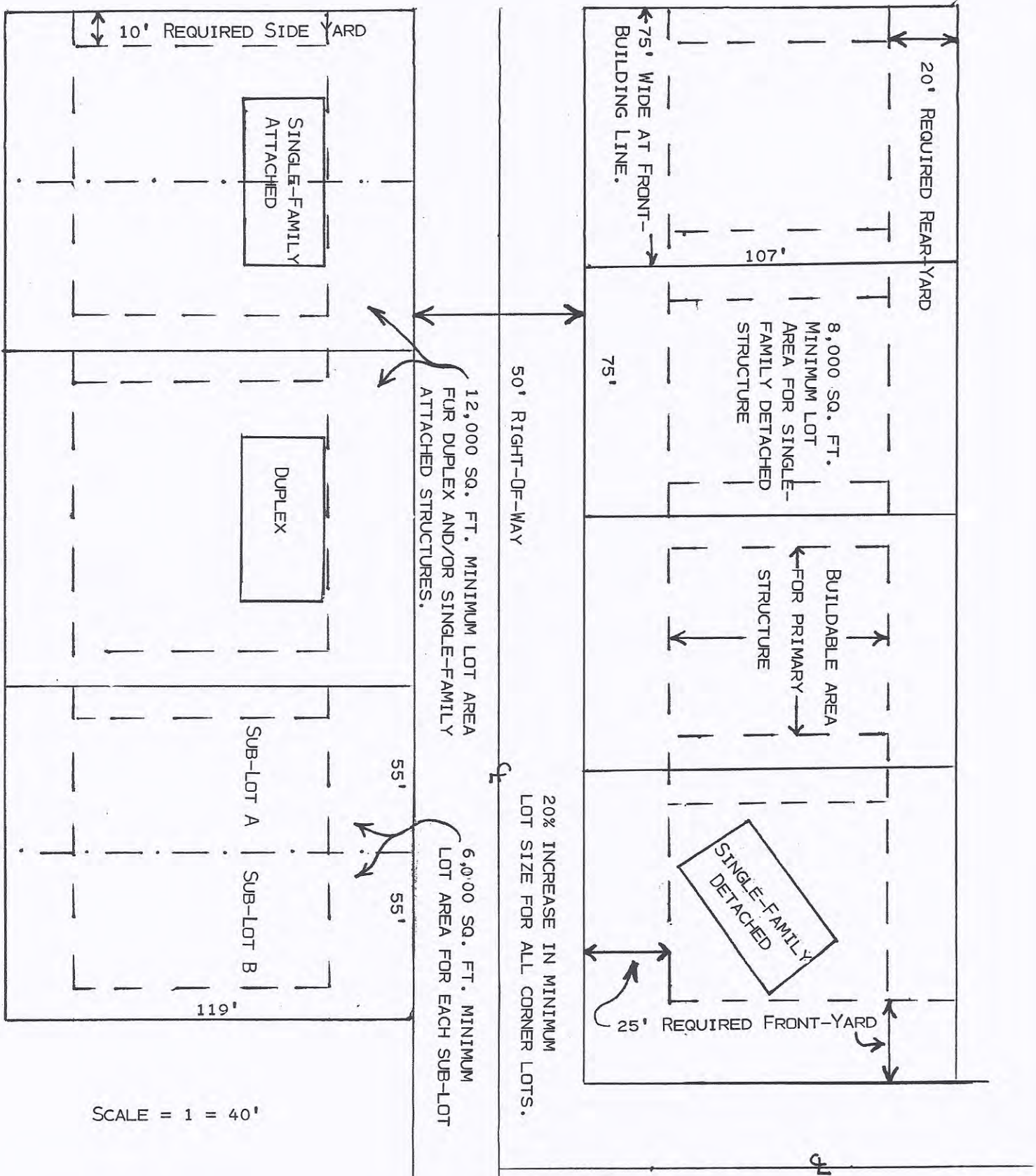
17.6 General Design And Improvement Standards

All developments within this zone shall comply with the appropriate standards set forth in Article IV of this ordinance.

17.7 General Development Regulations

All developments within this zone shall comply with the appropriate standards set forth in Article III of this ordinance.

FIGURE 17-1 - LOT STANDARDS FOR THE R-3 ZONE



SCALE = 1" = 40'

ARTICLE XVIII

RESIDENTIAL - (R-4): HIGH DENSITY SINGLE FAMILY AND DUPLEX ZONE STANDARDS

18.1 Permitted Uses

- A. Single family detached dwelling units.
- B. Single family detached dwelling units with basement/apartment units (on a conditional use basis).
- C. Single family attached dwelling units.
- D. Duplex dwelling units.
- E. Other Public and Quasi-Public uses such as schools, parks, churches, etc., on a conditional use basis. Planned Building Group applies.
(Note: One-owner, fee simple, zero lot line, or condominium's ownerships.)
- *F. Sectional manufactured (mobile) home units on a conditional use basis.
- G. Home Occupation in accordance with Article IX.
- H. All residential developments shall have only one principal structure/lot.

18.2 Minimum Lot Area

- A. Single family detached - 6,500 square feet except corner lots which contain 7,800 square feet. (A 20% increase.)
- B. Single family detached with basement/apartment units 6,500 square feet plus 4,000 square feet per unit.
- C. Single family attached (with zero lot line) 10,000 square feet; 5,000 square feet per sub-lot, increased 20% to 12,000 and 6,000 square feet for corner lots.
- D. Duplex - 10,000 square feet; increased 20% to 12,000 square feet for corner lots.
- E. Public and Quasi-Public uses - no minimum lot size; however, all lot coverage, dimensional and set-back standards shall be complied with.

*Amended October 12, 2000

18.3 Lot Coverage

- A. Residential uses - 40% maximum; 60% of the lot shall remain as vegetated and/or landscaped open space.
- B. Public and Quasi-Public uses - 75% maximum; 25% shall remain as vegetated and/or landscaped open space.

18.4 Required Set-Backs And Dimensional Requirements

- A. Front-yard - 25 feet
- B. Side-yard - 8 feet (Note: Set-backs shall be increased if larger side-yard easements are required, structures shall not violate easements.)
- C. Rear-yard - 20 feet
- D. Minimum width of lot at front building line - 70 feet for single family detached; 100 feet for single family attached and duplexes; 50 feet minimum for each sub-lot for zero lot line designs. (This dimension is to be measured as close to parallel to the front property line as possible.)

18.5 Parking Requirements

- A. Each living unit and/or sub-lot shall provide at least two (2) off-street parking spaces.
- B. The spaces shall conform to the general parking standards found in Article XI.

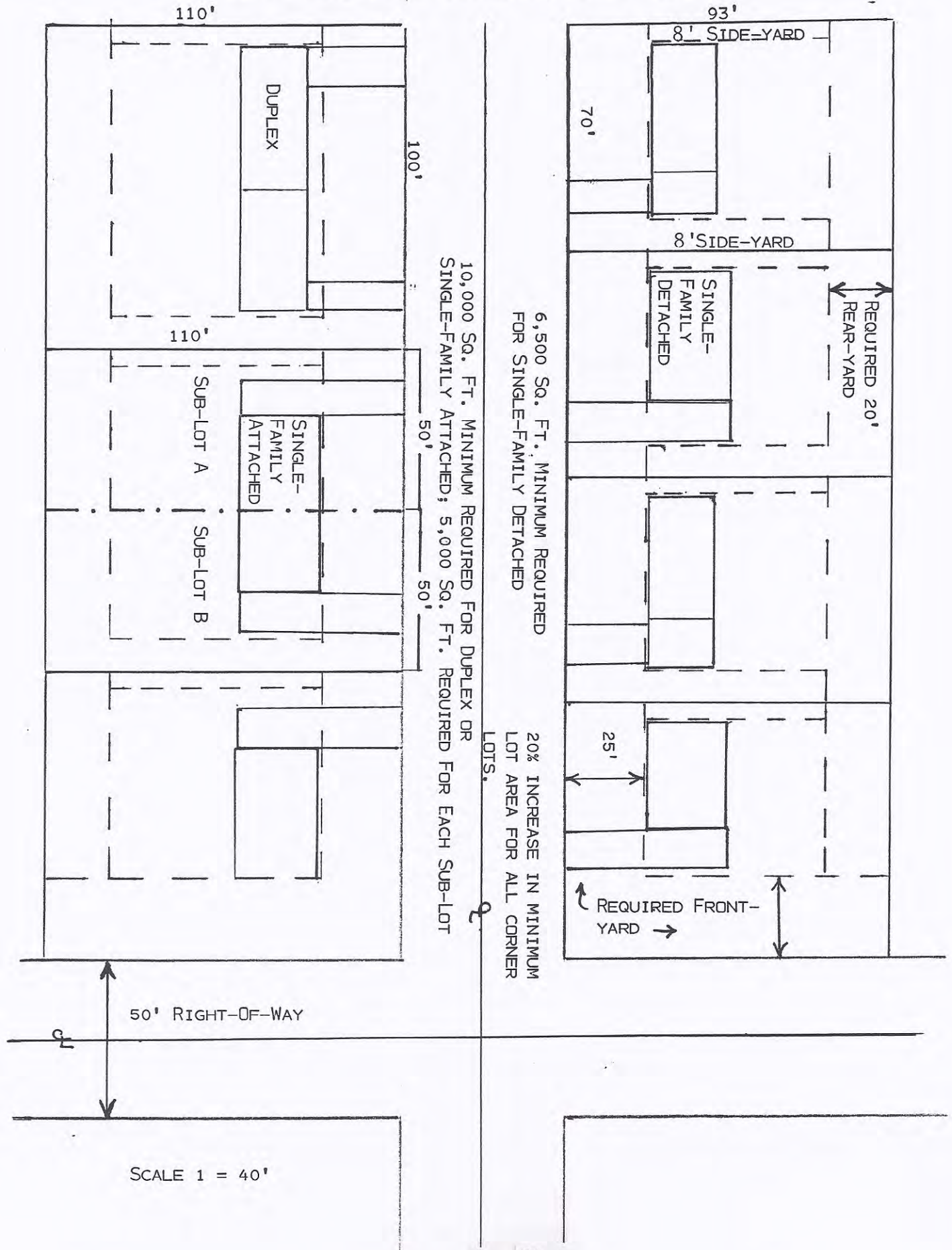
18.6 General Design And Improvement Standards

All developments within this zone shall comply with the appropriate standards set forth in Article IV of this ordinance.

18.7 General Development Regulations

All developments within this zone shall comply with the appropriate standards set forth in Article III of this ordinance.

FIGURE 18.1 - LOT STANDARDS FOR THE R-4 ZONE



ARTICLE XIX

RESIDENTIAL - 5 (R-5): MEDIUM DENSITY MULTI-FAMILY ZONE STANDARDS

19.1 Permitted Uses

All types of multi-family structures which contain three (3) or more units. This includes townhouses with or without zero lot line design; all types of condominiums and rental units. Public and Quasi-Public uses on a conditional use basis.

19.2 Minimum Lot/Site Area

A. Introduction

The minimum lot/site area is determined by the use of the formula set forth below. The formula establishes a relationship to the size and type of units proposed to be built and the required lot size rather than using a straight relationship with the number of units proposed since such a relationship is often unequitable in the way it treats different multi-family housing types.

Several factors or variables must be known before one can use the formula to establish the minimum lot/site area for a specific multi-family proposal. They are as follows:

1. The square footage to be contained on the ground floor level, and the number of bedrooms to be contained, in each residential unit on the site.
2. The square footage to be contained on the ground floor level of all non-living structures on the site.
3. The number of parking spaces to be provided on the site.
4. The amount of land area that will be reserved as usable open space (vegetated or landscaped) for common and/or individual use.
5. The amount of land area of the site that is normally unusable open space due to severe topographic, severe floodprone, vegetative, utility or other unique conditions.

B. Lot Area Formula:

$$\frac{\text{Total ground floor building area}^1}{\text{required usable open space area}^3} + \frac{\text{Total parking and driving lane area}^2}{\text{Total unusable open space area}^4} = \frac{\text{Total required lot/site}}$$

size. (NOTE: However, in no case shall the lot size be less than 10,000 sq.ft., for a tri-plex nor less than 12,000 sq.ft. for a four-plex.)

1. Ground Floor Building Area: Is the total area occupied by the ground level floors of all structures (residential and non-residential).
2. Total Area Used For Parking And Driving Lanes: Is the total area occupied by all parking and driving lanes on the site. (NOTE: This area may be estimated by multiplying the number of parking spaces required by 350 sq.ft.) The formula for determining the amount of parking required is set forth in Section 11.3 B and 19.4.
3. Total Usable Open Space Area Required: An amount of usable open space (vegetated and/or landscaped) for common and/or individual use is required for each unit on site and is determined by the number of bedrooms in a particular unit. The open space required per unit is as follows:
 - a. One bedroom or efficient - 1,600 sq.ft./unit
 - b. Two bedroom - 1,800 sq.ft./unit
 - c. Three bedroom - 2,200 sq.ft./unit
 - d. Over three bedrooms 2,200 sq.ft., plus 200 additional sq.ft./bedroom over three.
4. Total Area Of Unusable Open Space: Certain types of open space may not be used in meeting the required per unit open space requirement. Open space which is not usable for normal living purposes due to severe topographic, severe floodprone, vegetative, utility or other unique conditions shall not be used.

C. Example of How the Formula Will Work

1. Example 1 - A person proposed to build 8 townhouse apartments. Each townhouse will be two-story (500 sq.ft. on the first floor and 500 sq.ft. on the second) and contain three bedrooms.
Total Ground Floor Building Area = $8 \times 500 = 4000$ sq.ft.
Total Area Used For Parking And Drives $(2.5 \times 8) \times 350$ sq.ft. = 7000 sq.ft.
(estimated)
Total Required Open Space Area = $2,200$ sq.ft. $\times 8 = 17,600$ sq.ft.
Total Unusable Open Space = 0
Total Required 8 - Plex Lot Size = 28,600 sq.ft.
(NOTE: This lot would be eligible for two additional units if it meets the criteria for a density bonus.)
2. Example 2 - A person proposes to build 8 - 2 bedroom walk-up apartments, each

containing 800 sq.ft. Four of the units will be contained on the first floor and four on the second floor.

Total Ground Floor Building Area = $4 \times 800 \text{ sq.ft.} = \underline{3,200 \text{ sq.ft.}}$

Total Parking And Driving Lane Area = $(2.25 \times 8) \times 350 \text{ sq.ft.} \times 400 \text{ sq.ft.} = \underline{6,300 \text{ sq.ft.}}$ (estimated)

Total Required Open Space Area = $1,800 \text{ sq.ft.} \times 8 = \underline{14,400 \text{ sq.ft.}}$

Total Unusable Open Space = 0

Total Required 8 - Plex Lot Size = 23,900 sq.ft.

(NOTE: This lot would be eligible for two additional apartment units if it meets the criteria for a density bonus.)

3. Example 3 - A person proposes to build 8 - 1 bedroom or efficiency apartments, each containing 600 sq.ft. Four of the units will be on the first floor and four will be on the second.

Total Ground Floor Building Area = $4 \times 600 \text{ sq.ft.} = \underline{2,400 \text{ sq.ft.}}$

Total Parking And Driving Lane Area = $(2 \times 8) \times 350 \text{ sq.ft.} = \underline{5,600 \text{ sq.ft.}}$ (estimated)

Total Required Open Space Area = $1,600 \text{ sq.ft.} \times 8 = \underline{12,800 \text{ sq.ft.}}$

Total Unusable Open Space = 0

Total Required 8 - Plex Lot Size = 20,800 sq.ft.

(NOTE: This lot would be eligible for two additional apartment units if it meets the criteria for a density bonus.)

4. Example 4 - A person proposes to build a ten-plex on a lot which contains a sinkhole that is being used as a retention basin. The ten-plex will contain six-three bedroom units and three-two bedroom units and one efficiency unit; 4,000 sq.ft. of the building will be on the ground floor level. The sinkhole basin contains 6,000 sq.ft. of land.

Total Ground Floor Building Area = 4,000 sq.ft.

Total Parking and Driving Lane Area = $24 \times 350 \text{ sq.ft.} = \underline{8,400 \text{ sq.ft.}}$ (estimated)

Total Required Open Space Area = $13,200 + 5,400 + 1,800 = \underline{20,400 \text{ sq.ft.}}$

Total Unusable Open Space Area = 6,000 sq.ft.

Total Required Lot/Site Area = 38,800 sq.ft.

5. Example 5 - A person has a 26,000 sq.ft. lot and wishes to know how many multi-family units may be placed on such a lot. This is not an easily answered question since the number of units that can be placed upon this lot is determined by the size of the units, the number of bedrooms in the units, and number of stories in the structure. However, several possibilities include:

- a. 6 - 1200 sq.ft. two-story 3 bedroom townhouses (600 sq.ft. on each floor).

Building Area = 3,600 sq.ft.
Parking and Driving Area = 7,200 sq.ft.
Open Space Area = 13,200 sq.ft.
Total Required Lot Size = 24,000 sq.ft.
(NOTE: May be increased to a 7 plex if density bonus is granted.)

- b. 8 - 500 sq.ft. 2 bedroom walk-up apartments (four up and four down)
Building Area = 2,000 sq.ft.
Parking and Driving Areas = 8,000 sq.ft.
Open Space Area = 14,400 sq.ft.
Total Required Lot Size = 24,000 sq.ft.
- c. 10 - 400 sq.ft. efficiency apartments 2 story design with five up and five down
Building Area = 2,000 sq.ft.
Parking and Driving Area = 8,000 sq.ft.
Open Space Area = 16,000 sq.ft.
Total Required Lot Size = 26,000 sq.ft.

D. Lot Size and Special Requirements for Sub-Lots in Zero-Lot Line Design

In zero-lot line designs sub-lots may be created if the following conditions are met:

- 1. The average size for a sub-lot shall be at least 2,000 sq.ft.
- 2. The total site/lot upon which the sub-lot is located shall meet the minimum lot area as determined by the formula set forth in B. 2.
- 3. Each sub-lot shall have a minimum of 16' frontage onto a private street, or parking facility in a manner which guarantees access.
- 4. Submit a common/party wall agreement as set forth in Article IV.

E. Lot/Site Area for Public and Quasi-Public Uses

There shall be no minimum lot/site area for public and quasi-public uses. However, said uses shall meet all appropriate set-back and parking requirements and shall cover no more than 75% of their lot, 25% of the lot shall remain as vegetated and/or landscaped open space.

F. Density Bonuses

Density bonuses are available for residential developments in the R-5 zone which agree to place their parking in the rear, or on the side of the structure and adequately screened from street view. Developments receiving density bonus shall be designed so that all other set-

back, dimensional and parking requirements will be met. The density bonuses will be allocated as follows:

One additional unit/lot for developments proposing to contain a 3-plex; 4-plex; 5-plex; 6-plex or 7-plex.

Two additional units/lot for developments proposing to contain a 8-plex; 9-plex; 10-plex or 11-plex.

Three additional units for developments proposing to contain a structure with 12 or more units.

19.3 Required Set-Backs And Dimensional Requirements

- A. Front Yard - A dimensional equal to 25% of the width/length of the side of the structure which faces the street, but in no case shall it be less than 25'.
- B. Side Yard - A dimension equal to 25% of the width/length of the side of the structure which faces the side property line, but in no case shall it be less than 15'. In zero-lot line designs the interior sub-lots shall have no side-yard requirements.
- C. Rear Yard - A dimension equal to 50% of the width/length of the side of the structure which faces the rear property line, but in no case shall it be less than 25'. Minimum width of lot at front building line - 100'. (NOTE: This dimension is to be measured as close to parallel to the front property line as possible.)

19.4 Parking Requirements

- A. All parking facilities shall be designed and constructed in accordance with the Parking Design and Construction Standards as found in Article XI.
- B. Any residential development within this zone which agrees to place all parking in the rear or on the side and screened from street view will be eligible for density bonuses as set forth in Section 19.2 (F).
- C. Required Number of Spaces for
 - 1. Two spaces for the first bedroom and .25 spaces for each bedroom thereafter. Each unit shall be totaled separately and a lot total established. If the lot total contains half a space it shall be rounded to the next higher number.
 - 2. Developments which have 24 or more units on a lot shall provide at least 1.75 spaces for the first bedroom and .25 spaces for each bedroom thereafter. Each unit shall be totaled separately and a lot total developed.

D. Handicapped Spaces

Any multi-family site which contains handicapped accessible units shall provide handicapped parking spaces. Said spaces shall be provided at the same ratio as normal parking spaces. The minimum size of a handicapped space shall be 13' x 18'.

19.5 Screening Required

An appropriate screen of vegetation and/or fencing shall be constructed along the outer boundary of the R-5 properties where such properties abut R-E, R-1, R-2, R-3, R-4, Commercial or Industrial properties. Said screening shall function to increase the compatibility between the R-5 and the R-E, R-1, R-2, R-3, R-4, Commercial or Industrial land uses and shall be approved by the Planning Commission or their authorized agent as to location, height, material and/or vegetation types. The screening may be waived by the Planning Commission in cases where the screening is not desirable or logical due to some unique condition.

All dumpsters for outdoor waste disposal shall be screened on three (3) sides in a manner which shields them from street view and living unit view, if possible.

19.6 Residential-5 Development Site Plan Required

Prior to the issuance of a Building Permit for the construction of any new Residential-5 building or additions to any existing building, the applicant shall develop and have approved a development site plan. Said plan shall be approved by the Planning Commission or their authorized agent. The Residential-5 development site plan shall be approved if it conforms to all appropriate development standards contained within this ordinance.

A. Format

All Residential-5 development plans shall be developed within the following format:

1. Be drawn on a minimum size sheet of 8½ inches by 11 inches.
2. Be drawn at a minimum scale of 1 inch equals 20 feet.
3. Be drawn upon a survey indicating the outer boundaries of the lot.
4. Any surveys or re-surveys shall be provided by a qualified, registered land surveyor.
5. All engineering data shall be provided by a qualified registered professional engineer.

6. Information found on deeds and/or approved Final or Preliminary Plat Packages may be used and/or referenced in meeting format and content requirements, including contour and boundary data, if such information is believed to be accurate.

B. Contents

All Residential-5 development plans shall contain the following contents:

1. The dimension and bearing of all lot lines, and the total square footage contained in the lot.
2. Developments shall provide 2 foot contour information when the Planning Commission or their authorized agent believes that the slope of the land may present a development problem. Two (2) foot contour information shall be provided if any of the following conditions exist:
 - a. The site contains existing areas with slopes greater than 10%.
 - b. The site contains areas which will be cut or filled to depths greater than 4 feet.
 - c. The site contains elevation changes in excess of 10 feet.

The Planning Commission or their authorized agent may require that both the existing and the proposed final contours of the entire site are provided or that the contours be provided only at certain locations as deemed necessary by the specific land use, site, drainage system and characteristics of the surrounding land.

3. Shall indicate the zoning of the lot and all adjacent properties including those across from any adjacent streets.
4. Shall indicate the land use of all adjacent properties, including those across from any adjacent streets.
5. Shall indicate the following information regarding the principal structure and all accessory structures to be constructed on the site:
 - a. The exact location of all proposed structures and/or existing structures.
 - b. The outer dimensions, the total square footage of the ground floor and the number of stories and height for all structures.
 - c. The proposed use to be contained in each structure.
 - d. The distance from each structure to the property line.
 - e. The location of all major entrances.

6. The lay-out of the parking and driving lanes shall be provided, including:
 - a. The number, size, design, surfacing material and location of all parking spaces.
 - b. The location, width and surface materials of all driving lanes.
 - c. The location, width and surface materials of all curb-cuts (entrances) and the distance to any adjacent curb-cuts (entrances).
 - d. The direction of traffic flow.
7. The location and size of all easements, in the case of drainage easements the proposed final cross-sections and approximate grade for drainage channels and the size and location of any drainage pipes shall be indicated.
8. Evidence shall be provided that the organizations for whom any easements indicated have been provided have found the easements to be acceptable. This standard may have been previously met in obtaining preliminary and final plat approval in which case it does not apply unless the size, location or function of the recorded easement is proposed to be changed.
9. The location of any major waste disposal containers and the location, height and material for the required screening.
10. The amount of the lot, in square feet to remain as vegetated and/or landscaped open space. Said vegetated and/or landscaped areas shall be indicated and the type of vegetation and/or landscaping shall also be noted.
11. The material, location and height of any fencing shall be indicated.
12. The location, size, height and type of illumination for all signs which contain more than 6 square feet of total display area.
13. The location and construction design for all sidewalks.
14. The name, right-of-way and pavement width of all adjacent streets.
15. The direction for storm-water flow, the major drainage channels and the ultimate receiver of the storm-water.
16. The location and construction design for any sedimentation and erosion control devices and the time frame in which they are to be installed and removed.
17. The location and approximate size of any flood-prone areas; sinkhole basins, or other areas with severe environmental constraints.

18. The location and height of any street and/or security lighting.
19. The location, size, height and type of vegetative screening.
20. The location, depth and proposed final embankment slope for any areas proposed to be cut or filled one foot or more.
21. Information regarding the size, location, and surface of any open space and/or recreational facility to be reserved for private and/or public use.
22. Title block placed in the lower right hand corner which contains:
 - a. Residential-5 building name.
 - b. Property Owner: The name, mailing address and phone number of property owner and/or applicant.
 - c. Identification of person who prepared the site plan.
 - d. Legend Information: A graphic scale, written scale, north point and date of preparation.

19.7 General Lot Development and Design Standards

- A. All Residential-5 lot development shall be done in accordance with the Design and Improvements Standards set forth in Article IV and the General Development Regulations set forth in Article III.
- B. Outdoor lighting may be provided which adequately lights all major parking facilities and Residential-5 buildings but shall be designed and located in such a manner so that it does not flood adjacent residential properties with light.

19.8 Disapproval of Residential-5 Development Site Plans

Whenever a Residential-5 site plan has been disapproved by the Planning Commission or their authorized agent, the applicant shall be notified in writing within 10 working days of the disapproval and of the reason for the disapproval. In the case of disapproval the applicant has three (3) options: (A) To revise the plan to address the deficiencies; (B) To appeal the decision; (C) To not pursue the development.

In the case of resubmittal of revised plans there shall be no limit to the number of times an applicant may submit a plan for a particular piece of property.

In the case of appeal, if the disapproval was made by the Planning Commission's authorized agent then the appeal may be made to the Planning Commission; or if disapproval is made or reaffirmed by the Planning Commission then the applicant may appeal this decision to the Radcliff Board of

Adjustments. All appeals to the Board of Adjustments shall be made within 30 days of the receipt of the written notice of disapproval and shall conform with the appeal procedures set forth in K.R.S. 100.257, 100.261 and 100.263.

19.9 Approval of Residential-5 Development Site Plans

Once a Residential-5 development site plan has been approved, the Planning Commission or their authorized agent shall notify the applicant (in writing) and the Building Department of the approval. No Building Permits shall be issued for any buildings until said approval has been granted. All approved Residential-5 development plans shall be kept on file in the Planning Commission's office.

19.10 Amendment to Residential-5 Development Site Plans

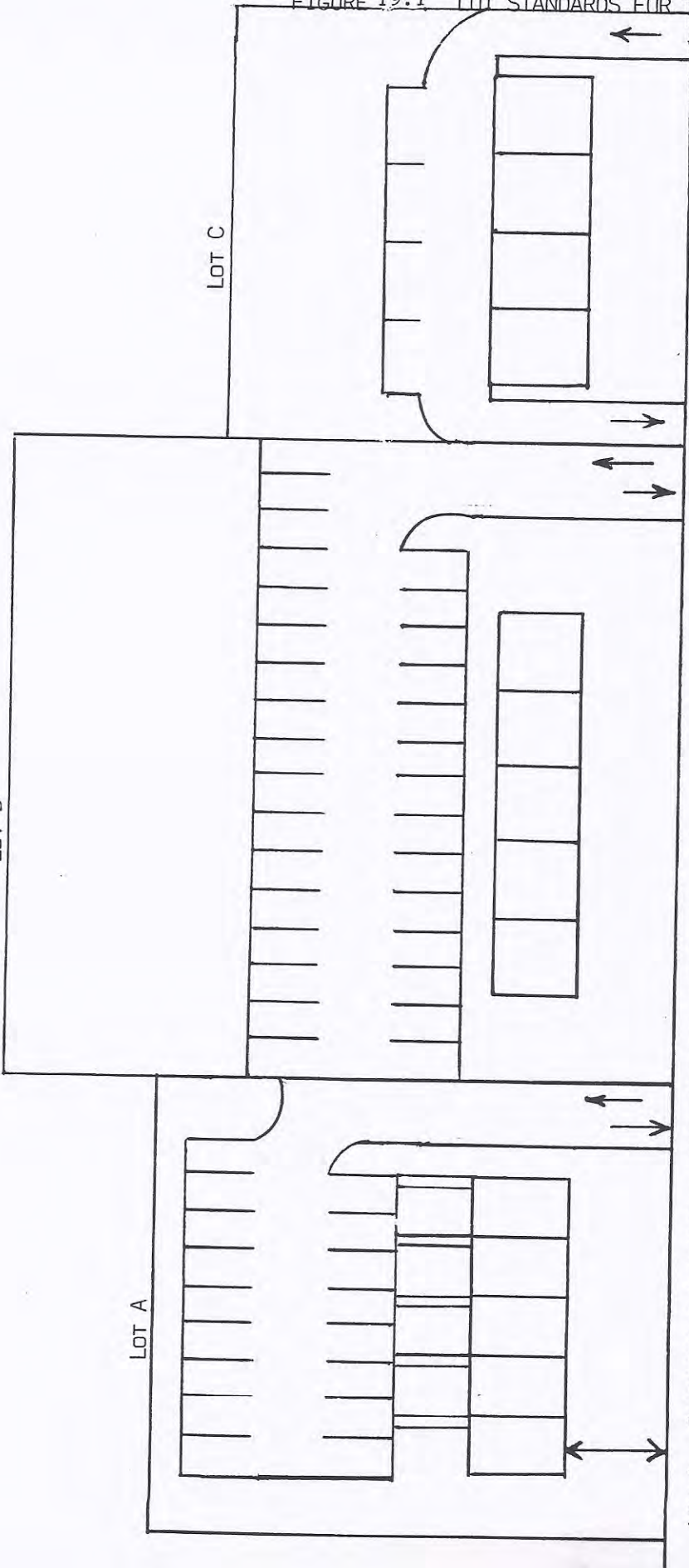
Any change in the information regarding lot dimensions; building (size, location, or use); the size, number, or location of parking and/or driving facilities; sidewalks; open space; landscaping; screening; lighting; and/or the size, height or illumination of signs shall cause the approved Residential-5 development site plan to be voided and an amended plan filed and approved.

FIGURE 19.1 LOT STANDARDS FOR THE R-5 ZONE

LOT B

LOT A

LOT C



LOT A - CONTAINS 5 2-STORY 3 BEDROOM TOWNHOUSES, EACH CONTAINS A TOTAL OF 800 SQ. FT. THE LOT HAS RECEIVED ONE EXTRA UNIT AS A DENSITY BONUS; THEREFORE THE LOT AREA OF 16,000 SQ. FT. WAS CALCULATED ON THE BASIS OF A 4 PLEX. 13 PARKING SPACES ARE REQUIRED ALTHOUGH 16 HAVE BEEN PROVIDED.

LOT B - CONTAINS 15 ONE BEDROOM APARTMENTS; EACH UNIT CONTAINS 400 SQ. FT. AND THE DESIGN IS 3-STORY WITH 5 UNITS ON EACH FLOOR. THE LOT HAS RECEIVED 3 EXTRA UNITS AS A DENSITY BONUS; THEREFORE THE LOT AREA OF 30,400 WAS CALCULATED ON THE BASIS OF A 12 PLEX. 30 PARKING SPACES ARE REQUIRED.

LOT C - CONTAINS 4 3-STORY 3 BEDROOM TOWNHOUSES EACH CONTAINS A TOTAL OF 1,500 SQ. FT., 500 SQ. FT. ON EACH FLOOR, THE BOTTOM FLOOR CONTAINS A 2 CAR GARAGE. THE LOT HAS RECEIVED ONE EXTRA UNIT AS A DENSITY BONUS, THEREFORE THE LOT AREA OF 11,900 SQ. FT. HAS BEEN CALCULATED ON THE BASIS OF A 3 PLEX. 10 PARKING SPACES ARE REQUIRED.

ARTICLE XX

RESIDENTIAL-6 (R-6): HIGH DENSITY MULTI-FAMILY ZONE STANDARDS

20.1 Permitted Uses

All types of multi-family dwelling unit structures which contain three (3) or more units. This includes townhouses with or without zero lot line design; all types of condominiums and rental units. Public and Quasi-Public uses on a conditional use basis.

20.2 Minimum Lot/Site Area

A. Methods of Determining Required Lot Areas

There are two methods of determining required R-6 lot area for any multi-family structure; the one-year formula method (temporary) and the new lot area formula:

1. One Year Option (Temporary)

For one year from the effective date of this ordinance the required R-6 lot area may be determined under certain circumstances by the R-5 multi-family lot area formula set forth in the 1974 Zoning Ordinance. This method may be used on a limited temporary basis (one year from the effective date of this ordinance) in order to achieve a smooth transition from the old R-5 formula to the new R-6 formula. This option is only available for R-6 lots contained on record plats recorded prior to the effective date of this ordinance; this option will only be operational for one year from said effective date at which time the option will become null and void.

The one year formula is as follows: 10,500 square feet of land area for the first three (3) units and 1,500 square feet of land area for each unit thereafter.

Developments choosing to utilize this option shall still be required to meet the parking and dimensional set-back requirements contained within this ordinance.

2. R-6 Lot Area Formula

This formula establishes a relationship between the size and type of the multi-family structure to be built and the required lot size.

- a. Several factors or variables must be known before one can use the formula to establish the minimum lot size/area for a specific multi-family

proposal. The factors are as follows:

1. The square footage to be contained on the ground floor and the number of bedrooms to be contained, in each residential unit on the site.
2. The square footage to be contained on the ground floor level of all non-living structures on the site.
3. The amount of area to be contained in parking spaces or driving lanes.
4. The amount of land area that will be reserved as usable open space (vegetated or landscaped) for common and/or individual use.
5. The amount of land area that is normally unusable open space due to severe topographic, severe floodprone, vegetative, utility or other unique conditions.

B. Lot Area Formula:

$$\frac{\text{Total ground floor building area}^1}{\text{Total required usable open space area}^3} + \frac{\text{Total parking and driving lane area}^2}{\text{Total required usable open space area}^3} + \frac{\text{Total unusable open space area}^4}{\text{Total required usable open space area}^3} = \text{Total required lot/site size.}$$
 (NOTE: However, in no case shall the lot size be less than 10,000 sq.ft., for a tri-plex nor less than 12,000 sq.ft. for a four-plex.)

1. Ground Floor Building Area: Is the total area occupied by the ground level floors of all structures (residential and non-residential).
2. Total Area Used For Parking And Driving Lanes: Is the total area occupied by all parking and driving lanes on the site. (NOTE: This area may be estimated by multiplying the number of parking spaces required by 350 sq.ft.) The formula for determining the amount of parking required is set forth in Sections 11.3 B and 19.4.
3. Total Usable Open Space Area Required: An amount of usable open space (vegetated and/or landscaped) for common and/or individual use is required for each unit on a site and is determined by the number of bedrooms in a particular unit. The open space required per unit is as follows:
 - a. One bedroom or efficiency - 1,200 sq.ft./unit
 - b. Two bedroom - 1,400 sq.ft./unit

- c. Three bedroom - 1,600 sq.ft./unit
 - d. Over three bedrooms 1,600 sq.ft., plus 200 additional sq.ft./bedroom over three.
4. Total Area Of Unusable Open Space: Certain types of open space may not be used in meeting the required per unit open space requirement. Open space which is not usable for normal living purposes due to severe topographic, severe floodprone, vegetative, utility or other unique conditions shall not be used.

C. Example of How the Formula Will Work

1. Example 1 - A person proposed to build 8 townhouse apartments. Each townhouse will be two-story (500 sq.ft. on the first floor and 500 sq.ft. on the second) and contain three bedrooms.
 Total Ground Floor Building Area = $8 \times 500 = 4000 \text{ sq.ft.}$
 Total Area Used For Parking And Drives $(2.5 \times 8) \times 350 \text{ sq.ft.} = 7000 \text{ sq.ft.}$
 Total Required Open Space Area = $1,600 \text{ sq.ft.} \times 8 = 12,800 \text{ sq.ft.}$
 Total Unusable Open Space = 0
 Total Required 8 - Plex Lot Size = 23,800 sq.ft.
 (NOTE: This lot would be eligible for two additional units if it meets the criteria for a density bonus.)

2. Example 2 - A person proposes to build 8 - 2 bedroom walk-up apartments, each containing 800 sq.ft. Four of the units will be contained on the first floor and four on the second floor.
 Total Ground Floor Building Area = $4 \times 800 \text{ sq.ft.} = 3,200 \text{ sq.ft.}$
 Total Parking And Driving Lane Area = $(2.25 \times 8) \times 350 \text{ sq.ft.} = 6,300 \text{ sq.ft.}$
 Total Required Open Space Area = $1,400 \text{ sq.ft.} \times 8 = 11,200 \text{ sq.ft.}$ Total Unusable Open Space = 0
 Total Required 8 - Plex Lot Size 20,700 sq.ft.
 (NOTE: This lot would be eligible for two additional apartment units if it meets the criteria for a density bonus.)

3. Example 3 - A person proposes to build 8 - 1 bedroom or efficiency apartments, each containing 600 sq.ft. Four of the units will be on the first floor and four will be on the second.
 Total Ground Floor Building Area = $4 \times 600 \text{ sq.ft.} = 2,400 \text{ sq.ft.}$
 Total Parking And Driving Lane Area = $(2 \times 8) \times 350 \text{ sq.ft.} = 5,600 \text{ sq.ft.}$
 Total Required Open Space Area = $1,200 \text{ sq.ft.} \times 8 = 9,600 \text{ sq.ft.}$ Total Unusable Open Space = 0
 Total Required 8 - Plex Lot Size = 17,600 sq.ft.

(NOTE: This lot would be eligible for two additional apartment units if it meets the criteria for a density bonus.

4. Example 4 - A person proposes to build a ten-plex on a lot which contains a sinkhole that is being used as a retention basin. The ten-plex will contain six-three bedroom units and three-two bedroom units and one efficiency unit: 4,000 sq.ft. of the building will be on the ground floor level. The sinkhole basin contains 6,000 sq.ft. of land. Total Ground Floor Building Area = 4,000 sq.ft.

Total Parking and Driving Lane Area = 24×350 sq.ft. = 8,400 sq.ft.

Total Required Open Space Area = $9,600 + 4,200 + 1,200 =$ 15,000 sq.ft.

Total Unusable Open Space Area = 6,000 sq.ft.

Total Required Lot/Site Area = 33,400 sq.ft.

5. Example 5 - A person has a 20,000 sq.ft. lot and wishes to know how many multi-family units may be placed on such a lot. This is not an easily answered question since the number of units that can be placed upon this lot is determined by the size of the units, the number of bedrooms in the units, and number of stories in the structure. However, several possibilities include:

- a. 6 - 1400 sq.ft. two-story 3 bedroom townhouses (600 sq.ft. on each floor).

Building Area = 4,200 sq.ft.

Parking and Driving Area = 5,250 sq.ft. (estimated)

Open Space Area = 9,600 sq.ft.

Total Required Lot Size = 19,050 sq.ft.

(NOTE: May be increased to a 7 plex if density bonus is granted.)

- b. 8 - 600 sq.ft. 2 bedroom walk-up apartments (four up and four down)

Building Area = 2,400 sq.ft.

Parking and Driving Areas = 6,300 sq.ft.

Open Space Area = 11,200 sq.ft.

Total Required Lot Size = 19,900 sq.ft.

- c. 8 - 400 sq.ft. efficiency apartments 2 story design with five up and five down

Building Area = 1,600 sq.ft.

Parking and Driving Area = 5,600 sq.ft.

Open Space Area = 12,000 sq.ft.

Total Required Lot Size = 19,200 sq.ft.

D. Lot Size and Special Requirements for Sub-Lots in Zero-Lot Line Designs

In zero-lot line designs sub-lots may be created if the following conditions are met:

1. The average size for a sub-lot shall be at least 1,500 sq.ft.
2. The total site/lot upon which the sub-lot is located shall meet the minimum lot area as determined by the formula set forth in B. 2.
3. Each sub-lot shall have a minimum of 16' frontage onto a private street, or parking facility in a manner which guarantees access.
4. Submit a common/party wall agreement as set forth in Article IV.

E. Lot/Site Area for Public and Quasi-Public Uses

There shall be no minimum lot/site area for public and quasi-public uses. However, said uses shall meet all appropriate set-back and parking requirements and shall cover no more than 75% of their lot, 25% of the lot shall remain as vegetated and/or landscaped open space.

F. Density Bonuses

Density bonuses are available for residential developments in the R-6 Zone which agree to place their parking in the rear, or on the side of the structure and adequately screened from street view. Developments receiving density bonus shall be designed so that all other set-back, dimensional and parking requirements will be met. The density bonuses will be allocated as follows:

1. One additional unit/lot for developments proposing to contain a 3-plex; 4-plex; 5-plex; 6-plex or 7-plex.
2. Two additional units/lots for developments proposing to contain a 8-plex; 9-plex; 10-plex or 11-plex.
3. Three additional units for developments proposing to contain a structure with 12 or more units.

20.3 Required Set-Backs And Dimensional Requirements

- A. Front Yard - A dimension equal to 25% of the width/length of the side of the structure which faces the street, but in no case shall it be less than 25'.
- B. Side Yard - A dimension equal to 25% of the width/length of the side of the structure which faces the side property line, but in no case shall it be less than 10'. In zero-lot line designs the interior sub-lots shall have no side-yard requirement.

- C. Rear Yard - A dimension equal to 30% of the width/length of the side of the structure which faces the rear property line, but in no case shall it be less than 25'.
- D. Minimum width of lot at front building line - 100'. (NOTE: This dimension is to be measured as close to parallel to the front property line as possible.)

20.4 Parking Requirements

- A. All parking facilities shall be designed and constructed in accordance with the Parking Design and Construction Standards as found in Article XI.
- B. Any residential development within this zone which agrees to place all parking in the rear or on the side and screened from street view will be eligible for density bonuses as set forth in Section 20.2 F.
- C. Required Number of Spaces
 - 1. Two spaces for the first bedroom and .25 spaces for each bedroom thereafter. Each unit shall be totaled separately and a lot total established. If the lot total contains half a space it shall be rounded to the next higher number.
 - 2. Developments which have 24 or more units on a lot shall provide at least 1.75 spaces for the first bedroom and .25 spaces for each bedroom thereafter. Each unit shall be totaled separately and a lot total developed.
- D. Handicapped Spaces

Any multi-family site which contains handicapped accessible units shall provide handicapped parking spaces. Said spaces shall be provided at the same ratio as normal parking spaces. The minimum size of a handicapped space shall be 13' x 18'.

20.5 Screening Required

- 1. An appropriate screen of vegetation and/or fencing shall be constructed along the outer boundary of the R-6 properties where such properties abut R-E, R-1, R-2, R-3, R-4, Commercial or Industrial land uses and shall be approved by the Planning Commission or their authorized agent as to location, height, material and/or vegetation types. The screening may be waived by the Planning Commission in cases where the screening is not desirable or logical due to some unique condition.
- 2. All dumpsters for outdoor waste disposal shall be screened on three (3) sides in a manner which shields them from street view and living unit view, if possible.

20.6 Residential-6 Development Site Plan Required

Prior to the issuance of a Building Permit for the construction of any new Residential-6 building or additions to any existing building, the applicant shall develop and have approved a development site plan. Said plan shall be approved by the Planning Commission or their authorized agent.

The Residential-6 development site plan shall be approved if it conforms to all appropriate development standards contained within this ordinance.

A. Format

All Residential-6 development plans shall be developed within the following format:

1. Be drawn on a minimum size sheet of 8½ inches by 11 inches.
2. Be drawn at a minimum scale of 1 inch equals 20 feet.
3. Be drawn upon a survey indicating the outer boundaries of the lot.
4. Any surveys or re-surveys shall be provided by a qualified, registered land surveyor.
5. All engineering data shall be provided by a qualified registered professional engineer.
6. Information found on deeds and/or approved Final or Preliminary Plat Packages may be used and/or referenced in meeting format and content requirements if such information including contour and boundary data is believed to be accurate.

B. Contents

All Residential-6 development plans shall contain the following contents:

1. The dimension and bearing of all lot lines, and the total square footage contained in the lot.
2. Developments shall provide 2 foot contour information when the Planning Commission or their authorized agent believes that the slope of the land may present a development problem. Two (2) foot contour information shall be provided if any of the following conditions exist:
 - a. The site contains existing areas with slopes greater than 10%.
 - b. The site contains areas which will be cut or filled to depths greater than 4 feet.

- c. The site contains elevation changes in excess of 10 feet.

The Planning Commission or their authorized agent may require that both the existing and the proposed final contours of the entire site are provided or that the contours be provided only at certain locations as deemed necessary by the specific land use, site, drainage system and characteristics of the surrounding land.

3. Shall indicate the zoning of the lot and all adjacent properties including those across from any adjacent streets.
4. Shall indicate the land use of all adjacent properties, including those across from any adjacent streets.
5. Shall indicate the following information regarding the principal structure and all accessory structures to be constructed on the site:
 - a. The exact location of all proposed structures and/or existing structures.
 - b. The outer dimensions, the total square footage of the ground floor and the number of stories and height for all structures.
 - c. The proposed use to be contained in each structure.
 - d. The distance from each structure to the property line.
 - e. The location of all major entrances.
6. The lay-out of the parking and driving lanes shall be provided, including:
 - a. The number, size, design, surfacing material and location of all parking spaces.
 - b. The location, width and surface materials of all driving lanes.
 - c. The location, width and surface materials of all curb-cuts (entrances) and the distance to any adjacent curb-cuts (entrances).
 - d. The direction of traffic flow.
7. The location and size of all easements, in the case of drainage easements the proposed final cross-sections and approximate grade for drainage channels and the size and location of any drainage pipes shall be indicated.
8. Evidence shall be provided that the organizations for whom any easements indicated have been provided have found the easements to be acceptable. This standard may have been previously met in obtaining preliminary and final plat approval in which case it does not apply unless the size, location or function of the recorded easement is proposed to be changed.
9. The location of any major waste disposal containers and the location, height and material for the required screening.

10. The amount of the lot, in square feet to remain as vegetated and/or landscaped open space. Said vegetated and/or landscaped areas shall be indicated and the type of vegetation and/or landscaping shall also be noted.
11. The material, location and height of any fencing shall be indicated.
12. The location, size, height and type of illumination for all signs which contain more than 6 square feet of total display area.
13. The location and construction design for all sidewalks.
14. The name, right-of-way and pavement width of all adjacent streets.
15. The direction for storm-water flow, the major drainage channels and the ultimate receiver of the storm-water.
16. The location and construction design for any sedimentation and erosion control devices and the time frame in which they are to be installed and removed.
17. The location and approximate size of any flood-prone areas; sinkhole basins, or other areas with severe environmental constraints.
18. The location and height of any street and/or security lighting.
19. The location, size, height and type of vegetative screening.
20. The location, depth and proposed final embankment slope for any areas proposed to be cut or filled one foot or more.
21. Information regarding the size, location, and surface of any open space and/or recreational facility to be reserved for private and/or public use.
22. Title block placed in the lower right hand corner which contains:
 - a. Residential-6 building name.
 - b. Property Owner: The name, mailing address and phone number of property owner and/or applicant.
 - c. Identification of person who prepared the site plan.
 - d. Legend Information: A graphic scale, written scale, north point and date of preparation.

20.7 General Lot Development and Design Standards

1. All Residential-6 lot development shall be done in accordance with the Design and

Improvements Standards set forth in Article IV and the General Development Regulations set forth in Article III.

2. Outdoor lighting may be provided which adequately lights all major parking facilities and Residential-6 buildings but shall be designed and located in such a manner so that it does not flood adjacent residential properties with light.

20.8 Disapproval of Residential-6 Development Site Plans

Whenever a Residential-6 development site plan has been disapproved by the Planning Commission or their authorized agent, the applicant shall be notified in writing within 10 working days of the disapproval and of the reason for the disapproval. In the case of disapproval the applicant has three (3) options: (A) To revise the plan to address the deficiencies; (B) To appeal the decision; (C) To not pursue the development.

In the case of resubmittal of revised plans there shall be no limit to the number of times an applicant may submit a plan for a particular piece of property.

In the case of appeal, if the disapproval was made by the Planning Commission's authorized agent then the appeal may be made to the Planning Commission; or if disapproval is made or reaffirmed by the Planning Commission then the applicant may appeal this decision to the Radcliff Board of Adjustments. All appeals to the Board of Adjustments shall be made within 30 days of the receipt of the written notice of disapproval and shall conform with the appeal procedures set forth in K.R.S. 100.257, 100.261 and 100.263.

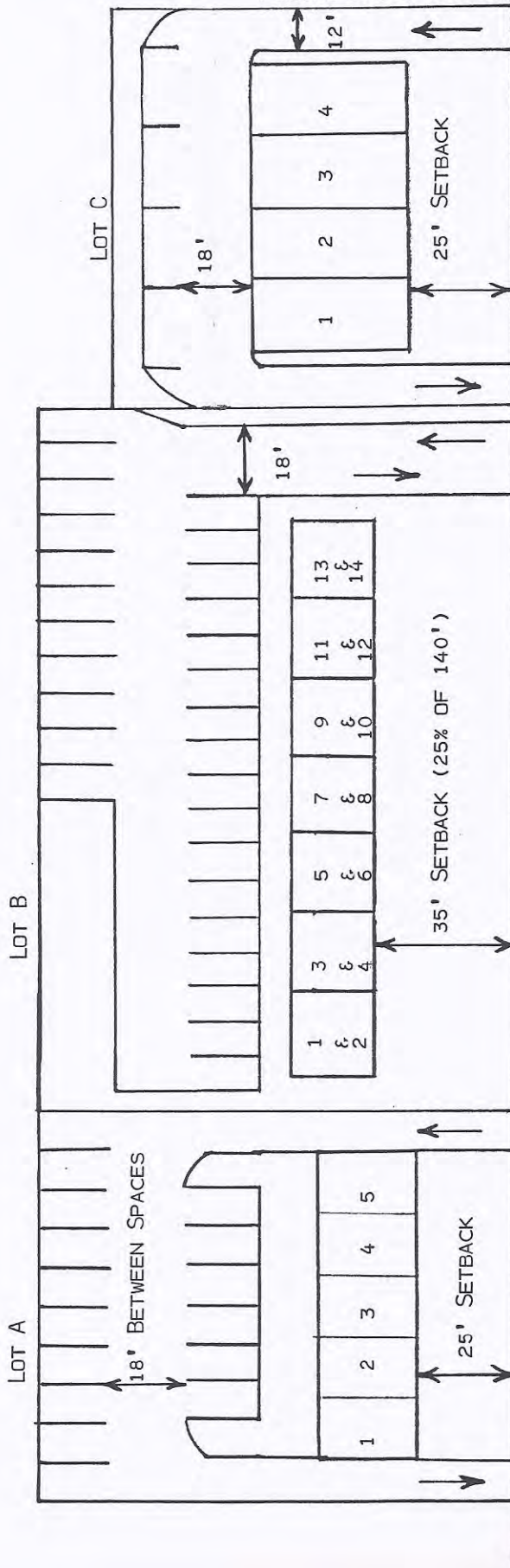
20.9 Approval of Residential-6 Development Site Plans

Once a Residential-6 development site plan has been approved, the Planning Commission or their authorized agent shall notify the applicant (in writing) and the Building Department of the approval. No Building Permits shall be issued for any buildings until said approval has been granted. All approved Residential-6 development plans shall be kept on file in the Planning Commission's office.

20.10 Amendment to Residential-6 Development Site Plans

Any change in the information regarding lot dimensions; building (size, location, or use); the size, number, or location of parking and/or driving facilities; sidewalks; open space; landscaping; screening; lighting; and/or the size, height or illumination of signs shall cause the approved Residential-6 development site plan to be voided and an amended plan filed and approved.

FIGURE 20.1: LOT STANDARDS FOR THE R-6 ZONE



9

- LOT A - CONTAINS 5 2-STORY 3 BEDROOM TOWNHOUSES, EACH UNIT CONTAINS A TOTAL OF 800 SQ. FT. THE LOT HAS RECEIVED ONE EXTRA UNIT AS A DENSITY BONUS; THEREFORE THE LOT AREA WAS CALCULATED ON THE BASIS OF A 4 PLEX. 13 PARKING SPACES ARE REQUIRED ALTHOUGH 16 HAVE BEEN PROVIDED. THE REQUIRED LOT AREA IS 12,375 SQ. FT.
- LOT B - CONTAINS 14 ONE BEDROOM APARTMENTS; EACH UNIT CONTAINS 400 SQ. FT. AND THE DESIGN IS 2 STORY WITH 7 UNITS UP AND 7 UNITS DOWN. THE LOT AREA IS 25,600 SQ. FT. AND WAS CALCULATED UPON THE REQUIREMENT FOR A 12 PLEX, SINCE THE LOT WAS ELIGIBLE FOR 3 BONUS UNITS (ALTHOUGH ONLY 2 WERE USED). 28 PARKING SPACES ARE REQUIRED.
- LOT C - CONTAINS 4 2-STORY 3 BEDROOM TOWNHOUSES EACH CONTAINS A TOTAL OF 1,600 SQ. FT. WHICH INCLUDES A 400 SQ. FT. 2 CAR GARAGE IN THE BOTTOM LEVEL. THE LOT HAS RECEIVED ONE EXTRA BONUS UNIT; THEREFORE THE LOT AREA WAS CALCULATED ON THE BASIS OF A 3 PLEX. HOWEVER, SINCE A 3 PLEX OF THIS SIZE ONLY REQUIRES 9,825 SQ. FT. THE LOT HAD TO BE INCREASED TO MEET THE 10,000 SQ. FT. MINIMUM 10 PARKING SPACES ARE REQUIRED ALTHOUGH 12 HAVE BEEN PROVIDED; 2 IN THE GARAGE OF EACH UNIT AND 4 PARALLEL SPACES.

ARTICLE XXI

***RESIDENTIAL - 7 (R-7): MANUFACTURED (MOBILE) HOME ZONE STANDARDS**

21.1 Permitted Uses

- *A. Manufactured (mobile) homes on individual lots or within mobile home parks.
- *B. Limited commercial activity as a Home Occupation in accordance with Article IX.

****&***21.2 Minimum Lot Area**

Each manufactured (mobile) home shall be placed upon a lot which contains a minimum of 4,500 square feet. In addition, there shall be 500 sq. ft. of open space provided per manufactured (mobile) home to either be used collectively as recreation area or added to the individual lot.

****21.3 Minimum Zone Area**

No independent and free-standing manufactured (mobile) home (R-7) Zone shall contain less than ten (10) acres of land area. A manufactured (mobile) home subdivision shall require a total site of at least ten (10) acres before subdividing.

21.4 Lot Coverage

35% maximum; 65% of the lot shall remain as vegetated and/or landscaped open space.

21.5 Minimum Required Set Backs and Dimensional Requirements

- A. Front-Yard: 25' from a front property line adjacent to a public street. 20' from a front property line adjacent to a private and/or park street.
- *B. Side-Yard: 5' on one (1) side and 20' on the other; however, no two (2) manufactured (mobile) homes shall be any closer than 25' from each other, and no manufactured (mobile) home may be placed any closer than 10' to a park boundary.
- *C. Rear-Yard: 10'; however this shall be increased up to a maximum of 15' to insure that no manufactured (mobile) home is within 15' of any adjacent primary structure.
- D. Minimum width of lot at front of building line - 40' (This dimension is to be measured as close to parallel to the front property line as possible.)

*Amended October 12, 2000

**Amended July 3, 1986 & October 12, 2000

***Amended November 2, 2017

21.6 Screening Required

- A. An appropriate screen (vegetation and/or fencing) shall be constructed along the outer boundary of the R-7 Zone. Said screening shall be approved by the Planning Commission as to location, height, material and/or vegetation types. Said screening shall function to increase the compatibility between the land uses contained in the R-7 Zone and the existing and/or future land uses contained in the adjacent zones. Said screening may be waived by the Planning Commission in cases where the adjacent land will remain vacant or where the screening is not desirable or logical for some other unique reason.
- B. All dumpsters for outdoor waste disposal shall be screened on three (3) sides in a manner which shields them from street view and living unit view if possible.

21.7 Parking Requirements

Each lot shall provide two (2) off street parking spaces. The spaces shall conform with the General Parking Standards as found in Article XI.

***21.8 Manufactured (Mobile) Home Subdivision**

In the case where a manufactured (mobile) home subdivision is proposed to be created, that is individual lots will be sold, the normal procedure for creating a subdivision shall be followed as set forth in the *Radcliff Subdivision Regulations*, in addition, a site plan containing the information required for Planned Building Groups shall be developed and approved by the Planning Commission or, if delegated, by their authorized agent.

****21.9 Manufactured (Mobile) Home Parks**

In the case where manufactured (mobile) home parks are proposed to be created; that is the lots are to be rented or leased, a Planned Building Group Site Plan shall be approved by the Planning Commission or, if delegated, to their authorized agent as set forth in Article XII. In this case, the individual manufactured (mobile) home lot/sites shall be clearly marked in the field and illustrated to scale on the site plan, although the bearing for the individual lots do not need to be given since no sale of such lots may take place.

A manufactured (mobile) home park shall be a contiguous tract of land containing a minimum of ten (10) acres. Each manufactured (mobile) home park shall have a minimum of twenty (20) sites available for occupancy at the time of opening.

Enlargement of existing manufactured (mobile) home parks: Any enlargements or extension of existing manufactured (mobile) home parks shall comply with these regulations.

*Amended October 12, 2000

**Amended July 3, 1986 & October 12, 2000

***21.10 Miscellaneous Development Standards for Manufactured (Mobile) Home Parks and Manufactured (Mobile) Home Park Subdivisions**

A. Park Drives:

Shall be built to the standards for public or private streets as set forth in the *Radcliff Subdivision Regulations*, with the following exceptions:

1. Minimum width for a two-way drive - 18'
2. Minimum width for a one-way drive - 14'
3. All drives shall be paved with an appropriate hard surface.

***B. Every manufactured (mobile) home park shall be located on a well-draining area which is not subject to re-occurring flooding.

*C. Foundations:

***All manufactured (mobile) housing shall be placed or located on a secure level foundation not over 40 inches in average height.

**Skirting and Underpinning:

***All manufactured (mobile) homes shall have foundation skirting and underpinning. This skirting/underpinning shall be maintained in good condition at all times.

Stairs and Porches:

Every stair, porch, balcony, and all appurtenances attached thereto shall be so constructed as to be safe to use and capable of supporting the loads to which it is subjected and shall be kept in sound condition and good repair.

Handrails:

***Handrails shall be required for the safety of persons entering or leaving any manufactured (mobile) home when either of the following conditions exist:

1. Steps (stairs) have three (3) or more risers, i.e., at least three (3) steps are present.
- ***2. The difference in height from the threshold of the manufactured (mobile) home and the ground level is thirty (30) inches or greater.

*Amended July 3, 1986

**Amended August 22, 1996

***Amended October 12, 2000

Handrails shall be constructed, secured, and maintained in such a fashion as to be able to safely bear the loads and stresses of persons using them for balance and support while using the steps provided.

D. Street Lighting Within the Park:

As a minimum the equivalent of a 175 watt mercury vapor type light shall be provided at the park entrance(s), intersections, and at 200' intervals through out the park.

*E. Water Supply:

All manufactured (mobile) home parks and subdivisions shall be hooked into a treated water supply which is capable of supplying 150 gallons of water per day to each manufactured (mobile) home.

*F. Sanitary Sewer:

All manufactured (mobile) home parks and subdivisions shall be hooked into the public treated sewerage system.

G. K.R.S. 219.310 to 219.410 and the Mobile Home Park Regulations of the Department for Human Resources:

*All manufactured (mobile) home parks and subdivisions shall comply with the appropriate sections of K.R.S. 219.310 to 219.410 and *The Mobile Home Park Regulations of the Department for Human Resources*.

*H. The Building Placement standards set forth in the Planned Building Group provisions shall not apply to manufactured (mobile) homes.

**I. Manufactured (mobile) Home Stands and Foundations for Units Existing Prior to July 3, 1986:

Any manufactured (mobile) home which was set upon a lot and occupied prior to July 3, 1986, shall conform to all anchorage and tie down requirements listed in Article 21.10 (C) of this section. All manufactured (mobile) housing shall comply to the tie down requirement one year from the date of the adoption of this ordinance stated above. However, such a unit will be considered immune to foundation standards and requirements until such time that any of the following conditions occur:

1. The manufactured (mobile) home occupying the lot is removed. Before any other units are erected on that lot the terms of Article 21.10 (C) shall be satisfied.
2. A manufactured (mobile) home is placed upon a lot that has never been occupied.
3. The manufactured (mobile) home becomes unstable due to erosion, shift, uplift or any other physical forces.

*Amended October 12, 2000

**Amended July 3, 1986 and October 12, 2000

The conditions set forth above shall constitute a new manufactured (mobile) home lot and therefore require the owner of the lot to conform to set standards.

*****21.11 Manufactured (Mobile) Home Permit**

All owners of land upon which manufactured (mobile) homes are located shall possess a permit from the City of Radcliff. Application for said permit shall be made on forms provided in the Planning Office. Said permit shall contain the following information, which shall be provided by the applicant:

- **A. A copy of the Operating Permit as issued by the Kentucky Department for Human Resources, only required for properties which contain more than one (1) manufactured (mobile) home.
- B. The name and mailing address of the property owner.
- **C. The name and mailing address of the manufactured (mobile) home park (if different from above).
- **D. The number of manufactured (mobile) homes located on the property as of the effective date of this ordinance.
- **E. The number of vacant manufactured (mobile) home lots located on the property as of the effective date of this ordinance; and the date they became vacated in the case of properties which are not zoned R-7.
- **F. The size and model year for all manufactured (mobile) homes on the site for properties which are not zoned R-7.

The City shall keep all such permits on file and shall indicate on the permit whether or not the manufactured (mobile) home use of the property is conforming or nonconforming. The City shall issue permits to all owners of property upon which manufactured (mobile) homes are sited as of the effective date of this ordinance. The manufactured (mobile) homes located on R-7 properties shall be treated as conforming uses, all other residential manufactured (mobile) homes shall be treated as nonconforming uses as set forth in Article VIII.

***21.12 This Section Reserved for Future Use**

*Deleted September 24, 1992

**Amended October 12, 2000

***Amended July 3, 1986 & October 12, 2000

***21.13 Placement of Manufactured (Mobile) Homes on Lots Zoned R-7**

If a person wishes to increase the number of manufactured (mobile) homes placed on R-7 Zoned property they may do so as long as the R-7 standards found herein are adhered to and the information needed to update the Manufactured (mobile) Home Permit is provided to the City.

21.14 General Design and Improvement Standards

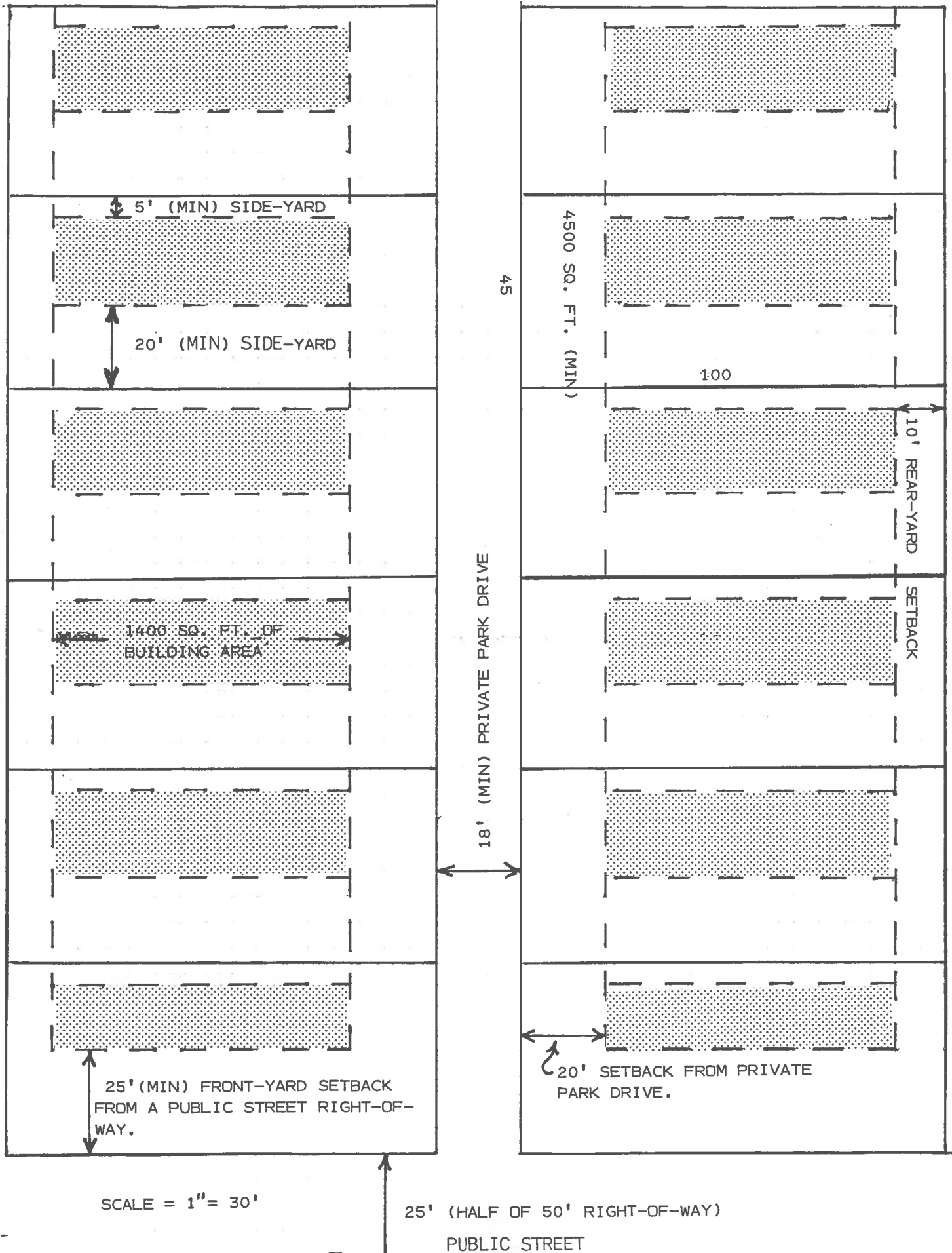
All developments within this zone shall comply with the appropriate standards set forth in Article IV of this ordinance.

21.15 General Development Regulations

All developments within this zone shall comply with the appropriate standards set forth in Article III of this ordinance.

*Amended October 12, 2000

FIGURE 21.1: STANDARDS FOR THE R-7 ZONE



ARTICLE XXII

PLANNED UNIT DEVELOPMENT ZONE (P.U.D.) STANDARDS

22.1 Description of the Zone

The P.U.D. Zone is a zone which allows for the creative design of land uses, the P.U.D. exist in order to encourage developments with superior living, working, shopping and/or service environments through the application of design ingenuity and unified development techniques. The P.U.D. Zone is intended to further promote the public health, safety and general welfare of the citizens of Radcliff through the provision of land development regulations which:

- A. Allow the clustering of structures in a manner which encourages that environmentally sensitive areas and significant natural features such as sinkhole basins, steep slopes, flood plains, unstable soils and bodies of water to be left as natural open space to be enjoyed by the residents/users of the P.U.D. and/or the community in general.
- B. Encourage energy conservation through the use of solar-energy, promotion of non-automobile transportation modes and reduction of the need to travel by allowing the provision of commercial services and places of employment in close proximity to residential areas.
- C. Minimizes the development cost associated with the installation and maintenance of street and utility systems by allowing common-wall construction and clustering of structures.
- D. Allow for a choice of residential housing types and density patterns while supplying amenities which benefit the public such as privacy, open space, recreational facilities, convenience to public facilities, retail, services and employment centers.
- E. Act to implement the *Comprehensive Plan*.

In order to achieve these objectives the P.U.D. Zone contains a minimum of dimensional requirements and allows the mixing of land uses in a controlled manner which insures compatibility.

22.2 Permitted Uses

No use is precluded from the P.U.D. Zone. Mixing of various land uses are also allowed as long as such mixing is in conformance with the Radcliff *Comprehensive Plan*. Land uses shall be allowed in a P.U.D. if both the Planning Commission and the City Council find that the P.U.D. is designed in such a manner which makes the proposed land uses compatible with other land uses within the P.U.D. and with all surrounding land uses.

22.3 Ownership Control

The land in a P.U.D. shall be owned, leased or controlled by a single person, corporation, organization or group of associated individuals. If land within a P.U.D. is sold and/or ownership or controlling interest transferred said actions shall be conditioned upon the new owners or controlling interest agreeing to build/develop the lot/land in accordance with the approved Preliminary and/or Final P.U.D. Site Plan. Building Permits shall only be issued for structures which conform to the approved Final P.U.D. Site Plan.

22.4 Minimum Zone Area

- A. The minimum zone area for a P.U.D. shall depend on the proposed land use types to be included within it. The zone area shall be determined as follows:
1. Low density residential P.U.D.'s (4 or less units/acre net density) 5 acres.
 2. Medium density residential P.U.D.'s (5 - 12 units/acre net density) 2 acres.
 3. High density residential P.U.D.'s (over 12 units/acre) 1 acre.
 4. Any P.U.D. containing commercial and/or service land uses on a mixed land use basis with residential land uses shall provide lot areas at least 2 times that required for the particular residential land use, i.e., a low density P.U.D. with a limited amount of commercial use shall be placed upon at least 10 acres of land.
 5. Commercial and/or service P.U.D.'s (exclusively) 2 acres.
 6. Industrial P.U.D.'s - 10 acres.
- B. In calculating the minimum area for a P.U.D. the measurements shall include the area of all streets entirely within the particular site.
- C. The net residential density shall be determined by dividing the area of a particular site specifically designed for residential use by the proposed number of residential units to be placed on the site. Private and/or public open space or recreational areas may be included in the residential area, however, the following areas within a site shall not be included in calculating the area dedicated for residential use:
1. Private and public streets.
 2. Areas contained within 10 yr. flood plains; to include major drainage channels and sinkhole basins which meet 10 year criteria.
 3. Areas with slopes exceeding 20%.
 4. Other areas with environmental constraints which make them unusable for normal residential use.
 5. Areas containing non-residential structures.
 6. Lots or land areas associated exclusively with non-residential uses.

22.5 Design Standards/Requirements

A. Transportation/Access

1. Every structure within a P.U.D. shall have sufficient guaranteed access to a public street, either via direct frontage or via a private street, court, land or parking facility.
2. All private transportation facilities shall be contained within a pedestrian or vehicular access easement.
3. All pedestrian and vehicular transportation facilities shall be built in accordance with the applicable sections of the Radcliff *Subdivisions Regulations*. This includes but is not limited to: sidewalks, streets, lanes and driveway entrances.

B. General Lot Development and Design Standards

All P.U.D. lot development shall be done in accordance with the Design and Improvement Standards set forth in Article IV and the General Development Standards set forth in Article III of this ordinance.

C. Set-Backs and Dimensional Requirements

1. There shall be no minimum spacing between buildings. However, the following conditions shall be met:
 - a. Buildings shall be constructed with the appropriate amount of firewall as set forth in the Building Code for their proposed distance to an adjacent structure.
 - b. Buildings shall be placed in such a manner that emergency access or other designed or required access is not hindered.
 - c. Buildings shall be placed in a manner which allows for the proper placement of utility infrastructure and/or drainage channels.
 - d. Buildings shall be so placed as to provide adequate privacy for the occupants and to insure the adequate circulation of light and air.
2. There shall be no minimum set-backs except that the structures on the outer perimeter of the zone shall meet the front, rear and side-yard set-backs for the adjacent zone. In the case where there is more than one adjacent zone set-backs for the most restrictive of these zones shall be met.
3. There shall be no minimum lot size other than the minimum zone area shall be met.
4. The Planning Commission may increase, decrease or change in any manner any

set-back, dimensional, spacing or lot area requirement which they deem is in the best interest of protecting the health, safety and welfare of the community and/or which they feel will improve the internal and/or external compatibility of the P.U.D.

5. All structures, landscaping or fencing shall meet the Clear Intersection View Requirement for Corner Lots as set forth for all other zones.

D. Accessory Buildings

Accessory buildings may be constructed in a P.U.D. in accordance with their location of the P.U.D. Site Plan. Accessory buildings shall not be approved or placed in easement areas unless the written approval from the organization for whom the easement has been reserved has been obtained.

E. Fences

No fences shall be allowed in the P.U.D. unless they are illustrated on an approved P.U.D. Site Plan and the Planning Commission has approved their location, height and building material.

F. Parking Requirements

1. The number of off-street parking spaces required depends on the specific land use as set forth in Article XI.
2. Open parking areas for more than 6 vehicles shall be screened or buffered from adjacent structures in order to minimize potential nuisances caused by such parking areas and to increase the internal and external compatibility.
3. Open parking areas for more than 12 vehicles shall contain at least 10 sq.ft. of landscaped area per space, a portion of said plantings shall be trees which will provide summer shading of the parking areas.
4. All parking facilities shall be built in accordance with the Parking Standards as set forth in Article XI.

G. Open Space

All P.U.D.'s shall provide a minimum amount of landscaped and/or vegetated open space, as per the following standards:

1. Residential P.U.D.'s (Density is based upon net density, reference 22.4 C.)

- a. Low density P.U.D.'s (4 or less units/acre) - 6,000 sq.ft./unit.
 - b. Medium density P.U.D.'s (5 - 12 units/acre) - 3,000 sq.ft./unit.
 - c. High density P.U.D.'s (more than 12 units/acre) - 1,500 sq.ft./unit.
2. Commercial and/or industrial P.U.D.'s - 30% of the site shall be contained within vegetated and/or landscaped open space.
 3. P.U.D.'s in which commercial and/or industrial uses are mixed with residential uses - as a minimum the amount of open space required for the specific residential density shall be left as vegetated and/or landscaped open space; however, in no case shall this equal less than 30% of the site area.
 4. Open space distribution - the required usable open space shall be distributed throughout the P.U.D.; however, the greatest quantity of usable open space shall be placed in close proximity to the concentration of dwelling units.
 5. Development of open space - all open space provided to meet these requirements shall be developed to the degree that it may be used by the residents of the P.U.D. and/or the general public for normal living and/or recreational purposes.
 6. Natural open space - it is strongly recommended that any natural features on a P.U.D. site which have severe environmental and/or topographical constraints be left as natural open space although it cannot be used to meet the required open space area unless it can be used for normal living and/or recreational purposes.

H. Landscaping

All P.U.D.'s shall be appropriately landscaped so as to protect, preserve and promote the aesthetic character and value of the P.U.D. and to provide buffering which acts to increase the compatibility between the different land use types within the P.U.D. and between the P.U.D. as a whole and the adjacent land uses on the perimeter. Landscaping shall also be used to promote public health, safety and general welfare through the reduction of noise, air pollution, artificial light glare and visual discord.

I. Site, Street and Lot Layout

1. In order to reduce development cost and to eliminate damage to environmentally sensitive areas, the portions of a site which require extensive site preparation, such as steep slopes, flood plains and sinkhole basins should be left as open space areas or developed at a very low density.
2. Development of north-facing slopes should be minimized in order to maximize solar gain.

3. New local streets should run in an east-west direction as much as possible so that new structures can be properly orientated to take advantage of solar energy use. (Note: It is understood that factors such as topography, natural barriers, existing street networks, location of utilities and the size and shape of the P.U.D. tract may often prevent the effective use of this design standard.)

J. Signs

Signs shall be regulated within the P.U.D. Zone depending on the land use associated with the sign and its intended function.

1. Residential Signs

- a. Individual household signs - each dwelling unit shall be permitted one sign, not to exceed 2 square feet of surface area (may be double-faced). Said sign shall state only the resident's name, address and/or occupation. Such signs shall not be moving, flashing, internally lighted, nor exceed 5 feet in height.
- b. Multi-family building signs - each residential building containing 3 or more multiple dwelling units shall be permitted one building identification sign. Said sign shall not exceed 12 square feet of surface area (may be double-faced), shall not be located any closer than 5 feet from a property line and/or a street pavement and shall not be moving, flashing or internally illuminated, nor exceed 5 feet in height.

2. P.U.D. Identification Signs

P.U.D. may place identification signs at all entrance points, said sign may identify the name of the P.U.D., the developer, any significant facts concerning the P.U.D. and the name and number of a contact person. Said sign shall not exceed 20 square feet (may be double-faced), shall not be moving, flashing or internally illuminated. Said signs shall be indicated on the P.U.D. Site Plan and shall have their location, height and material approved by the Planning Commission.

3. Commercial Signs

- a. One on-premises, non-flashing, non-moving, pole-type sign for each major independent commercial building not to exceed 50 sq.ft. (may be double-faced). One such sign shall be allowed for each street frontage. Said sign shall not exceed 25 feet in height, and shall be located within 100 feet of the commercial structure.
- b. Each commercial structure shall also be allowed one non-moving, non-

flashing identification sign not to exceed 20 sq.ft. in surface area to be placed upon each exterior wall of the structure which is exposed to normal vehicular and/or pedestrian traffic. Said signs shall be attached and parallel to the facade of the structure, shall be located below the roof and shall be architecturally integrated with the building upon which it is placed.

- c. Each office or service establishment within a commercial building shall also be allowed one non-moving, non-flashing identification sign not to exceed 4 sq.ft. in surface area. Said sign shall be located no higher than 6 feet above the grade of the pedestrian walkway or outer grade of the structure and shall be architecturally integrated with the building upon which it is placed.

4. Industrial Signs

- a. Each industrial building or group of buildings shall be allowed one identification sign at each major entrance. Said sign shall be non-flashing and non-moving and shall not exceed 60 square feet of surface area (may be double-faced).
- b. Each industrial building may also contain one identification sign on each exterior wall which is exposed to normal vehicular and/or pedestrian traffic. Said sign shall be attached and parallel to said structure and shall not exceed 30 square feet nor be flashing or moving.

5. Institutional & Community Facility Signs

Each institution or community facility use within a P.U.D. shall be permitted one identification sign for each major entrance. Said sign shall not exceed 30 sq.ft. of surface area (may be double-faced) nor may it be flashing or moving.

The sign may either be located along an exterior wall of the building or as a free-standing pole sign in which case it shall not exceed 5 feet in height above the grade of the ground.

6. Miscellaneous Signs

Other minor miscellaneous information and directional signs may be allowed within a P.U.D. at the Planning Commission's discretion; however, said signs shall not be moving, flashing or contain more than 4 sq.ft. of surface area on any one sign.

K. Compatibility Standard

All land uses within a P.U.D. shall be designed so that they are compatible with each other

and with all adjacent land uses. P.U.D.'s shall create an environment of sustained desirability and stability which will have a positive long-term impact upon the community.

22.6 Procedure for Obtaining a P.U.D. Zone

The P.U.D. process combines the zoning and subdivision approval process. The result is that approval of a P.U.D. will, in most cases, be a two-step process and each step will consist of two separate acts. The steps, acts and associated actions are as follows:

A. Preliminary Approval - Step 1

1. Application for P.U.D. Zoning Classification
 - a. Rezoning application filed with the Planning Commission.
 - b. Preliminary P.U.D. Plat and Preliminary P.U.D. Plan submitted with rezoning application.
 - c. Rezoning Public Hearing scheduled by Planning Commission.
 - d. Rezoning request; Preliminary P.U.D. Plat and Preliminary P.U.D. Site Plan reviewed by public and Planning Commission at the Public hearing.
2. Approval of P.U.D. Zone

Follows the same approval process as all other rezoning requests as outlined in Article VI.
3. Approval of Preliminary P.U.D. Plat

Shall follow the same approval process and design format as Preliminary Plat for Major Subdivisions as set forth in the *Radcliff Subdivision Regulations*.
4. Approval of the Preliminary P.U.D. Site Plan
 - a. Requires both Planning Commission and City Council approval.
 - b. Shall be designed and reviewed in accordance with the provisions of this ordinance.
 - c. In ruling on both the Plat and the Plan the Planning Commission and City Council shall have the same action options, follow the same time-frame and review procedures as for normal Preliminary Subdivision Plats.
5. The rezoning request, Preliminary P.U.D. Plat and the Preliminary P.U.D. Site Plan shall be considered by the Planning Commission at the same time.
6. The rezoning request, the Preliminary P.U.D. Plat and P.U.D. Site Plan shall be considered by the City Council at the same time.
7. Approval of the P.U.D. Site Plan shall be good for 12 months unless an extension has been granted in accordance with Article III, Section 3.63 (G.) of the *Radcliff*

Subdivision Regulations.

8. Once the Commission and Council approval of the Preliminary P.U.D. Plat and the Preliminary P.U.D. Site Plan has been obtained the property shall be designated as a P.U.D. Zone. However, no Building Permits shall be issued nor any building constructed until after the Final P.U.D. Plat and the Final P.U.D. Plan have been approved by the Commission.

B. Final Approval - Step 2

1. Application for approval of the Final P.U.D. Plat and Final P.U.D. Site Plan.
 - a. Submission of the Final P.U.D. Plat developed in accordance with the standards for Final Plats as set forth in the Radcliff *Subdivision Regulations*.
 - b. Submission of the Final P.U.D. Site Plan developed in accordance with the standards for Final P.U.D. Plans as set forth in this ordinance.
2. Planning Commission action of the Final P.U.D. Plat and the Final P.U.D. Site Plan. In ruling on both the Plat and the Plan, the Planning Commission shall have the same action, options, follow the same time frame and review procedures as for normal subdivision Final Plats.
3. Once the Final P.U.D. Plat and the Final P.U.D. Site Plan have received Planning Commission approval and have been properly filed, Building Permits may be issued for structures with the P.U.D. in accordance with said plans.

22.7 Format & Contents of Preliminary P.U.D. Plats

Preliminary P.U.D. Plats shall be developed in accordance with the standards for Major Subdivision Preliminary Plats as set forth in the Radcliff *Subdivision Regulations*. Said plat will be considered as a Major Subdivision even though it may only contain one lot.

22.8 Format & Contents of Preliminary P.U.D. Site Plans

The Preliminary Site Plan shall be super-imposed upon the Preliminary P.U.D. Plat and shall contain all of the information required to be placed upon Preliminary Plats as well as the following additional information to be provided on the same and/or separate sheets.

- A. The location of all structures, to be labeled by proposed land use.
- B. The general layout of all parking facilities, including the number and size of parking spaces to be provided and the location and size of all curb-cuts, driving lanes and/or access alleys.

- C. Information regarding number and nature of all residential units, including:
 - 1. The total number of units.
 - 2. The breakdown of bedroom types.
 - 3. The architectural style, i.e., townhouse, efficiency, etc.
- D. Information concerning the land areas involved in the P.U.D., including:
 - 1. The total land area contained in the P.U.D.
 - 2. The total land area contained within environmentally sensitive areas which are proposed to be left as open space.
 - 3. The total land area to be used solely for residential use.
 - 4. The total land area to be used for uses other than residential, broken down by the specific land area for each use type.
- E. The net residential density proposed for the P.U.D., which shall be calculated in the manner set forth in section 22.4 (C.) of the article.
- F. The general location, layout and vegetation types to be used for landscaping.
- G. The general location, design and building material for any fences.
- H. The general location for any street and/or security lighting.
- I. The general location for any garbage dumpsters.
- J. The location of any common open space and/or recreational areas and information regarding whether it is intended for private or general public use.
- K. Information regarding any areas proposed to be dedicated to the public for common use and public maintenance.
- L. All designs illustrated on the Preliminary Development Plan shall conform to the design standards set forth in section 22.5 of this regulation.

22.9 Format & Contents of Final P.U.D. Plats

Final P.U.D. Plats shall be developed in accordance with the design, format and content standards for Major Subdivision Final Plats as set forth in the Radcliff *Subdivision Regulations*. Said plats will be considered as a Major Subdivision even though it may contain only one lot. All of the required associated construction plans shall be submitted for P.U.D.'s as for all other Final Plat Packages.

22.10 Format & Contents of Final P.U.D. Site Plans

The Final P.U.D. Site Plan shall be super-imposed upon the Final P.U.D. Plat and shall contain all of the information required to be placed upon the Final Plat as well as the following information which may be placed upon the same or separate sheets:

- A. All of the information provided on the approved Preliminary Site Plan in its final and complete form. Any general information provided on the Preliminary Site Plan shall be provided in specific detail on the Final Site Plan, i.e., landscaping or fencing, street light and dumpster locations, design of open space and/or recreational areas, and areas to be dedicated to the public.
- B. The size, location and construction material of the following signs:
 - 1. Multi-family building identification signs.
 - 2. P.U.D. identification signs.
 - 3. Commercial entrance building identification signs (not to include small 4 sq.ft. office/service signs).
 - 4. Industrial entrance and building identification signs.
- C. The specific layout and design of all parking and/or loading areas.
- D. The elevations which represent the architecture within the P.U.D.
- E. Information regarding the manner in which any common open space, recreational areas, environmentally sensitive areas which have been left in their natural state, private streets and/or parking areas will be maintained and/or improved and those parties responsible for any such maintenance/improvement.
- F. In P.U.D.'s utilizing owner units with common or party walls an acceptable party/common wall agreement shall be provided and recorded.
- G. A time-table which outlines the approximate time-table for construction of all public and site improvements, residential and non-residential structures.

22.11 Recording of Approved Plat and Plan

- A. Final P.U.D. Plat

Once given final approval by the Planning Commission the Final P.U.D. Plat shall be recorded in the Office of the Hardin County Court Clerk in accordance with the provisions of the Radcliff *Subdivision Regulations*.

B. Final P.U.D. Site Plan

Once given final approval by the Planning Commission the Final P.U.D. Site Plan shall be filed in the Office of the Planning Commission and one copy given to the Building Department.

22.12 Revisions to Approved Plats and Plans

A. Preliminary Plats and Plans - any of the following changes to a Preliminary Plat or Development Plan prior to the approval of the Final Plat or Development Plan shall cause the Preliminary Plat and Development Plan to be subject to a new approval application, public hearing, Planning Commission and City Council approval:

1. Any increase in the total number of residential units.
2. A 30% or more change in the total amount of commercial, industrial or institutional floor area to be contained within the P.U.D.
3. Any street changes which involve removing or adding additional streets and/or intersections.
4. A 30% or more change in the number of bedrooms to be provided in each of the residential units.
5. A 30% or more change in the amount of open space an/or land area to be provided for private and/or public recreational purposes.
6. Any change in the land to be dedicated to the public for public use and maintenance.
7. A change in location of over 10 feet in 30% or more of the proposed structures.
8. Any change which significantly adversely affects the internal or external compatibility of the P.U.D. or its long-term impact on the community.
9. Any change which violates a standard and/or regulation set forth in the *Radcliff Zoning Ordinance* or *Subdivision Regulations* which applies to P.U.D.'s.
10. A change in the outer boundaries of the P.U.D.
11. A 30% or more change to the lot area of any lot contained within the P.U.D.

Any changes not falling into one or more of these categories may be made without having to re-approve the Preliminary Plat or Development Plan.

B. Final Plats and Plan

No changes may be made in a Final Plat or Development Plan unless it is re-approved by the Planning Commission, re-filed and/or re-recorded. Any change to a Final Plat which falls into the categories listed in 22.12 A. (1.-11.) shall require that a new Preliminary Plat be developed and re-approval applied for.

22.13 Schedule of Construction

The P.U.D. applicant shall submit a construction schedule with the Final P.U.D. Plat and Development Plan materials. The Planning Commission may request that certain improvements or land uses are constructed in a certain time frame or prior to other improvements or land uses. The Commission may also require that the applicant provide a certain amount of qualified construction management during certain technical construction phases of the P.U.D. project depending on the complexities involved.

22.14 Project Time Frame

All P.U.D.'s shall be primarily built-out within 5 years of obtaining Final Approval. The Planning Commission shall review the status of any P.U.D. not meeting this standard to determine if a different zoning classification should be placed upon the property or a construction extension granted. Any such extension shall not exceed an additional 5 years. Any P.U.D. which is still not built-out after such a 10 year period shall receive a new appropriate zoning classification as recommended by the Commission and approved by the Council in accordance with the re-zoning procedure as set forth in Article VI.

22.15 Issuance of Building Permits

Building Permits may be issued for any P.U.D. which has received Final Approval in accordance with the provisions of this ordinance. Building Permits shall only be for structures which conform with those illustrated on the Final P.U.D. Development Plan.

ARTICLE XXIII

COMMERCIAL-HOLDING ZONE STANDARDS (C-H)

23.1 Description of the Zone

The primary function of this zone is to retain land in a basically undeveloped state until the Planning Commission believes the conditions are right to develop it into commercial uses. The majority of this land is currently vacant and not contiguous to existing development; in most cases this land is located along future collector or arterial streets and/or future major intersections which have been planned for in the *Transportation Element* of the *Comprehensive Plan* but which have not yet been constructed; in other cases this land is along existing collector or arterial streets but is in an area in which the surrounding residential areas have not yet developed.

It is the intention of the Planning Commission that most of the land within this zone will be rezoned into the Commercial Zone at some point in the future when one or more of the following conditions develop:

- A. The planned collector or arterial is constructed and open to traffic, or the existing collector or arterial attains a high volume of traffic flow.
- B. The residential areas near the Commercial-Holding Zone have developed sufficiently to create a population which can adequately support the proposed commercial use.
- C. There is a city or area-wide demand for additional commercial land.
- D. A specific commercial use which would be an asset of great benefit to the city wants to locate on a specific Commercial-Holding parcel.
- E. Commercial, industrial, and/or residential growth has reached or is very near to reaching the Commercial-Holding Zoned land.
- F. Rezoning the property would act towards implementing the *Comprehensive Plan*.

Land placed within the Commercial-Holding Zone may be rezoned Commercially by a rezoning request initiated by the land owner, the Planning Commission, or the City Council, such a request shall follow the normal rezoning procedure as set forth in Article VI. Requests may also be made to rezone land zoned Commercial-Holding into a Residential or Industrial Zone; however, the applicant must make a case which clearly proves the land would be more appropriately zoned Residentially or Industrially than Commercially.

23.2 Permitted Uses

- A. All types of agricultural uses.
- B. Any residential structure existing as of the effective date of this ordinance which has been zoned C-H, shall be considered and treated as a conforming structure.
- C. One dwelling unit including one mobile home and/or any type of agriculture related buildings or structures on properties which meet the definition of Agricultural Properties as set forth in Article II. There shall be no Building Permits, Certificates of Occupancy, height, yard or location requirements imposed on structures located on agricultural property with the exception of set-back requirements needed for the protection of existing and/or proposed streets and regulations which restrict building placement in flood plains. (Note: The regulations set forth in 23.3; 23.4; 23.5; 23.6 and 23.7 shall not apply to agricultural property in the C-H Zone.)
- D. Home Occupations in accordance with Article IX.
- E. Public and Quasi-Public uses on a Conditional Use basis.

23.3 Lot Coverage

- A. Residential Uses - 10% maximum; 90% of the lot shall remain as vegetated, landscaped or cultivated open space.
- B. Public and Quasi-Public Uses - 75% maximum; 25% of the lot shall remain as vegetated and/or landscaped open space.

23.4 Required Set-Backs and Dimensional Requirements

- A. Front-Yard (any yard adjacent to a street) - 40 feet
- B. Side-Yard - 25 feet
- C. Rear-Yard - 25 feet
- D. Minimum width of lot at front building line - 200 feet (This dimension is to be measured as close to parallel to the front line as possible.)

23.5 Parking Requirements

All parking facilities shall be designed and constructed in accordance with the Parking Design and Construction Standards as set forth in Article XI.

23.6 General Design and Improvement Standards

All developments within this zone shall comply with the appropriate standards set forth in Article IV of this ordinance.

23.7 General Development Regulations

All developments within this zone shall comply with the appropriate standards set forth in Article III of this ordinance.

ARTICLE XXIV

COMMERCIAL ZONE STANDARDS

24.1 Description Of The Zone

Certain areas of the city are designated as Commercial Zones. The zone is designed to permit the transaction of business in separate areas, which are conducive to the particular type of business, in a manner which does not interfere with the surrounding land use, devalue adjacent residential property or create traffic congestion. It is intended that each commercial use will provide for good traffic and pedestrian circulation, adequate landscaping, buffering, fencing and vegetated open spaces and that each and every commercial use shall contribute to the beauty, convenience and attractiveness of the Radcliff business community.

24.2 Permitted Uses

Any type of land use which can normally be classified as commercial in nature and other public and quasi-public uses shall be allowed in this zone if the following conditions exist:

- A. The use has proper access to a transportation facility which can adequately handle the traffic flow anticipated to be created from the specific use.
- B. The site and building design for the use is handled in a manner which makes the use compatible with the surrounding land uses.
- C. The specific use is not prohibited from locating within the zone by a provision of this ordinance.
- D. Street Vendor meeting the definition as described in Article II of this ordinance are allowed uses, with the permission of the property owner where stands are to be set up, during the hours of daylight only. The only exception to the hours of operation are during festivals, grand openings and special events or with the permission of the Planning Commission or their Designated Agent.

This ordinance rests upon the premise that most types of commercial land uses may be placed upon any specific Commercially Zoned lot as long as condition 1 exists and as long as the building and site are designed to meet condition 2. Due to this basic assumption different land uses will be required to use different site and building designs depending on the intensity of the use and the type of land which surrounds them. For example a gasoline service station would be required to emphasize compatibility to a much greater degree on a site which is adjacent to residential land than it would on a site which is surrounded by Commercial and/or Industrially zoned land.

The intent of this regulation is to allow flexibility in locating different types of commercial, public and quasi-public uses within the Commercial Zone while insuring that a good

transition is made between commercial, public and quasi-public and residential land uses.

The following land uses are expressly prohibited from locating in the Commercial Zone:

- Motor Vehicle Towing and/or Storage Class I
- Flea Market (Outdoor)
- Salvage Yards
- Trucking/Transport Firms
- Warehousing Operations (other than mini-storage warehouse facilities)
- Wholesaling Operations (other than those which sell the majority of their products to the general public)

The following land uses are allowed in the Commercial Zone on a conditional use basis, all such uses must obtain a Conditional Use Permit as set forth in Article X.

- Recycling Collection Centers With Minor Processing (paper, plastic and aluminum products)
- Lodges & Clubs
- Commercial Campground/Trailer Park (short term)
- Mobile Homes Used As Commercial Structures
- Circus & Carnival Grounds
- Nursing/Convalescent Homes
- Pre-Schools
- Charitable Gaming Establishments

The following public and quasi-public uses are allowed as permitted uses in the Commercial Zone:

- Schools & Educational Facilities
- Boarding Houses/Group Homes
- Churches & Religious Facilities
- Child Care/Day Care Centers
- Halfway House
- Libraries
- All Types of Public Buildings
- Recreational Facilities (public and private)
- Motor Vehicle Towing and/or Storage Class II

24.3 Lot Coverage And Vegetation Requirements

- A. The vegetated and/or landscaped open space is required to fulfill several objectives, including:
 - 1. To provide for adequate aquifer-recharge areas.
 - 2. To filter debris, sedimentation and other pollutants from the surface water run-off before it exits from the lot.
 - 3. To improve air quality.

4. To provide shade and a general cooling effect.
 5. To soften and improve the appearance of Radcliff's commercial areas.
- B. The landscaped and/or vegetated open space shall be located, to the degree practical, in locations which are:
1. Clearly visible from the street.
 2. In drainage channels and/or at drainage exit points.
 3. In locations where it can be enjoyed by the customers of the business, and/or the general public.
- C. All uses within the Commercial Zone shall cover no more than 90% of their lot with buildings, structures, parking and/or drive areas; 10% of their lot shall be left in vegetative and/or landscaped open space unless design option 1, 2 or 3 are utilized as set forth within:
1. Design Option 1: The lot coverage may be increased to 95% and the vegetative and/or landscaped open space may be reduced to 5% if the applicant agrees to place all parking facilities in the side and/or rear-yard and to leave the front-yard as vegetative and/or landscaped open space with the exception of areas needed to house the necessary ingress and egress drives. Under this design option the minimum front-yard set-back shall be reduced to 30 feet.
 2. Design Option 2: The lot coverage may be increased to 92.5% and the vegetative and/or landscaped area may be reduced to 7.5% if at least half of the vegetated and/or landscaped area is located in such a manner that it is visible from the street and the remainder is placed in a drainage channel or drainage exit point.
 3. Design Option 3: The applicant may propose alternative designs which meet the objectives set forth in section 24.3 of this article. Said design shall only be allowed if it receives the approval of the Planning Commission.

Properties approved under either Design Option 1, 2 or 3 shall not be allowed to infringe upon the required vegetated and/or landscaped open space areas with future building, parking or other types of expansion.

24.4 Minimum Lot And Zone Areas

A. Zone Area

The minimum size for one independent and free-standing Commercially Zoned area

shall be 30,000 sq. ft.

B. Lot Area

The required lot area shall have a direct relationship to the size of the proposed structure, the area required for parking and the area needed to meet the vegetated open space and/or landscaped area requirement. It may be necessary to provide more than the minimum lot area due to increases in the open space and/or landscaping provided to achieve compatibility between the proposed land use and surrounding land uses. The minimum required lot area shall be as follows: Total Ground Floor Building Area (1) + Total Parking Facility Loading Facility & Driving Lane Area (2) + Total Vegetated and/or Landscaped Open Space Area (3) = Total Required Lot Size. (Note: However, in no case shall a commercial lot contain less than 5,000 s.ft.)

Definition of Formula Terms

1. Total Ground Floor Building Area: Is the total area occupied by the ground level floors of all structures (principal and accessory) to be located upon the lot. (NOTE: If future expansions are planned their projected ground floor areas should also be calculated.)
2. Total Area To Be Used For Parking And/Or Loading Facilities And Driving Lanes: Is the total area occupied by all parking and/or loading facilities and driving lanes on the site. (NOTE: This area may be estimated by multiplying the number of parking spaces required by 350 sq. ft. The number of parking and loading spaces required for specific uses is set forth in Article XI Parking Standards.
3. Total Vegetated And/Or Landscaped Open Space: Is the total needed to meet the minimum vegetated and/or landscaped open space requirement. This requirement will often be exceeded to achieve compatibility with surrounding residential land uses and to achieve design excellence.

C. Structures Per Lot

There shall be only one (1) principal structure placed on each lot unless a Planned Building Group has been approved in accordance with Article XII.

24.5 Minimum Required Set-Backs & Dimensional Requirements

- A. Front-Yard: All structures shall be set-back not less than 40' from any property line which is adjacent to a street right-of-way unless the 30' design option is used as outlined in 24.3 C.1.
- B. Side-Yard: All structures shall be set-back not less than 10' from any side property line unless one of the following conditions apply:

1. The side property line is adjacent to residential property in which case the set-back shall be increased to 40'.
2. The building is proposed to be connected to the side wall of another adjacent building, which shall only be allowed under the following conditions:
 - a. All of the buildings are permitted uses within the Commercial Zone.
 - b. All of the buildings to be connected shall be constructed at the same time; or the new building will be built onto an existing building and the owner of the existing building has agreed to the common wall; or the person proposing to build the structure on the property line which is adjacent to a vacant lot has the legally binding and written consent from the owner of said adjacent lot that when a building is placed upon the vacant lot said building will connect to the existing adjacent structure.
 - c. Emergency access to the rear of all connected buildings is guaranteed.
 - d. An appropriate common/party wall agreement is submitted, approved and filed with the Planning Commission or their authorized agent.
 - e. The minimum side-yard set-back for the two (2) end buildings is doubled.
 - f. All applicable fire and building codes are met.
- C. Rear-Yard: All principal structures shall be set-back no less than 20' from the rear property line unless the rear property line is adjacent to residential property in which case the set-back shall be increased to 40'.
- D. Minimum Width of Lot at Front Building Line: No minimum width required; however, all lots shall be wide enough at the front building line to accommodate the proposed structure and meet the required side-yard set-backs. Variances shall not be granted from persons who wish to place buildings that are too large for lots which have been subdivided after the effective date of this ordinance. It is understood that some lots will be simply too small to accommodate certain types of structures. The subdivider is hereby warned of the dangers of subdividing land into narrow lots which will be severely limited as to the type of structures which may be sited upon them.

24.6 Parking Requirements

- A. All parking facilities shall be designed and constructed in accordance with the Parking Design and Construction Standards found in Article XI.
- B. If all parking facilities are placed in the side and/or rear-yards and if the front-yard is

left as vegetated and/or landscaped open space, except for ingress and egress drives, then the lot coverage may be increased and the front-yard set-back decreased as set forth in 24.3 C. 1 of this article.

- C. Handicapped Spaces: Commercial uses shall provide handicapped spaces as required by federal or state laws and/or local building codes.

24.7 Compatibility Standards

All commercial uses which are adjacent to residential areas shall be designed and constructed in a manner which creates a high degree of compatibility between these land uses. The best test of compatibility is whether the commercial use has a negative effect on the quality of the residential living environment and whether the commercial use devalues the adjacent residential property. No commercial use shall be allowed adjacent to a residential area unless the Planning Commission finds the use compatible. Compatibility can be achieved through the use of any combination of the following site design techniques:

- A. Using architectural styles for the commercial buildings which relate to the building materials, scale, size and general design used for adjacent residential structures.
- B. Providing additional vegetated and/or landscaped open space which approximates the open space provided in adjacent residential areas.
- C. Providing screening which adequately shields the adjacent residential areas from the incompatible aspects of the commercial activity including: noise, light, signage, and any incompatible building and/or parking designs. Such screening may consist of heavy landscaping, fencing, earthen berms or any combination of these elements.
- D. Providing vegetated open space, buffer-yards and/or landscaping which softens the appearance of the commercial use.

24.8 Required Screening Of Dumpsters, Waste Materials & Outer Boundary of Zone

- A. All dumpsters for waste disposal shall be adequately screened from street and/or general public view.
- B. Any outdoor storage of waste materials or refuse shall be adequately screened from street and/or general public view.
- C. An appropriate screen (vegetation and/or fencing) shall be constructed along the outer boundary of the Commercial Zone. Said screening shall be approved by the Planning Commission as to location, height, material and/or vegetation types. Said screening shall function to increase the compatibility between the land uses contained in the adjacent zones. Said screening may be waived by the Planning Commission in cases where the adjacent land will remain vacant or where the screening is not desirable or logical for some other unique reason.

24.9 Commercial Development Site Plan Required

Prior to the issuance of a building permit for the construction of any new commercial building or any addition to an existing commercial building, if said addition contains more than 500 sq. ft., the applicant shall develop and have approved a development site plan. Said plan shall be approved by the authorized agent of the Planning Commission. The commercial development site plan will be approved if it conforms to all appropriate development standards contained within this ordinance. Development plans must be completed within one (1) year from the date of approval. If substantial construction has occurred during the first one (1) year period and the project is not complete, a Planning Department Official may grant a six (6) month extension in order to expedite completion of the development plan. Any development plans that have not been completed in the allotted time frame shall be considered void. If a six (6) month extension of the development plan is granted, no additional fees need to be paid.

A. Format

All commercial development plans shall be developed within the following format:

1. Be drawn on a minimum size sheet of 8 1/2 inches by 11 inches.
2. Be drawn at a minimum scale of 1 inch equals 20 feet.
3. Be drawn upon a survey indicating the outer boundaries of the lot.
4. Any survey or re-survey shall be provided by a qualified, registered land surveyor.
5. All engineering data shall be provided by a qualified, registered professional engineer.
6. Information found on deeds and/or approved Final or Preliminary Plat Packages may be used and/or referenced in meeting format and content requirements, including contour and boundary data, if such information is believed to be accurate.

B. Contents

All commercial development plans shall contain the following contents:

1. The dimension and bearing of all lot lines, and the total square footage contained in the lot.
2. Developments shall provide two (2) foot contour information when the Planning Commission or their authorized agent believes that the slope of the land may present a development problem. Two (2) foot contour information

shall be provided if any of the following conditions exist:

- a. The site contains existing areas with slopes greater than 10%.
 - b. The site contains areas which will be cut or filled to depths greater than four (4) feet.
 - c. The site contains elevation changes in excess of ten (10) feet. The Planning Commission or their authorized agent may require that both the existing and the proposed final contours of the entire site are provided or that the contours be provided only at certain locations as deemed necessary by the specific land use, site, drainage system and characteristics of the surrounding land.
3. Shall indicate the zoning of the lot and all adjacent properties, including those across from any adjacent streets.
 4. Shall indicate the land use of all adjacent properties, including those across from any adjacent streets.
 5. Shall indicate the following information regarding the principal structure and all accessory structures to be constructed on the site:
 - a. The exact location of all proposed structures and/or existing structures.
 - b. The outer dimensions, the total square footage of the ground floor and the number of stories and height for all structures.
 - c. The proposed use to be contained in each structure.
 - d. The distance from each structure to the property line.
 - e. The location of all major entrances.
 6. The layout of the parking and driving lanes shall be provided, including:
 - a. The number, size, design, surfacing material and location of all parking spaces.
 - b. The location, width and surface materials of all driving lanes.
 - c. The location, width and surface materials of all curb-cuts (entrances) and the distance to any adjacent curb-cuts (entrances).
 - d. The direction of traffic flow.

7. The location and size of all easements, in the case of drainage easements the proposed final cross-sections and approximate grade for drainage channels and the size and location of any drainage pipes shall be indicated.
8. Evidence shall be provided that the organizations for whom any easements indicated have been provided have found the easements to be acceptable. This standard may have been previously met in obtaining Preliminary and Final Plat approval in which case it does not apply unless the size, location or function of the recorded easement is proposed to be changed.
9. The location of any major waste disposal containers and the location, height, and material for the required screening.
10. The amount of the lot, in square feet to remain as vegetated and/or landscaped open space. Said vegetated and/or landscaped areas shall be indicated and the type of vegetation and/or landscaping shall also be noted.
11. The material, location and height of any fencing shall be indicated.
12. The location, size, height and type of illumination for all signs which contain more than six (6) square feet of total display area.
13. The location and construction design for all sidewalks.
14. The name, right-of-way and pavement width of all adjacent streets.
15. The direction for storm-water flow, the major drainage channels and the ultimate receiver of the storm-water.
16. The location and construction design for any sedimentation and erosion control devices and the time frame in which they are to be installed and removed.
17. The location and approximate size of any flood-prone areas; sinkhole basins, or other areas with severe environmental constraints.
18. The location and height of any street and/or security lighting.
19. The location, size, height and type of vegetative screening.
20. The location, depth and proposed final embankment slope for any areas proposed to be cut or filled one (1) foot or more.
21. Information regarding the size, location, and surface of any open space and/or recreational facility to be reserved for private and/or public use.
22. Title block placed in the lower right hand corner which contains the

following information:

- a. Commercial building name.
- b. Property Owner: The name, mailing address and phone number of property owner and/or applicant.
- c. Identification of person who prepared the site plan.
- d. Legend Information: A graphic scale, written scale, north point and date of preparation.

24.10 General Lot Development And Design Standards

- A. All commercial lot development shall be done in accordance with the Design and Improvement Standards set forth in Article IV and the General Development Standards set forth in Article III.
- B. Outdoor lighting may be provided which adequately lights all major parking facilities and commercial buildings but shall be designed and located in such a manner so that it does not flood adjacent residential properties with light.
- C. Pump islands for gasoline service stations shall be located no closer than fifteen (15) feet to any lot line adjacent to a street (does not apply to reverse-frontage lots).

24.11 Disapproval Of Commercial Development Site Plans

Whenever any commercial development site plan has been disapproved by the Planning Commission or their authorized agent, the applicant shall be notified in writing within ten (10) working days of the disapproval and of the reason for the disapproval. In the case of disapproval

the applicant has three (3) options: (A) To revise the plan to address the deficiencies; (B) To appeal the decision; (C) To not pursue the development.

In the case of resubmittal of revised plans there shall be no limit to the number of times an applicant may submit a plan for a particular piece of property.

In the case of appeal, if the disapproval was made by the Planning Commission's authorized agent then the appeal may be made to the Planning Commission; or if disapproval is made or reaffirmed by the Planning Commission then the applicant may appeal this decision to the Radcliff Board of Adjustments. All appeals to the Board of Adjustments shall be made within thirty (30) days of the receipt of the written notice of disapproval and shall conform with the appeal procedures set forth in K.R.S. 100.257, 100.261, and 100.263.

24.12 Approval Of Commercial Development Site Plans

Once a commercial development site plan has been approved, the Planning Commission or their authorized agent shall notify the applicant (in writing) and the Building Department of the approval. No building permits shall be issued for any buildings until said approval has been granted. All approved commercial development plans shall be kept on file in the Planning Commission's office.

24.13 Amendment To Commercial Development Site Plans

Any change in the information regarding lot dimensions; building (size, location, or use); the size, number, or location of parking and/or driving facilities; sidewalks; open space; landscaping; screening; lighting; and/or the size, height or illumination of signs shall cause the approved commercial development site plan to be voided and an amended plan filed and approved.

ARTICLE XXV

INDUSTRIAL-HOLDING ZONE STANDARDS (I-H)

25.1 Description of the Zone

The primary function of this zone is to retain land in a basically undeveloped state until the Planning Commission believes the conditions are right to develop it into industrial uses. The majority of this land is currently vacant and not contiguous to existing development, and/or adjacent to future planned arterial or collector streets set forth in the *Transportation Element* of the *Comprehensive Plan*.

It is the intention of the Planning Commission that most of the land within this zone will be rezoned into the Industrial Zone at some point in the future when one or more of the following conditions develop:

- A. The planned arterial or collector is constructed and open to traffic.
- B. There is a city or area-wide demand for additional industrial land.
- C. A specific industrial use, which would be an asset of great benefit to the city, wishes to locate on particular Industrial-Holding Zoned site.
- D. Rezoning the property would act towards implementing the *Comprehensive Plan*.

Land placed within the Industrial-Holding Zone may be zoned Industrial by a rezoning request initiated by the land owner, the Planning Commission or the City Council. Such a request shall follow the normal rezoning procedures as set forth in Article VI. Requests may also be made to rezone land zoned Industrial-Holding into a Residential or Commercial Zone; however, the applicant must make a case which clearly proves the land would be more appropriately zoned Residentially or Commercially than Industrially.

25.2 Permitted Uses

- A. All types of agricultural uses.
- B. Any residential structure existing as of the effective date of this ordinance which has been zoned I-H, shall be considered and treated as a conforming structure.
- C. One dwelling unit including one mobile home and/or any type of agriculture related buildings or structures on properties which meet the definition of Agricultural Properties as set forth in Article II. There shall be no Building Permits, Certificates of Occupancy, height, yard or location requirement imposed on structures located on agricultural property with the exception of set-back requirements needed for the protection of existing and/or proposed streets and regulations which restrict building

placement in flood plains. (Note: The regulations set forth in 25.3; 25.4; 25.6 and 25.7 shall not apply to agricultural property in the I-H Zone.)

- D. Home Occupations in accordance with Article IX.
- E. Public and Quasi-Public uses on a Conditional Use basis.

25.3 Lot Coverage

- A. Residential Uses - 10% maximum; 90% of the lot shall remain as vegetated, landscaped or cultivated open space.
- B. Public and Quasi-Public Uses - 75% maximum; 25% of the lot shall remain as vegetated, landscaped or cultivated open space.

25.4 Required Set-Backs and Dimensional Requirements

- A. Front-Yard (any yard adjacent to a street) - 50 feet
- B. Side-Yard - 25 feet
- C. Rear-Yard - 25 feet
- D. Minimum width of lot at front building line - 200 feet (This dimension is to be measured as close to parallel to the front property line as possible.)

25.5 Parking Requirements

All parking facilities shall be designed and constructed in accordance with the Parking Design and Construction Standards as set forth in Article XI.

25.6 General Design and Improvement Standards

All developments within this zone shall comply with the appropriate standards set forth in Article IV of this ordinance.

25.7 General Development Regulations

All developments within this zone shall comply with the appropriate standards set forth in Article III of this ordinance.

ARTICLE XXVI

INDUSTRIAL ZONE STANDARDS

26.1 Description of the Zone

Certain areas of the city are designated as Industrial Zones. These areas are located in areas where they will not interfere with other types of districts and will provide suitable sites for development of good industrial areas. It is the intent of this ordinance that industrial uses located within this zone will not devalue adjacent properties, interfere with surrounding land uses or create traffic congestion. It is further intended that each industrial use will provide for good vehicular and pedestrian circulation, adequate landscaping, buffering, fencing and vegetated open space and that each and every industrial use shall contribute to the beauty, convenience and attractiveness of the Radcliff Industrial Community.

26.2 Permitted Uses

Any type of land use which can normally be classified as industrial in nature shall be allowed in this zone unless expressly prohibited herein, as long as the following conditions exist:

- A. The use has proper access to a transportation facility which can adequately handle the traffic flow anticipated to be created from the specific use.
- B. The site and building design for the use is handled in a manner which makes the use compatible with the surrounding land uses.

This ordinance rest upon the premise that most types of industrial land uses may be placed upon any Industrially Zoned lot as long as condition 1 exist and the proposed building and site design meets condition 2. Due to this basic assumption different land uses will be required to use different site and building designs depending on the intensity of the use and the type of land which surrounds them. As a result an industrial use which is adjacent to a residential area will have to emphasize compatibility to a much greater degree than it would if it were adjacent to a commercial or industrial area. The intent of this regulation is to allow flexibility in locating different types of industrial uses within the Industrial Zone while insuring compatibility between the different industrial uses and between the industrial land uses and any surrounding land uses.

The following land uses are expressly prohibited from locating in the Industrial Zone unless the lot area requirements are tripled, the maximum lot coverage reduced to 40% and a Conditional Use Permit obtained as set forth in Article X:

- *Junk Yards/Operations
 - Auto Salvage Yards/Operations
 - Scrap Yards/Operations
 - Nuclear Dumps, Plants and/or Storage Facilities
 - Mining and Extraction Operations

The following land uses are allowed in the Industrial Zone on a Conditional Use basis, all such uses must obtain a Conditional Use Permit as set forth in Article X:

- *Motor Vehicle Towing and/or Storage Class I
 - Mini-Storage Warehouses
 - Wholesaling Operations
 - Offices (Personal or Business Service of Corporate or Public)
 - Banks

26.3 Lot Coverage

75% maximum; 25% of the lot shall remain as vegetated and/or landscaped open space.

26.4 Minimum Lot and Zone Area

A. Zone Area

The minimum size for an independent and free-standing Industrially Zoned area shall be 3 acres.

B. Lot Area

The required lot area shall have a direct relationship to the size of the proposed structure, the area required for parking and the area needed to meet the vegetated open space and/or landscaped area requirement. It may be necessary to provide more than the minimum lot area due to increases in the open space and/or landscaping provided to achieve compatibility between the proposed land uses and surrounding land uses. The minimum required lot area shall be as follows: Total Ground Floor Building Area¹ + Total Parking Facility, Loading Facility & Driving Lane Area² + Total Vegetated and/or Landscaped Open Space Area³ = Total Required Lot Size. (Note: However, in no case shall an industrial lot contain less than 20,000 square feet.)

Definition of Formula Terms

1. Total Ground Floor Building Area: Is the total area occupied by the ground level floors of all structures (principal and accessory) to be located upon the lot (Note:

*Amended July 25, 1991

If future expansions are planned their projected ground floor area should also be calculated.)

2. Total Area to be used for Parking and/or Loading Facilities and Driving Lanes: Is the total area occupied by all parking and/or loading facilities and driving lanes on the site. This area may be estimated by multiplying the total number of parking spaces required by 350 square feet and adding the square footage of any areas used for loading facilities and/or large truck parking to the total. (Note: The number of parking and loading spaces required for specific uses is set forth in Article XI, Parking Standards.
3. Total Vegetated and/or Landscaped Open Space: Is the total needed to meet the minimum vegetated and/or landscaped open space requirement of 25% of the final lot area. This requirement will often be exceeded to achieve compatibility with surrounding residential land uses and to achieve design excellence.

26.5 Minimum Required Set-Backs & Dimensional Requirements

- A. Front-Yard - All structures shall be set-back not less than 50' from any property line which is adjacent to a street right-of-way unless the 35' design option is used as outlined below:

Industrial site designs which place all parking facilities in the side and/or rear yards shall be allowed to reduce their front-yard set-back from 50' to 35' and increase their lot coverage from 75% to 80%. In this design only ingress and egress drives shall be allowed in the front yard and the remaining portion shall be kept as vegetated and/or landscaped open space. Properties approved with this design option shall not be allowed to infringe upon the required vegetated and/or landscaped area with future building parking or other types of expansions.

- B. Side-Yard - All structures shall be set-back not less than 15' from any side property line unless one of the following conditions apply:
 1. The side property line is adjacent to residential property in which case the set-back shall be increased to 50'.
 2. The building is proposed to be connected to the side wall of another adjacent building, which shall only be allowed under the following conditions:
 - a. All of the buildings are permitted uses within the Industrial Zone.
 - b. All of the buildings to be connected shall be constructed at the same time or the new building will be built onto an existing building. The owner of the existing building has agreed to the common wall; or the person proposing to build the structure on the property line which is adjacent to a vacant lot has the legally binding and written consent from the owner of

- said lot that when the principal structure is built upon the vacant lot said structure will connect to the existing adjacent structure.
- c. Emergency access to the rear of all connected buildings is guaranteed.
 - d. An appropriate common/party wall agreement is submitted, approved and filed with the Planning Commission or their authorized agent.
 - e. The minimum side-yard set-back for the two (2) end buildings is doubled.
 - f. All applicable fire and building codes are met.
- C. Rear-Yard - All principal structures shall be set-back not less than 25' from the rear property line unless the rear property line is adjacent to residential property in which case the set-back shall be increased to 50'.
- D. Minimum Width of Lot at Front Building Line - No minimum width required; however, all lots shall be wide enough at the front building line to accommodate the proposed structure and meet the required side-yard set-backs. Variances shall not be granted from persons who wish to place buildings that are too large for lots which have been subdivided after the effective date of this ordinance. It is understood that some lots will be simply too small to accommodate certain types of structures. The subdivider is hereby warned of the dangers of subdividing land into narrow lots which will be severely limited as to the type of structures which may be sited upon them.

26.6 Parking Requirements

- A. All parking facilities shall be designed and constructed in accordance with the Parking Design and Construction Standards found in Article XI.
- B. If all parking facilities are placed in the side and/or rear-yards and if the front-yard is left as vegetated and/or landscaped open space, except for ingress and egress drives, then the lot coverage may be increased and the front-yard set-backs decreased as set forth in section 26.5 (A.).
- C. Handicapped Spaces - Industrial uses shall provide handicapped spaces as required by federal or state laws and/or local building codes.

26.7 Compatibility Standards

All industrial uses which are adjacent to residential and/or commercial areas shall be designed and constructed in a manner which creates a high degree of compatibility between these land uses. The best test of compatibility is whether the industrial use has a negative effect on the quality of the residential living environment, the commercial business environment or devalues the adjacent residential and/or commercial property. Industrial land use shall not be allowed adjacent to residential areas unless the Planning Commission finds the use compatible. Compatibility can be achieved through the use of any combination of the following site design techniques:

- A. Using architectural styles for the industrial buildings which relate to the building materials, scale, size and general design used for residential and/or commercial structures.
- B. Providing additional vegetated and/or landscaped open space which approximates the open space provided in adjacent residential areas.
- C. Providing screening which adequately shields the adjacent residential and/or commercial areas from the incompatible aspects of the industrial activity including: Noise, light, signage and any incompatible building and/or parking designs. Such screening may consist of heavy landscaping, fencing, earthen berms or any combination of these elements.
- D. Providing vegetated open space, buffer-yards and/or landscaping which softens the appearance of the industrial use.

26.8 Required Screening of Dumpsters, Waste Materials & Zone Outer Boundary

- A. All dumpsters for waste disposal shall be adequately screened from street and/or general public view.
- B. Any outdoor storage of waste materials or refuse shall be adequately screened from street and/or general public view.
- C. An appropriate screen (vegetation and/or fencing) shall be constructed along the outer boundary of the Industrial Zone. Said screening shall be approved by the Planning Commission as to location, height, material and/or vegetation types. Said screening shall function to increase the compatibility between the land uses contained in the Industrial Zone and the existing and/or future land uses contained in the adjacent zones. Said screening may be waived by the Planning Commission in cases where the adjacent land will remain vacant or where the screening is not desirable or logical for some other unique reason.

26.9 Industrial Development Site Plan Required

*Prior to the issuance of a Building Permit for the construction of any new industrial building or any addition to an existing industrial building, if said addition contains more than 500 sq. ft., the applicant shall develop and have approved a development site plan. Said plan shall be approved by the Planning Commission or their authorized agent unless the industrial lot is adjacent to a residential area in which case the plan may only be approved by the Planning Commission. The industrial development site plan will be approved if it conforms to all appropriate development standards contained within this ordinance.

- A. Format
All industrial development plans shall be developed within the following format:

*Amended September 24, 1992

1. Be drawn on a minimum size sheet of 8 1/2 inches by 11 inches.
2. Be drawn at a minimum scale of 1 inch equals 20 feet.
3. Be drawn upon a survey indicating the outer boundaries of the lot.
4. Any survey's or re-surveys shall be provided by a qualified, registered land surveyor.
5. All engineering data shall be provided by a qualified, registered professional engineer.
6. Information found on deeds and/or approved Final or Preliminary Plat Packages, including contour and boundary data, may be used and/or referenced in meeting format and content requirements if such information is believed to be accurate.

B. Contents

All Industrial Development Plans shall contain the following contents:

1. The dimension and bearing of all lot lines, and the total square footage contained in the lot.
2. Developments shall provide 2 foot contour information when the Planning Commission or their authorized agent believes that the slope of the land may present a development problem. Two (2) foot contour information shall be provided if any of the following conditions exist:
 - a. The site contains existing areas with slopes greater than 10%.
 - b. The site contains areas which will be cut or filled to depths greater than 4 feet.
 - c. The site contains elevation changes in excess of 10 feet.

The Planning Commission or their authorized agent may require that both the existing and the proposed final contours of the entire site are provided or that the contours be provided only at certain locations as deemed necessary by the specific land use, site, drainage system and characteristics of the surrounding land.

3. Shall indicate the zoning of the lot and all adjacent properties, including those across from any adjacent streets.
4. Shall indicate the land use of all adjacent properties including those across from any adjacent street.

5. Shall indicate the following information regarding the principal structure and all accessory structures to be constructed on the site:
 - a. The exact location of all proposed structures and/or existing structures.
 - b. The outer dimensions, the total square footage of the ground floor and the number of stories and height for all structures.
 - c. The proposed use to be contained in each structure.
 - d. The distance from each structure to the property line.
 - e. The location of all major entrances.
6. The layout of the parking and driving lanes shall be provided, including:
 - a. The number, size, design, surfacing material and location of all parking spaces.
 - b. The location, width and surface materials of all driving lanes.
 - c. The location, width and surface materials of all curb-cuts (entrances) and the distance to any adjacent curb-cuts (entrances).
 - d. The direction of traffic flow.
7. The location and size of all easements, in the case of drainage easements the proposed final cross-sections and approximate grade for drainage channels and the size and location of any drainage pipes shall be indicated.
8. Evidence shall be provided that the organizations for whom any easements indicated have been provided have found the easements to be acceptable. This standard may have been previously met in obtaining Preliminary and Final Plat approval in which case it does not apply unless the size, location or function of the recorded easement is proposed to be changed.
9. The location of any major waste disposal containers and the location, height and material for the required screening.
10. The amount of the lot, in square feet to remain as vegetated and/or landscaped open space. Said vegetated and/or landscaped areas shall be indicated and the type of vegetation and/or landscaping shall also be noted.
11. The material, location and height of any fencing shall be indicated.
12. The location, size height and type of illumination for all signs which contain more than 6 square feet of total display area.
13. The location and construction design for all sidewalks.

14. The name, right-of-way and pavement width of all adjacent streets.
15. The direction for storm-water flow, the major drainage channels and the ultimate receiver of the storm-water.
16. The location and construction design for any sedimentation and erosion control devices and the time frame in which they are to be installed and removed.
17. The location and approximate size of any flood-prone areas, sinkhole basins, or other areas with severe environmental constraints.
18. The location and height of any street and/or security lighting.
19. The location, size, height and type of vegetative screening.
20. The location, depth and proposed final embankment slope for any areas proposed to be cut or filled one foot or more.
21. Information regarding the size, location, and surface of any open space and/or recreational facility to be reserved for private and/or public use.
22. Title block placed in the lower right hand corner which contains the following information:
 - a. Industrial building name.
 - b. Property Owner: The name, mailing address and phone number of property owner and/or applicant.
 - c. Identification of person who prepared the site plan.
 - d. Legend Information: A graphic scale, written scale, north point and date of preparation.

26.10 General Lot Development and Design Standards

- A. All industrial lot development shall be done in accordance with the design, improvement and development standards set forth in Articles III and IV of this ordinance.
- B. Outdoor lighting may be provided which adequately lights all major parking facilities and industrial buildings but shall be designed and located in such a manner so that it does not flood adjacent residential properties with light.
- C. Any industrial use of a property shall either occur within an enclosed structure or shall be developed and screened so that it presents an attractive appearance from the street view.

- D. All lots and structures shall be developed and operated in a manner which will, to the greatest extent possible, protect the surrounding lots from the emission of sound, vibration, heat glare, radiation and fumes emitted from any operation and shall in no case emit any of these nuisances to a dangerous degree.
- E. All flammable or explosive liquids, solids or gases shall be stored in containers and locations which meet all applicable fire codes.
- F. All outdoor storage facilities for fuel, raw materials and products; wrecking, storage or dismantling of vehicles or parts, junkyards and uses of a similar nature shall be enclosed by a screen, fence or wall adequate to conceal such facilities from adjacent property and from public streets and highways.
- G. Must provide and maintain a landscaped strip at least ten (10) feet wide along all street property lines, exclusive of drives and walks, and such landscape should not interfere with sight distances nor block needed views of buildings or their identification.

26.11 Disapproval of Industrial Development Site Plans

Whenever an Industrial Development Site Plan has been disapproved by the Planning Commission or their authorized agent, the applicant shall be notified in writing within 10 working days of the disapproval and of the reason for the disapproval. In the case of disapproval the applicant has three (3) options:

- A. To revise the plan to address the deficiencies;
- B. To appeal the decision;
- C. To not pursue the development.

In the case of resubmittal of revised plans there shall be no limit to the number of times an applicant may submit a plan for a particular piece of property.

In the case of appeal, if the disapproval was made by the Planning Commission's authorized agent then the appeal may be made to the Planning Commission; or if disapproval is made or reaffirmed by the Planning Commission then the applicant may appeal this decision to the Radcliff Board of Adjustments. All appeals to the Board of Adjustments shall be made within 30 days of the receipt of the written notice of disapproval, and shall conform with the appeal procedures set forth in K.R.S. 100.257, 100.261 and 100.263.

26.12 Approval of Industrial Development Site Plans

Once an Industrial Development Site Plan has been approved, the Planning Commission or their authorized agent shall notify the applicant (in writing) and the Building Department of the approval. No Building Permits shall be issued for any buildings until said approval has been granted. All

approved Industrial Development Plans shall be kept on file in the Planning Commission's office.

26.13 Amendment to Industrial Development Site Plans

Any change in the information regarding lot dimensions; building (size, location, or use); the size, number, or location of parking and/or driving facilities; sidewalks; open space; landscaping; screening; lighting; and/or the size, height or illumination of signs shall cause the approved Industrial Development Site Plan to be voided and an amended plan filed and approved.

ARTICLE XXVII

RESERVED

*ARTICLE XXVII-A

URBAN AGRICULTURE ZONE STANDARDS (AG)

27-A.1 Intent of the Zone

The AG Urban Agriculture Zone is established to retain land in a basically undeveloped state until the Planning Commission believes the conditions are right to develop it for residential, commercial or industrial uses. This zone also provides for agricultural and related open space uses for portions of the Radcliff urban service area. The majority of land within this zone is not contiguous to existing development at the time of the original adoption of this ordinance. It is the intent of the Planning Commission that land within this zone will be rezoned at some future date into one of the above mentioned zones. A request to rezone land zoned AG Urban Agriculture into a specific developmental zone may be initiated by the land owner, the Planning Commission or City Council; such a request shall follow the normal rezoning procedures as set forth in Article VI. In determining the most appropriate new zone to apply to this land, the Planning Commission shall consider the following:

- A. The type and adequateness of the transportation system which serves the property. The planned transportation system is constructed and open to traffic, or the existing transportation system attains a high volume of traffic flow.
- B. The nature of surrounding development and the compatibility of any new development.
- C. The environmental characteristics of the property.
- D. The City or area-wide demand for the specific zone requested.
- E. A specific developmental use, which would be an asset of great benefit to the city.
- F. Rezoning the property would act towards implementing the *Comprehensive Plan*.

27-A.2 Permitted Uses

- A. All types of agricultural uses, (Reference Article II).
- B. Limited single-family detached dwelling unit structures on tracts of land which contain five (5) or more acres.
- C. Limited commercial activity as a Home Occupation (Reference Article IX).
- D. One residential dwelling unit including one mobile home and/or any type of agricultural related building or structure on properties which meet the definition of agricultural properties (Reference Article II). There shall be no Building Permits, Certificates of

*Enacted August 30, 1990

Occupancy, height, yard or location requirement imposed on structures located on agricultural property with the exception of set-back requirements needed for the protection of existing and/or proposed streets and regulations which restrict building placement in flood plains.

ARTICLE XXVIII

*SIGNS AND BILLBOARDS

28.1 Purpose

The purpose of this chapter is to permit such signs that will not, by their reason, size, location, construction, or manner of display, endanger the public safety of individuals, confuse, mislead, or obstruct the vision necessary for traffic safety or otherwise endanger public health, safety and welfare; and to permit and regulate signs in such a way as to support and complement land use objectives set forth in *The Zoning Ordinance and General Developmental Regulations for the City of Radcliff*.

28.2 Definitions

For the purpose of this chapter, certain words or terms used herein shall be interpreted as follows:

- A. ABANDONED shall mean to cease or discontinue a use or activity.
- B. ERECT shall mean to build, construct, attach, hang, suspend, affix or paint walls with a message.
- C. FACING shall mean the surface area of one (1) side of the sign upon, against or through which the message is displayed or illustrated on the sign.
- **D. TOURISM OVERLAY ZONE shall mean the only area designated on the Official Zoning Map for the construction of billboards. (See Section 28.10.)
- E. PROPERTY OWNER shall include and be synonymous with "manager", "lessor", "lessee", "tenant" and "supervisor".
- F. SHOPPING CENTER shall mean a collection of five (5) or more retail or service business establishments grouped together and with three (3) or more of the following existing:
 - 1. The establishments are within one (1) building;
 - 2. The establishments are on the same lot;
 - 3. The establishments share parking;
 - 4. When the establishments are within more than one (1) building, the buildings have similar setback; and
 - 5. The establishments share ingress/egress.
- G. SIGN shall mean any device, fixture, placard, or structure that uses any color, form,

*Complete Chapter Amended April 29, 1993

** Amended July 25, 1996

graphic, illumination, symbol, or writing to advertise, draw attention to, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

1. **BILLBOARDS** shall mean a sign which has a flat sign space upon which advertising may be posted, painted or affixed, and which is primarily designed for the rental or lease of such space for advertising not relating to the use of the property upon which the sign exists.

BILLBOARD ADVERTISING shall mean the business of leasing or otherwise renting the use of or space on signs by the person who paints, prepares, erects or maintains said signs, but in whom title thereto remains at all times during such period of renting or leasing.

2. **GROUND SIGN** shall mean a permanent sign supported by one (1) or more poles, structures or other bases placed in or on the ground and not attached to the building, and must have a vertical clearance of eight (8) feet when projected over the sidewalk and/or sidewalk easement.
3. **PROJECTION SIGN** shall mean any permanent sign which is all or in part supported by or attached to a vertical portion of a building and extending beyond the surface of the building to which it is attached without ground support, to include awnings and canopies.
4. **ROOF SIGN** shall mean any permanent sign erected upon or over the roof of any building, with the principal support being the roof structure.
5. **WALL OR FACIA SIGN** shall mean any permanent sign painted on or secured and affixed to the building.
6. **TEMPORARY SIGN** shall mean any sign designed and constructed to be displayed on an interim basis or for a specified period of time. All portable signs shall be considered temporary signs.
7. **INFLATABLE DEVICE** shall mean any device of any design, figure or pattern constructed for a particular purpose which is expanded by gas or air that is secured by means of cables, anchors or lines to any solid surface.

- *H. **SIGN SUPPORT** shall mean the pole, sign frame, supporting frame work and all appurtenances needed or used to attach, hold, carry or fasten the sign. This includes all supports used to attach a roof, ground, wall or pole sign.

28.3 Exemptions

The provisions of this chapter shall not apply to the following on premise signs; however,

*Amended October 12, 2000

the signs shall not obstruct the vision necessary for traffic safety:

- A. Temporary unlighted real estate signs not exceeding sixteen (16) square feet which advertise the availability for sale, rental, lease or auction of the property and shall be placed only upon the premises for sale, rental, lease or auction.
- B. Signs painted or stenciled on the interior or exterior of the window.
- C. Signs not exceeding two (2) square feet, denoting the name and address of the residence.
- D. Public building or church signs not exceeding thirty-two (32) square feet.
- E. Signs not exceeding thirty-two (32) square feet, denoting the architect, engineer or contractor at a construction site; and said signs shall be removed no more than five (5) days after the completion date.
- F. Traffic or other municipally-owned or state-owned signs, legal notices, railroad crossing, danger or emergency signs.
- G. Non-advertising decorative lights and signs for holiday season.
- H. Directional signs not exceeding six(6) in number and three (3) square feet of facing per sign, for on-premises use regarding an on-premises service facility.
- I. Signs denoting operating instructions or menus for drive-in theaters, drive-in restaurants, and drive-through car washes wherein the lettering does not exceed one and one-half (1-1/2) inches in height.
- J. Unlighted yard signs not exceeding four (4) square feet, which advertise the availability for sale of personal property in residential areas.
- K. All commercial or manufacturer's special promotional banners shall be permitted, for no longer than thirty (30) days, as long as affixed flush against the building or hanging underneath the roofline of building or awning where the promotion is being held.
- *L. Signs advertising the election of a candidate for public office or another issue which is to be voted upon by the people of this city shall be permitted on private property and shall be removed no later than ten (10) days following the election date. Such signage shall not be permitted within any public rights-of-way or upon any city property. Violators of the above mentioned shall be subject to Article 28.11 Penalties, of this article.
- M. Legal notices not exceeding four (4) square feet to protect private property or caution of possible danger.
- N. One (1) sign advertising for civic clubs and churches within the city limits of Radcliff

*Amended December 1, 1994

not exceeding eight (8) square feet may be placed upon private property at the closest major or minor arterial of its location with approval from the Enforcement Officer, as well as another sign may be placed at the city limits.

- O. Non-advertising inflatable devices may be allowed with written approval from the Enforcement Officer.
- P. Any City of Radcliff sign.

28.4 General Regulations

The following requirements shall apply within any zoning district:

- ** *** A. Blending or intermittent illumination signs such as computer controlled message boards shall be allowed.
- *** B. Reserved for future use.
- C. No sign or lights shall contain or make use of any word, phrase, symbol, shape, form or character in such manner as to stop, slow, endanger or to turn traffic.
- D. No rotating sign shall exceed six (6) rounds-per-minute (RPM's) and no direct intermittent beam of light shall rotate or revolve.
- E. Signs may be illuminated by internal lighting or from an exterior source provided the beam of light from any source shall be concealed from the view of motorists.
- F. No sign shall be located on or project over any public right-of-way.
- G. A noncommercial, public-service announcement sign may be suspended across public streets or at other public places with written permission of the Enforcement Officer for a period not to exceed fourteen (14) days.
- H. No signs, placards, posters or notices shall be attached to poles, stanchions or supports constructed primarily for utilities and other purposes or functions.
- *I. All signs and sign supports shall be maintained in a good state of repair. Painted faces or structural members shall be repainted whenever significant peeling or fading occurs. Neon tubes, lamps and transformers shall be kept in a good working order. The Enforcement Officer may order the removal of any sign which becomes a public hazard due to lack of maintenance, repair or obsolescence. If the owner of the sign or structure fails to remove or alter the structure within thirty (30) days after written notice by certified mail or if the owner cannot be located, such sign or structure shall be removed by the Enforcement Officer subsequent to the following procedure being completed:

*Amended October 12, 2000

**Amended May 20, 2004

***Amended May 12, 2005

1. If the certified mail is not returned then it shall be construed that the appropriate party was in fact notified. As a result of the owners lack of attention the sign shall be considered abandoned and without value and shall be dismantled and disposed of by the order of the Enforcement Officer at the owner's expense.
2. In the event the mailed notice is returned, the City shall publish said notice one (1) time in a legal newspaper; and if the owner of the sign or structure fails to remove or alter the structure within ten (10) days thereafter, such sign or structure shall be removed by the Enforcement Officer at the expense of the owner.

*J. Off-premise signs shall not be permitted within the corporate limits of the City of Radcliff, except those signs which are listed in Section 28.3, Exemptions, and billboards which are regulated in Section 28.10, Placing Billboards in Tourism Overlay Areas. Billboards which predate these applicable sign regulations and are existing within the corporate limits of the City of Radcliff shall be deemed non-conforming.

K. All signs shall have a sign permit from the City of Radcliff. Application and detailed sketches shall be submitted by the owner and/or sign company to the Planning & Zoning Office. Any sign erected before the issuance of a sign permit shall be in violation of this ordinance.

***L. Temporary signs shall be permitted to announce the opening of a business operating for a specific period not exceeding thirty (30) days or a new business waiting to open. All other business shall be allowed the use of temporary signs with a written permit only. All temporary signs must be professionally designed and produced and must be placed on the property in which the special event is being held. The written permit for any business other than the ones listed above is good for seven (7) days only.

M. Businesses which are:

1. Located upon the same lot;
2. Located within the same structure; or,
3. Share common street frontage;

but are not classified as shopping centers as per Section 28.2 F of this ordinance shall be required to place all permitted ground signs on a common structure and not be allotted a separate ground sign for each business.

** ****N. Signs allowed within the City of Radcliff shall be of high quality and possess professional design standards. Sign materials must be durable in nature. The use of banner type materials, hand-painted materials and wood support posts (with the exception of those encased with a decorative vinyl or aluminum sleeve) for a permanent sign will not be allowed. The Enforcement Officer shall make an administrative review of all sign permit applications and detailed sketches considering questions of public safety, community aesthetics and professional design standards.

*Amended July 25, 1996 **Amended October 12, 2000
Amended May 12, 2005 *Amended January 16, 2014

- O. The Board of Adjustment shall have the responsibility for administrative review regarding all decisions of the Enforcement Officer. Appeals to the Board of Adjustment shall follow the procedures set forth within KRS 100.257; 100.261 and 100.263.
- P. During the construction of any planned shopping center area or residential subdivision there shall be permitted a sign of not more than two hundred fifty (250) square feet of displayed surface area pertaining to sale, rental, lease, and/or identification of the center or subdivision. Such signs may be permitted until the completion of the construction of the project and/or until the majority of homes or stores have been leased or purchased. Such decisions are to be made by the Enforcement Officer.
- *Q. All obsolete signs, signs which no longer give a current description of the business or services available on the premise, must be removed. The removal of the sign also includes the removal of all sign supports as described in Section 28.2.

Sign Structures/Supports that are Exempt from removal, as required in Q. above are:

1. Sign Structures/Supports that still contain the sign framework and have blank faces inserted. These blank faces must be of the same color and material as the remaining sign faces on the structure.
2. Sign Structures/Supports which are in serviceable condition.
3. Sign Structures/Supports including framework must be of a professional design and quality. The painting of plywood signs attached to poles, walls or to the roof, must be removed.

28.5 Residential Districts

The following requirements shall apply within all residential districts:

- A. Those having an approved Home Occupation Permit shall not be allowed a sign for advertising purposes.
- B. One (1) identification ground sign shall be permitted for each multiple-family structure or complex. The ground sign shall not exceed thirty-two (32) square feet. The sign shall indicate only the name and address of the premises, the name of the management and the availability of rental units. Where a complex has more than one (1) building, and the buildings are owned by different people, then each structure that is owned by different people shall be permitted to have a ground sign, which is not to exceed sixteen (16) square feet. Condominiums and town houses must comply to 28.3 (c).
- *C. Subdivision identification sign/signature entrance: Each entrance to the subdivision shall have no more than two signs per entrance and shall only contain the name of and the

*Amended October 12, 2000

establishment date for the subdivision.

1. A subdivision identification sign/signature entrance is any wall(s), fence(s), guard house or similar structure exceeding four feet in height, constructed at an entrance to any subdivision.
2. Location:
 - a. All signs shall be required to setback no less than 10 feet off the paved surface of the street.
 - b. The sign/entrance shall not obstruct the natural roadside drainage or through drainage facilities and shall allow for adequate sight distance.
 - c. The Planning Department may require that the locations of the proposed sign/entrance be staked in the field and reviewed and approved prior to construction.
 - d. Signs/entrances shall not be permitted within utility or drainage easements without prior approval from the agency to whom the easement has been dedicated.
 - e. Signs/entrances shall not be permitted within the right-of-way of major arterial, minor arterial or collector roadways except those collector roadways functioning as the primary entrance to the proposed development and provided that approval from the Planning Department and any other appropriate authority is obtained.
 - f. Signs/entrances may be located within the right-of-way of a local street if it has been approved by the Planning Department.
 - g. Encroachment permits and proof of permanent maintenance must be received for any sign/entrance to be located within a right-of-way prior to construction plan approval.
 - h. Prior to construction of any sign/entrance within a right-of-way, an indemnity agreement must be provided by the developer or owner to the City. Such agreement shall conform to the format approved by the Planning Commission.
 - i. Any public agency responsible for maintenance of facilities within the right-of-way may require, for any reason, the removal of a sign/entrance located within the right-of-way. The removal shall be

done at the owner(s) expense and within 30 days from receiving written notice.

3. Height: The height of a sign/entrance shall be measured from the ground to the highest point, including columns or other ornamentation. When constructed on man made berms, the berm will be considered in the overall height. The maximum height of a signature entrance shall be 15 feet. Light fixtures and guardhouses may be extend an additional four feet.
 4. Length: The maximum length of a sign/signature entrance shall not exceed 100 feet on each side of the entrance roadway. Any structure extending beyond this length shall be considered a fence or wall and the requirements for walls and fences shall apply.
 5. Proximity to Structure on Lot and Driveways: Signs/entrance shall be constructed a minimum of 20 feet from any dwelling or driveway entrance.
- D. No billboards, projection, wall or roof signs shall be permitted.
- E. Land uses within the residential zones which exist by merit of a conditional use permit as established within the Radcliff Zoning Ordinance, Article X, may be allowed signs which conform to standards set within this ordinance for the commercial zone. Applications for such signs will be reviewed by the Enforcement Officer which shall consider the application's compatibility and appropriateness with existing land uses. The Board of Adjustment shall have exclusive judgment in this matter and may limit or establish conditions upon the application.

28.6 Commercial and Industrial Districts

The following requirements shall apply within Commercial and Industrial Zoned districts excluding shopping centers:

The Enforcement Officer may approve any sign applications for a total of four (4) signs per business or industry establishment. No more than four (4) signs on premises will be permitted to any applicant. Possible sign combinations or maximum number of signs by type are as follows:

- A. GROUND SIGN - The number of ground signs on premises permitted per commercial or industrial establishment shall be based upon one (1) sign per street frontage. No ground sign facing shall exceed two hundred fifty (250) square feet and all portions of the sign shall not encroach within the established right-of-way in any manner. Ground signs that project over the sidewalk and sidewalk easement must have a vertical clearance of eight (8) feet in height.
- B. WALL SIGN - Applicant may be permitted a maximum of three (3) wall signs to be placed on the structure in an area below the roof line. No wall sign shall have a sign area exceeding thirty (30) per cent of the facia or wall area or three hundred (300) square feet.

- C. PROJECTION SIGN - Applicant may be permitted one (1) projection sign which shall not extend more than ten (10) feet outward nor extend above the height of the building. Projection signs shall maintain a clear height of eight (8) feet above any sidewalk, paved or ground surface measuring from the bottom of the sign to the soil, pavement or sidewalk. Projection signs shall be prohibited to extend over any area used by traffic or delivery vehicles. No projection sign area shall exceed fifty (50) square feet.
- D. ROOF SIGN - Applicant may be permitted one (1) roof sign which shall not extend beyond the edge of the roof nor extend more than ten (10) feet beyond the highest point of the building. No roof sign shall exceed two hundred fifty (250) square feet.
- E. INFLATABLE DEVICE SIGN - Applicant may be permitted one (1) inflatable advertising device which shall not be extended to such a vertical height that if the wind blew it over it would extend beyond the property line of the business.

Signs shall not be placed in the area known as the vision triangle of an intersection of any number of streets. The vision triangle shall be the area within a triangle beginning at the point of intersection of two streets and continuing along those streets away from said beginning point for a distance of twenty-five (25) feet with a line connecting the two sides forming a base and enclosing the area. Nothing shall be erected, placed, planted or allowed to grow in such a manner as to impede vision within this area or any ingress/egress area onto any street.

28.7 Shopping Centers

The following requirements shall apply within all shopping centers:

- A. One wall or facia sign for each permitted use within the shopping center, not to exceed one hundred twenty-five (125) square feet for each structure up to fifty (50) feet in width, plus one (1) square foot of displayed surface area for each additional foot in width, but in no case shall the sign exceed thirty (30) per cent of the area of the facade of the building. This sign may be illuminated. Where a building is exposed to more than one (1) street, one (1) additional sign shall be permitted for each street exposure; provided, however, that in no case shall the area of each of the additional signs exceed one hundred twenty-five (125) square feet.
- B. Where the shopping center has a completely covered sidewalk, there shall be permitted an additional sign outside and at ninety (90) degrees to each business hung from the ceiling of the covered sidewalk. This sign will be limited to the name of the store and the type of business or service provided. It shall not exceed fifteen (15) square feet for each of the two (2) displayed surface areas.
- C. The shopping center shall be permitted one (1) ground sign per three hundred (300) feet of street frontage, and fraction thereof. The displayed surface area for all ground signs shall not be more than three hundred (300) square feet for each street frontage per facing.

However, if the shopping center is bordered by more than one (1) street an extra sign shall be permitted on each street on which the shopping center has frontage in excess of two hundred (200) feet. In addition the shopping center may have one (1) ground sign located off premises. The ground sign not located on the premises shall be located within two thousand five hundred (2,500) feet of the premises and must be located next to the major and/or minor street artery affording direct access to the property. Each business shall be permitted one (1) ground sign as component to the shopping center sign. The off premises shopping center sign shall not exceed three hundred (300) square feet of facing.

- D. One (1) sign with not over twelve (12) square feet of displayed surface area, pertaining only to the private sale, rental or lease of the premises upon which it is displayed, except that on a building under construction an additional sign shall be permitted with not over thirty-two (32) square feet of displayed surface area pertaining to the names of contractors, sub-contractors and names of the suppliers of materials used in the construction of the building and the names of the architect, engineer, landscape architect and other professional people directly employed on the design of the building or lot upon which the sign is displayed.

28.8 Permits

The following requirements shall apply within all zoning districts:

- A. All signs shall have a sign permit from the City of Radcliff.
- B. A fee shall be required for all sign permits, the amount to be established by the City Council. Sign permit applications shall be made upon forms provided by the Planning & Zoning Office. All signs shall comply with the provisions of this chapter, and it shall be the duty of the Enforcement Officer to examine the specifications and the premises involved for compliance of all applications.

***28.9 Removal of Abandoned Signs**

If any sign and or sign structure/support within the City of Radcliff has been abandoned said sign and or sign structure/support shall be removed by order of the Enforcement Officer under the following conditions:

- A. The sign and or sign structure/support has been abandoned for a period not less than one hundred twenty (120) days. At this time the sign and or sign structure/support shall be considered to have no value by reason of the owners abandonment or lack of a purchaser or contract.
- B. Any occasion in which the sign and or sign structure/support is destroyed to a degree of fifty (50) per cent or greater.

The owner shall be notified by certified mail as to the required one hundred twenty (120) day

*Amended October 12, 2000

time period within which to act. The one hundred twenty (120) day clock shall commence with the date upon the correspondence provided to the owner. If the owner cannot be located, then notice shall be advertised within a legal newspaper describing the location of the sign, any identifiable message, and the one hundred twenty (120) day removal requirement commencing with the date of the newspaper.

28.10 Placing Billboards in Tourism Overlay Areas

The Tourism overlay area shall be any parcel which abuts KY 313 from the east side of 31-W to South Boundary Road (see Radcliff Official Zoning Map).

Applicants wishing to obtain a permit to construct a billboard in an Overlay Area must receive approval from the Planning Commission.

- A. The applicant shall submit the following information to the Planning Commission:
1. A general site layout of the property where the sign is proposed to be located. This layout must include proposed landscaping and be to scale.
 2. Scaled drawings of what the billboard will look like, including the position of lighting.
 3. The distance from existing billboards.
 4. Photographs of the area where the billboard is proposed to be located.
- B. The Planning Commission shall use the following to guide their decision:
1. Will the proposed billboard be located within an approved Tourism Overlay Area?
 2. Will the proposed billboard be of all metal construction? (Wood poles, supports or framing shall be prohibited.)
 3. The billboard may be no smaller than two-hundred (200) square feet and no larger than three-hundred (300) square feet.
 4. No billboard shall be placed any closer than 1000 feet from any existing or approved billboard.
 5. Will the proposed billboard blend well with the adjacent areas? (Each application shall be reviewed on its own merit.)
 6. Have the landscaping requirements been properly met? (The Commission shall require any landscaping it feels would be needed on a case by case basis.)

- C. Approved billboard permits from the Planning Commission shall only be valid for a period of six (6) months. If the applicant does not construct the billboard within six (6) months from the date of approval they must start the process over and resubmit their application to the Planning Commission.

***28.11 Penalties**

Any person who violates any of the provisions of this article for which no other penalty is provided shall upon conviction be fined in an amount not less than twenty dollars (\$20.00) nor more than two hundred fifty dollars (\$250.00). Each day of the violation shall constitute a separate offense. Any person violating this ordinance may also be found guilty of a civil offense. The civil fine shall be no less than twenty dollars (\$20.00) nor more than two hundred fifty dollars (\$250.00). The civil fine shall be paid directly to the City of Radcliff. If the fine is not paid within thirty (30) days from the date of notification, then the City may recover said fine in a civil action in a Court of proper jurisdiction. The City may also obtain injunctions or abatement orders to ensure compliance with this ordinance or pursue administrative remedies when appropriate, including injunctions and abatement proceedings.

*Amended October 12, 2000

ARTICLE XXIX

*CELLULAR ANTENNA TOWERS AND CELLULAR TELECOMMUNICATIONS SERVICES STANDARDS

29.1 Purpose

The purpose of this chapter is to provide for the safest and most efficient integration of cellular antenna towers for cellular telecommunications services or personal communications services within the community; to provide for such facilities in coordination with the recommendations of the comprehensive plan; and to allow for such facilities with the intention of furthering the public health, safety, and general welfare.

29.2 Pre-application Conference

Applicants are encouraged to notify the Planning Commission's duly authorized representative; to discuss proposals; allow for early coordination; and to identify those items which are in conformance/nonconformance with the comprehensive plan, local zoning ordinances, and the provisions of these regulations.

29.3 Definitions

For the purpose of this chapter, the following definitions shall apply:

1. CELLULAR ANTENNA TOWER: A tower constructed for, or an existing facility that has been adapted for, the location of transmission or related equipment to be used in the provision of cellular telecommunications services or personal communications services.
2. CELLULAR TELECOMMUNICATIONS SERVICES: A retail telecommunications service that uses radio signals transmitted through cell sites and mobile switching stations.
3. CO-LOCATION: Locating two (2) or more transmission antennas or related equipment on the same cellular antenna tower.
4. PERSONAL COMMUNICATIONS SERVICE: As defined in 47 U.S.C. sec. 332(c).
5. UNIFORM APPLICATION: Means an application for a certificate of convenience and necessity issued under KRS 278.020 submitted by a utility to the Public Service

*Adopted March 25, 1999

Commission to construct an antenna tower for cellular telecommunications services or personal communications service in a jurisdiction, that has adopted planning and zoning regulations in accordance with KRS Chapter 100, except for any county that contains a city of the first class.

6. UTILITY: Any person except a city, who owns, controls, or operates or manages any facility used or to be used for or in connection with:
 - a. The generation, production, transmission, or distribution of electricity to or for the public, for compensation, for lights, heat, power, or other uses;
 - b. The production, manufacture, storage, distribution, sale, or furnishing of natural or manufactured gas, or a mixture of same, to or for the public, for compensation, for light, heat, power, or other uses;
 - c. The transporting or conveying of gas, crude oil, or other fluid substance by pipeline to or for the public, for compensation.
 - d. The diverting, developing, pumping, impounding, distributing, or furnishing of water to or for the public, for compensation;
 - e. The transmission or conveyance over wire, in air, or otherwise, of any message by telephone or telegraph for the public, for compensation; or
 - f. The treatment of sewage for the public, for compensation.

29.4 General

Cellular antenna towers for cellular telecommunications services or personal communications services may be allowed in any zone after a planning commission review in accordance with the following procedures to ascertain agreement with the adopted comprehensive plan and the regulations contained within the zoning ordinance, and after being granted a Certificate of Necessity and Convenience by the Public Service Commission.

29.5 Applicability

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 cellular telecommunications services or personal communications services shall submit a copy of the utility's completed uniform application to the planning commission within five (5) consecutive days of applying to the Public Service Commission for a Certificate of Necessity and Convenience.

29.6 Application Requirements

Applications for the construction of cellular antenna towers for cellular telecommunications services or personal communications services shall include the following:

1. All information that the applicant is required to submit to the Public Service Commission, per the requirements of the uniform application.
2. A copy of the applicant's FCC license, or, if the applicant is not an FCC license holder, a copy of at least one letter of commitment from an FCC license holder to locate at least one antenna on the applicant's tower.
3. Radio frequency requirements, as follows:
 - a. General coverage area, including overlap ("hand-off") area with other sites.
 - b. Specific (targeted) coverage area(s) and required field strength(s).
 - c. System specifications of the proposed site and adjoining sites, including:
 - i. Number of antennas and sectors.
 - ii. Model and manufacture of antennas.
 - iii. Antenna specifications, including horizontal and vertical beam width, gain, down tilt (electrical and mechanical), and horizontal and vertical radiation patterns.
 - iv. Orientation (azimuth) of antennas and sectors, in degrees, including reference to true north.
 - v. Effective radiated power (ERP) of each antenna.
 - vi. Transmission line size and number.
 - vii. Geographical coordinates of tower location.
 - viii. Height of the antenna center of radiation, above ground level and above mean sea level.
 - ix. Frequency or frequency band(s) of operation used by the provider for coverage analysis.
 - d. Search "ring" area used by the provider to locate the site.
4. Unless co-locating, certification, supported by evidence, that co-location of the proposed facility with an existing approved tower or facility cannot be accommodated. The applicant's certification shall include a listing of all existing towers and facilities within a two (2) mile radius of the proposed tower location, a description of each existing site, and a discussion of the ability or inability to co-locate on each existing site, according to the following:
 - a. No existing towers or facilities are located within a two (2) mile radius of the proposed tower location.
 - b. Existing towers or facilities are not of sufficient height to meet the applicant's engineering requirements.
 - c. Existing towers or facilities do not have sufficient structural strength to support the applicant's proposed antenna(s) or related equipment.

- d. The applicant's planned equipment would cause frequency interference with other existing or planned equipment of the tower or facility, or the existing or planned equipment of the tower or facility would cause frequency interference with the applicant's planned equipment, and which cannot be reasonably prevented.
 - e. Unwillingness of the owner/owners of the existing tower or facility to entertain a co-location proposal.
 - f. Existing towers are not located within a reasonable distance to provide the necessary coverage.
5. Unless co-locating, certification, supported by evidence, that the proposed site is appropriate site for the location of the facility. The applicant's certification shall include a listing of at least three (3) potential sites within a one (1) mile radius of the proposed tower location, a description of each potential site, and a discussion of the ability or inability of the site to host such a facility, according to the following:
- a. Unwillingness of the site owner(s) to entertain such a facility.
 - b. Topographic limitations of the site.
 - c. Adjacent impediments that would obstruct adequate transmission.
 - d. Physical site constraints that would preclude the construction of such a facility.
6. A statement demonstrating that the proposal is in agreement with the adopted comprehensive plan and is in conformity with these regulations.
7. A development plan, drawn to a scale not smaller than one (1) inch equals one hundred (100) feet, showing the following information, where applicable. The Planning Commission's duly authorized representative may waive the submission of such data involving detailed engineering study until such time as the application has been approved.
- a. The total area of the site in question;
 - b. All public and private rights-of-way and easement lines located on or adjacent to the subject property which are proposed to be continued, created, enlarged, relocated, or abandoned;

- c. Existing topography, and approximate delineation of any topographical changes shown by contour with intervals not to exceed five (5) feet;
- d. Location, height, arrangement, and identification of all nonresidential buildings, structures, and uses on the subject property and, where applicable, location and arrangement of all lots with lot dimensions;
- e. Location and arrangement of all common open space areas, and methods of ownership and operation and maintenance of such lands shall be identified;
- f. Landscaping features, including identification of planting areas and the location, type, and height of walls and fences;
- g. Location of signs, indicating their orientation, size, and height;
- h. All utility lines and easements:
 - i. Water distribution systems, including line sizes, width of easements, type of pipe, location of hydrants and valves, and other appurtenances;
 - ii. Sanitary sewer system, including pipe sizes, width of easements, gradients, type of pipes, invert elevations, location and type of manholes, the location, type, size of all lift or pumping stations, capacity, and process of any necessary treatment facilities, and other appurtenances;
 - iii. Storm sewer and natural drainage system, including pipe and culvert sizes, gradients, location of open drainage courses, width of easements, location and size of inlets and catch basins, location and size of retention and/or sedimentation basins;
 - iv. Other utilities (e.g., electric, telephone, etc.) including the type of service and the width of easements;
- (9) Location of all off-street parking, loading and/or unloading, and driveway areas, including typical cross sections, the type of surfacing, dimensions, and the number and arrangement of off-street parking and loading and/or unloading spaces;

- (10) Circulation System:
 - (i) Pedestrian walkways, including alignment, grades, type of surfacing, and width;
 - (ii) Streets, including alignment, grades, type of surfacing, width of pavement and right-of-way, geometric details, and typical cross sections;
- (11) Provisions for control of storm water detention/retention, erosion, hillside slippage and sedimentation, indicating the temporary and permanent control practices and measures which will be implemented during all phases of clearing, grading, and construction;

29.7 Processing of Application:

Applications for the construction of cellular antenna towers for cellular telecommunications services or personal communications services shall be processed as follows:

- 1. New Sites:
 - A. At least one (1) public hearing on the proposal shall be held, at which hearing interested parties and citizens shall have the opportunity to be heard. Notice of the time and place of such hearing shall be published at least once, but may be published two (2) or more times, in a newspaper of general circulation in the county, provided that one (1) publication occurs not less than seven (7) calendar days nor more than twenty-one (21) calendar days before the occurrence of such hearing.
 - B. Notice of the hearing shall be posted conspicuously on the property in question, for fourteen (14) consecutive days immediately prior to the hearing. Said posting shall consist of one or more signs, constructed of durable material, and clearly depicting the following information: “(Name of utility) proposes to construct a telecommunications (“tower” or “monopole”) on this site” (a minimum of one (1) inch high lettering); date, place, and time of public hearing (one (1) inch high lettering); and address, including telephone number, of the planning commission where additional information regarding hearing may be obtained.
 - C. Notice of the hearing shall be given at least fourteen (14) days in advance of the hearing, by first class mail, with certification by the commission secretary, or

other officer of the planning commission, that the notice was mailed to an owner of every parcel of property within five hundred (500) feet of the base of the proposed tower or monopole. It shall be the duty of the person(s) proposing the facility to furnish to the planning commission the names and addresses of said property owners. Records maintained by the property valuation administrator may be relied upon conclusively to determine the identity and address of said owner. In the event such property is in condominium or cooperative forms of ownership, then the person notified by mail shall be the president or chairperson of the owner group which administers property commonly owned by the condominium or cooperative owners. A joint notice may be mailed to two or more co-owners of an adjoining property who are listed in the property valuation administrator's records as having the same address.

- D. Upon holding such hearing, the planning commission shall, within sixty (60) days commencing from the date that the application is received by the planning commission, or within a date specified in a written agreement between the planning commission and the applicant, make its final decision to approve or disapprove the uniform application. The planning commission shall submit to the Public Service Commission, along with their action, the bases for their decision. If the planning commission fails to issue a final decision within sixty (60) days, and if there is no written agreement between the planning commission and the utility to a specific date for the planning commission to issue a decision, it is presumed that the planning commission has approved the utility's uniform application.

2. Previously Approved Site:

- A. For facilities located on previously approved sites, the planning commission shall review the application for its conformity with these regulations and the regulations contained within the zoning ordinance.
- *B If an officer of the planning commission determines that the application is in conformity with these regulations and all regulations contained within the zoning ordinance, an administrative approval may be granted.
- C. If an officer of the planning commission determines that the application is not in conformity with these regulations and all regulations contained within the zoning ordinance, a public hearing, pursuant to Section 29.6, 1. of these regulations, shall be scheduled.

*Amended, October 4, 2007

29.8 Design Standards

At the time of application submittal, the applicant shall provide information demonstrating compliance with the following requirements. Where the planning commission, or its duly authorized representative, finds that circumstances or conditions relating to the particular application are such that one or more of the requirements listed below are not necessary or desirable for the protection of surrounding property or the public health, safety, and general welfare, and that such special conditions or circumstances make one or more said requirements unreasonable, the planning commission, or its duly authorized representative, may modify or waive such requirement, either permanently or on a temporary basis. Any such modification or waiver shall be requested by the applicant, and the applicant shall submit a written justification for each requested modification or waiver.

1. All structures, except fences, shall be located at least fifty (50) feet from the property line or lease line of any residentially zoned property.
2. A cellular antenna tower, or alternative antenna tower structure, may be constructed to a maximum height of two hundred (200) feet regardless of the maximum height requirements listed in the specific zoning district. This also applies to any tower taller than fifteen (15) feet constructed on the top of another building or structure, with the height being the overall height of building/structure and tower together, measured from the grade to the highest point. The planning commission may allow antennas greater than two hundred (200) feet in height upon review of the applicant's justification that the additional height meets the criteria identified in Section 29.6 above.
3. When any cellular antenna tower, or alternative antenna tower structure is proposed, the applicant shall furnish the planning commission with a certification from an engineer registered in the Commonwealth of Kentucky that the tower will meet the current ANSI/EIA/222-F standards and other applicable state standards.
4. Cellular antenna towers shall not be illuminated, except in accord with other state or federal regulations.
5. The site shall be unstaffed. Personnel may periodically visit the site for maintenance, equipment modification, or repairs. To accommodate such visits, ingress/egress shall only be from approved access points.
6. Woven wire or chain link (eighty (80) percent open) or solid fences made from wood or other materials (less than fifty (50) percent open), shall be used to enclose the site. Such fences shall not be less than four (4) feet in height nor more than eight (8) feet in height. The use of barbed wire, or sharp pointed fences shall be prohibited. Such fences may be located within the front, side, or rear yard.

7. Screening shall be required where the site in question abuts residentially zoned property. Screening shall be provided by evergreen trees, with a minimum height of six (6) feet, planted in a staggered pattern at a maximum distance of fifteen (15) feet on center. The screening shall be placed in an area between the property line, or lease line, and a ten (10) foot setback.
8. Any site to be purchased or leased for the installation of a cellular antenna tower, or alternative antenna tower, and ancillary facilities, shall be at least five thousand (5,000) square feet in area.
9. Surfacing of all driveways and off-street parking areas shall comply with the requirements of the applicable local zoning ordinance.
10. There shall be no signs permitted, except those displaying emergency information, owner contact information, warning or safety instructions, or signs which are required by a federal, state, or local agency. Such signs shall not exceed five (5) square feet in area.
11. All new cellular antenna towers shall be designed and constructed to accommodate a minimum of three (3) service providers.
12. All option and site lease agreements shall not prohibit the possibility of co-location.
- *13. To ensure the removal of all improvements at any abandoned telecommunications facility, any applicant filing a request under these regulations shall, at the time of submittal, deposit with the planning commission, and to the benefit of the planning commission, a letter of credit, a performance bond, or other security acceptable to the planning commission in an amount equal to the cost of demolition and removal of the facility, if the cost is more than the security then the developer/owner shall pay the difference. Any guarantee submitted shall be irrevocable and shall provide for the planning commission to collect the full amount of the guarantee if the applicant fails to maintain the guarantee.

29.9 Criteria

Evaluation of the proposal shall be based upon the following criteria:

1. Agreement with the various elements of the adopted comprehensive plan, and where applicable, any other adopted plan.
2. Extent to which the proposal is consistent with the purposes of these regulations.

*Amended August 15, 2002

3. Adequacy of the proposed site, considering such factors as the sufficiency of the size of the site to comply with the established criteria, the configuration of the site, and the extent to which the site is formed by logical boundaries (e.g., topography, natural features, streets, relationship of adjacent uses, etc.).
4. Extent to which the proposal responds to the impact of the proposed development on adjacent land uses, especially in terms of visual impact.
5. Extent to which the proposed cellular antenna tower is camouflaged (i.e., use of “stealth technology”).
6. Extent to which the proposed facility is integrated with existing structures (i.e., buildings, signs).

29.10 Amendments:

Any amendments to plans, except for minor adjustments as determined by the planning commission, or its duly authorized representative, shall be made in accordance with the procedure required by Section 29.6, above, subject to the same limitations and requirements as those under which such plans were originally approved.

29.11 Penalties:

Any person who violates any of the provisions of this article for which no other penalty is provided shall upon conviction be fined in an amount not less than twenty dollars (\$20.00) nor more than two hundred fifty dollars (\$250.00). Each day of the violation shall constitute a separate offense. Any person violating this ordinance may also be found guilty of a civil offense. The civil fine shall be no less than twenty dollars (\$20.00) nor more than two hundred fifty dollars (\$250.00). The civil fine shall be paid directly to the City of Radcliff. If the fine is not paid within thirty (30) days from the date of proper notification, then the City may recover said fine in a civil action in a Court of proper jurisdiction. The City may also obtain injunctions or abatement orders to insure compliance with this ordinance or pursue administrative remedies when appropriate, including injunctions and abatement proceedings.

ARTICLE XXX

* LANDSCAPING STANDARDS

30.1 Purpose

The purpose of this chapter is to provide standards for the conservation and protection of the land, water, air, vegetation and other natural resources of the City of Radcliff. These landscaping standards are intended to provide a means for alleviating erosion, siltation, and other harmful effects of land-disturbing activities on neighboring land and streams by ensuring that the owner of the property on which land-disturbing activities are to be carried out provides adequate controls on erosion and sedimentation, and takes necessary measures to preserve and protect trees and other vegetation during all phases of land-disturbing activity.

30.2 Development Regulated

The three types of development that are regulated by landscaping standards include existing development, proposed development and sites in the process of a land use change. These types of development shall be regulated as follows:

- A. No proposed commercial or industrial development shall be constructed unless landscaping standards in this chapter are followed.
- B. No existing site development, building or structure shall be moved, removed or reconstructed unless landscaping requirements of this ordinance are met.
- C. All sites for which the land use is being changed must comply with the landscaping standards set forth in this ordinance.
- D. No proposed off-street parking and off-street loading areas shall be constructed unless landscaping standards in this chapter are followed.

30.3 Development Exempted

- A. All existing site development that is not being moved, removed or reconstructed is exempt from the standards set forth in this chapter.
- B. Single-family detached housing development is exempt from the standards contained in this chapter.
- C. The construction of an addition that is less than 50% of the gross floor area of the principal structure warrants exemption from the regulations set forth in this chapter.

*Enacted May 24, 2001

- D. The construction of an accessory structure shall not require the owner to comply with the requirements in this chapter.
- E. In the case of a proposed shared access easement between adjacent properties, the landscape buffer may be adjusted or exempted to allow for the allocation of a shared entrance.

30.4 **Definitions**

For the purpose of this chapter, the following definitions shall apply:

- A. BERM shall refer to an earthen mound covered with vegetation that is designed to provide visual interest, screen undesirable views, and/or decrease noise.
- B. BUFFER shall refer to a combination of physical space and vertical elements, such as plants, berms, fences, or walls, whose purpose is to separate and screen incompatible land uses from each other.
- C. CONSTRUCTION LINE shall refer to a line drawn on a landscape plan that encompasses the area where all proposed building on the site is expected to take place.
- D. DECIDUOUS shall refer to a plant with foliage that is shed annually.
- E. EVERGREEN shall refer to a plant with foliage that persists and remains green year-round.
- F. GROUND COVER shall refer to grasses or other plants and landscaping grown to keep soil from being blown or washed away.
- G. HEDGES shall refer to a landscape barrier consisting of a continuous, dense planting of shrubs.
- H. LANDSCAPING shall refer to any combination of living plants (such as grass, ground cover, shrubs, vines, hedges or trees) and nonliving landscape material (such as rocks, pebbles, sand, mulch, walls, fences or decorative paving materials).
- I. SCREEN shall refer to a method of reducing the impact of noise and unsightly visual intrusions with less offensive or more harmonious elements, such as plants, berms, fences, walls, or any appropriate combination thereof.
- J. SHADE TREE shall refer to a tree planted primarily for its high crown of foliage or overhead canopy; generally the term shade tree refers to a deciduous tree rather than an evergreen.

- K. SHRUB shall refer to a woody plant, smaller than a tree, consisting of several small stems from the ground or small branches near the ground; may be deciduous or evergreen.
- L. TREE shall refer to a large, woody plant having one or several self-supporting stems or trunks and numerous branches. A tree may be classified as deciduous or evergreen.
- M. TERMINAL PARKING ISLANDS shall refer to any parking island at the terminus of a continuous row of abutting parking spaces.
- N. WOODLANDS, ESTABLISHED shall refer to existing trees and shrubs of a number, size, and species that accomplish the same general function as new plantings.

30.5 Conflicts

If the provisions of this chapter conflict with the standards set forth in another chapter of this ordinance, the more stringent limitation or requirement shall govern or prevail to the extent of the conflict.

30.6 Landscape Buffer Chart

PROPOSED USE	ABUTTING USE				
	SINGLE FAMILY DETACHED	SINGLE FAMILY ATTACHED AND DUPLEXES	APARTMENTS, TOWNHOUSES, CONDOMINIUMS	COMMERCIAL USE	INDUSTRIAL USE
SINGLE FAMILY DETACHED					
SINGLE FAMILY ATTACHED AND DUPLEXES	TYPE 1		TYPE 2	TYPE 2	TYPE 2
APARTMENTS, TOWNHOUSES, CONDOMINIUMS	TYPE 2	TYPE 1		TYPE 2	TYPE 2
COMMERCIAL USE	TYPE 4	TYPE 4	TYPE 4		TYPE 3
INDUSTRIAL USE	TYPE 4	TYPE 4	TYPE 4	TYPE 3	

Note: Public and Quasi-Public Uses shall be regulated as commercial uses

30.7 Landscape Buffer Types

All landscape buffers shall be classified within four different categories. The four categories of landscape buffers include Type 1, Type 2, Type 3 and Type 4 buffers.

The four buffer types are defined as follows.

- A. TYPE 1 BUFFER shall be defined as a 25% minimum area of the required side and rear yard building setbacks, abutting the property line, that shall be used solely for landscaping purposes. This buffer must consist of one tree per 40 linear feet of boundary plus a continuous four foot high hedge, fence or wall along the boundary of the more restrictive zone.
- B. TYPE 2 BUFFER shall be defined as a 35% minimum area of the required side and rear yard building setbacks, abutting the property line, that shall be used solely for landscaping purposes. This buffer must consist of one tree per 40 linear feet of boundary plus a continuous four foot high hedge, fence or wall along the boundary of the more restrictive zone.
- C. TYPE 3 BUFFER shall be defined as a 25% minimum area of the required front, side and rear yard building setbacks, abutting the property line, that shall be used solely for landscaping purposes. This buffer must consist of one tree per 40 linear feet of boundary plus a continuous four foot high hedge, fence or wall along the boundary of the more restrictive zone.
- D. TYPE 4 BUFFER shall be defined as a 35% minimum area of the required front, side and rear yard building setbacks, abutting the property line, that shall be used solely for landscaping purposes. This buffer must consist of one tree per 30 linear feet of boundary plus a continuous four foot high hedge, fence or wall along the boundary of the more restrictive zone.

30.8 Tree Planting Standards

- A. Immediately upon planting, all trees shall be a minimum of 8 feet in height and shall have a minimum caliper of one and one half (1.5) inches.
- B. Immediately upon planting, shrubs shall be a minimum of 1.5 feet in height.
- C. Screening materials used within the landscape buffer are not limited to trees and may also include the use of berms, walls and fences.
 - 1. The minimum berm height is 1.5 feet with a minimum slope of 2:1 with a minimum crown width of 2 feet.
 - 2. All berms must be covered with grass.
 - 3. Fences and walls must not consist of corrugated metal, corrugated fiberglass, sheet metal, or wire mesh.

4. Loading docks, loading spaces and service or maintenance areas must be screened from residential areas with a minimum six-foot-high completely opaque fence, a six-foot-high berm or a six-foot-high evergreen screen.
- D. Areas surrounding trees in all landscape buffers must be landscaped with grass, ground cover or other appropriate landscaping materials. Any form of pavement shall not be considered an appropriate landscaping material.
- E. All landscape buffers abutting parking areas or driving aisles shall be surrounded by a continuous, raised, reinforced, concrete curb.

30.9 Landscaping of Interior Off-Street Parking Areas

Landscaping the interior of off-street parking areas is required for all parking areas. The landscaping of interior off-street parking areas shall be in compliance with the following standards.

- A. All rows of parking spaces shall be provided a terminal parking island at the end of each row to protect parked vehicles, provide visibility, confine moving traffic to aisles and driveways and provide space for landscaping.
- B. All landscaped parking islands that are parallel to parking spaces on both sides of the island must be at least nine feet wide to permit the simultaneous opening of vehicle doors on either side. Terminal parking islands must be a minimum of six feet wide.
- C. Terminal parking islands for a single row of parking spaces shall consist of a minimum of one tree along with vegetative ground cover or grass.
- D. Terminal parking islands for a double row of parking spaces shall consist of a minimum of two trees along with vegetative ground cover or grass.
- E. In parking lots containing twenty-five or more parking spaces, a row of parking spaces shall contain no more than fifteen contiguous spaces without providing a landscaped parking island of at least the dimensions of one space.
- F. Off-street parking areas that are composed of double rows of abutting side-by-side parking spaces must provide a continuous landscaped divider strip centered on the dividing line between such rows of spaces. The divider strip shall have a minimum width of five feet and shall be surrounded by a raised curb with grass planted within the divider. A minimum of one tree shall be planted in the landscape divider strip for every five abutting parking spaces.
- G. All interior landscaped areas shall be landscaped with grass, ground cover, shrubs or other appropriate landscaping materials. Any form of pavement shall not be considered an

appropriate landscaping material.

- H. All interior parking area islands shall be surrounded with continuous, raised, reinforced, concrete curb.
- I. All landscaped areas at the front line of off-street parking spaces shall be protected from encroachment of vehicles through the use of wheel stops. In addition, all parking spaces located along the perimeter of the building shall be required to provide wheel stops. Wheel stops must be constructed in accordance with accepted industry standards. Wheel stops must be securely anchored in place at all times and must be continuously maintained. Wheel stops shall be located two feet from the front of the parking space. The two foot setback in front of the wheel stop must be landscaped with grass, ground cover or other appropriate landscaping materials.
- J. Parking areas with less than 20 parking spaces must provide wheel stops at the front of the parking space as opposed to providing landscaped divider strips between double rows of abutting side-by-side parking spaces.
- K. Deciduous shade trees and low shrubs are required for interior parking area landscaping. Shrubs must be evergreen or dense deciduous plants.

30.10 Maintenance Standards for Landscape Areas

The owner of land subject to regulation by this chapter shall be responsible for the maintenance of said land so as to present a healthy, safe and orderly landscape area. The property owner shall comply with the following regulations regarding the maintenance of landscape areas.

- A. Organic mulch shall be used when planting all trees; this mulch shall be maintained at all times.
- B. All required plants shall be maintained in a healthy, pest-free condition. Within six months of a determination by a Planning Department Official that a plant is dead, severely damaged, or diseased, the plant shall be replaced by the property owner at the owner's expense.
- C. It shall be the responsibility of the property owner to remove any dead, diseased, or hazardous trees and shrubs, or parts thereof, which overhang or interfere with traffic control devices, public sidewalks, rights-of-way, or property owned by the City of Radcliff. The City of Radcliff shall have the authority to order the removal of any trees or shrubs and the cost of such tree removal shall be at the property owner's expense.
- D. Pruning must be conducted in accordance with proper horticultural standards. Trees shall be pruned only if necessary to promote healthy growth. Trees shall be allowed to reach mature growth. Pruning of trees shall comply with the National Arborists Standards.

30.11 Landscape Plan Required

Prior to the issuance of a building permit, a landscape plan shall be submitted to, reviewed by, and approved by the Planning Commission or its authorized agent. Landscape plans must be submitted at the same time that the site plan is submitted.

All landscape plans shall be prepared in accordance with the following requirements:

- A. All landscape plans must be drawn to scale and all dimensions and distances shall be shown on the plan.
- B. All existing and proposed parking spaces must be indicated on the landscape plan, along with proposed driving aisles and driveways.
- C. The name, location and size of all plant material to be installed or preserved in accordance with the requirements of this chapter shall be indicated on the landscape plan.
- D. The location and characteristics of landscape materials to be used must be shown on the landscape plan.
- E. Existing buildings, proposed buildings and other improvements to the site must be indicated on the plan. A construction line encompassing all proposed buildings and other improvements must be drawn on the landscape plan. No construction shall take place outside of the area indicated by the construction line. Any trees damaged outside of the construction line that are required by the landscape plan must be replaced in accordance with the provisions of this chapter.
- F. Data such as gross acreage of the site, type of paving, number of trees to be planted, number of trees to be preserved and square footage of paved areas must be displayed on the landscape plan.

30.12 Plant Materials List

A Plant Materials List shall be provided to all developers at the Radcliff Planning Department. Any materials or plants that are not on the Plant Materials List shall be permitted for use only with the approval of an authorized agent of the Radcliff Planning Department.

ARTICLE XXXI

*** RURAL ESTATE (RU-E) ZONE STANDARDS**

****31.1 Description of Zone**

The Rural Estate (RU-E) Zone allows for the creative design of land areas with topographical constraints and/or governmental restrictions. These unconventional areas of land would require approximately 2 1/2 acres or more to obtain the proper density. Due to the presence of these restrictions and the flexibility needed in this type of development, the Planning Commission may increase or decrease any set-back, dimension or spacing within this zone. The Planning Commission should determine adequate lot dimensions and set-backs with the health, safety and welfare of the planning unit in mind.

31.2 Permitted Uses

- A. Single-family detached dwelling units with a minimum of 1800 square foot gross habitable floor area.
- B. All residential lots shall have only one principal structure per lot.

****31.3 Maximum Density**

- A. The maximum density in any development within an in a RU-E Zone is one (1) residential dwelling per two and one half (2 ½) acres.

31.4 Lot Coverage

- A. Residential Uses - 20% maximum
- B. Open Space - 80% minimum

31.5 Required Set-Backs And Dimensional Requirements

- A. Front-yard - 50 feet.
- B. Side-yard - 25 feet.
- C. Rear-yard - 25 feet.
- D. Minimum frontage - 150 feet (measured along the front building line).

*Enacted September 27, 2001

**Amended December 15, 2005

31.6 Parking Requirements

- A. Each lot shall provide at least two (2) off-street parking spaces.
- B. The parking spaces shall conform to the general parking standards found in Article XI.

31.7 General Design And Improvement Standards

All developments within this zone shall comply with the appropriate standards in Article IV of this ordinance with the exception of 4.7 Sidewalks.

31.8 General Development Regulations

All developments within this zone shall comply with the appropriate standards in Article III of this ordinance with the following exception:

Fences shall conform to section 3.12, with the exception that ornamental fences shall be allowed past the front of the principal structure. Ornamental fences include split rail, brick, stone or other decorative type fences and columns. Chain-link or other utility-type fencing are not permitted.

31.9 Highway 313 Corridor

If the development is within the Fort Knox buffer zone the following shall be in noted on the Record Plat in one inch letters:

“According to the Fort Knox noise impact study, noise created by Fort Knox may affect this development ”

ARTICLE XXXII

*COMMERCIAL BUILDING DESIGN STANDARDS

32.1 Intent and Purpose

The following standards and regulations are intended to be used as a design aid by developers proposing large retail developments and as an evaluation tool by the staff of the Planning Commission in their review processes. These standards and regulations shall apply to shopping centers and to all projects for retail establishments of more than 15,000 square feet. They are to be used in conjunction with the Subdivision Regulations and other regulations and standards found in this ordinance and other ordinances of the City relating to the development and use of property and buildings.

The purpose of requiring compliance with these standards and regulations is to ensure that projects are developed in a manner to promote public safety, to assure orderly and compatible development with the surrounding environment and neighborhoods and to implement the goals of the Radcliff Comprehensive Plan.

32.2 Definitions

1. **ARCADE:** An area contiguous to a street or plaza that is open and unobstructed, and that is accessible to the public at all times. Arcades may include building columns, landscaping, statuary and fountains. Arcades do not include off-street loading/unloading areas, driveways or parking areas.
2. **ARTICULATE:** To give emphasis to or distinctly identify a particular element. An articulated façade would be the emphasis of elements on the face of a wall including a change in setback, materials, roof pitch or height.
3. **BERM:** An earthen mound designed to provide visual interest on a site, screen undesirable views, reduce noise or provide a buffer from adjoining uses.
4. **BREEZEWAY:** A structure, for the principal purpose of connecting a main building or structure on a property with other buildings, that is unenclosed.
5. **BUFFER:** An area provided to reduce the conflict between two different land uses. Buffers are intended to mitigate undesired views, noise and glare - effectively providing greater privacy to neighboring land uses. Typical buffers consist of materials that serve this purpose and include, but are not limited to, plant materials, walls, fences and/or significant land area to separate the uses.
6. **BUFFER STRIP:** A portion of a lot or property used to visually separate one use from another through the use of vegetation, distance or other approved method.

* Enacted September 14, 2006

7. BUILDING FACE, FRONT: Any building side, which can be touched by a line drawn perpendicular to a street (public or private).
8. BUILDING FACE, PUBLIC: Any building side which is visible from a street and/or the sides that contain public entry.
9. BUILDING MASS: The building's expanse or bulk and is typically used in reference to structures of considerable size.
10. DESIGN STANDARDS: Statements and graphics intended to direct the planning and development of the built environment in a particular manner or style so that the end result contributes positively to the overall development.
11. DORMER: A window set vertically in a gable projecting from a sloping roof.
12. FACADE: The portion of any exterior elevation on the building extending from grade to the top of the parapet, wall or eaves and extending the entire length of the building.
13. FRONT YARD: The portion of the yard extending the full width of the lot and measured between the front lot line and a parallel line across the front of the building. Corner and double frontage lots shall adhere to the front yard setback(s) for each frontage.
14. GABLE: A triangular wall section at the end of a pitched roof, bounded by the two roof slopes.
15. HIP ROOF: Roof without gables.
16. MONUMENT SIGN: A freestanding sign supported primarily by an internal structural framework or integrated into landscaping or other solid structural features other than support poles. These signs are typically less than six feet in height, lighted and landscaped at the base.
17. OUT PARCEL: A parcel reserved for the future development of a freestanding commercial use that shares parking, ingress/egress, etc., with a shopping center or shopping mall.
18. PARAPET: The portion of a wall that extends above the roofline.
19. PEDESTRIAN ORIENTED DEVELOPMENT: Development designed with an emphasis primarily on the street sidewalk and on pedestrian access to the site and buildings/structures rather than on auto access. The buildings/structures are generally located close to the street and the main entrance(s) is oriented to the street sidewalk. There are generally windows or display cases along building facades. Although parking is provided, it is generally limited in size and location.

20. **PEDESTRIAN WALKWAY:** A surfaced walkway, separate from the traveled portion of a public or private right-of-way or parking lot/driving aisle.
21. **PORTICO:** A porch or walkway with a roof supported by columns, often leading to the entrance to a building.
22. **SCREEN:** The sole purpose of a screen is to block views. A screen should be constructed of opaque materials and whose height will be effective in obstructing unwanted views.
23. **SETBACK:** A prescribed distance or an area between one element and another (i.e., a building and the street). Within these guidelines, the term also refers to:
- The minimum distance and the area measured from the property line to the interior of a parcel where buildings may be constructed.
 - The required distance and the area between the edge of the parking lot pavement/curb and the property line or buildings/structures.
 - Placing a building face on a line to the rear of another building line.
24. **SHOPPING CENTER:** A group of commercial establishments planned, constructed and managed as a total entity. Customer and employee parking is provided on site with provision for goods delivery separated from customer access. Shopping centers are separated into three categories:
1. **Regional Shopping Center:** Contains a wide range of retail and service establishments, occupies 25 or more acres, including out parcel acreage, has one (1) or more anchor tenants and contains more than 250,000 square feet of leasable space, including out parcel spaces.
 2. **Community Shopping Center:** Contains retail and service establishments, occupies between 10 and 25 acres, including out parcel acreage, has one anchor tenant and contains between 50,000 – 250,000 square feet of leasable space, including out parcel spaces.
 3. **Neighborhood Shopping Center:** Contains light retail and service establishments offering goods necessary to meet daily needs, occupies up to 10 acres and contains 50,000 square feet or less of leasable space, including out parcel spaces.
25. **STREETSCAPE:** All elements of a development or area that are in view from other points along a street, including but limited to, trees, landscape materials, benches, fountains and lighting.

32.3 Applicability

These standards apply to the following developments:

1. Retail buildings over 15,000 square feet in building size;
2. Shopping centers.

32.4 Plans Required

When these standards are applicable to a development the following plans shall be submitted:

1. Development plan;
2. Building elevation plans showing each building façade;
3. Landscaping plan;
4. Signage placement and design plan.

32.5 DESIGN STANDARDS - BUILDINGS

32.5.1 Materials and Colors

Exterior building materials and colors comprise a significant part of the visual impact of a building. Therefore, they will be aesthetically pleasing and compatible with materials and colors used in adjoining neighborhoods. Predominant exterior building materials shall be high quality materials.

32.5.1.1 Predominant building exterior materials include, without limitation:

- Brick
- Wood
- Sandstone and limestone
- Other native stone
- Tinted, textured, concrete masonry units

32.5.1.2 Facade colors shall be low reflectance, subtle, neutral, or earth tone colors. The use of high intensity colors, metallic colors, black or fluorescent colors is prohibited.

32.5.1.3 Building trim and accent areas may feature brighter colors, including primary colors, but neon tubing shall not be an acceptable feature for building trim or accent areas.

32.5.1.4 Predominant exterior building materials as well as accents should not include the following:

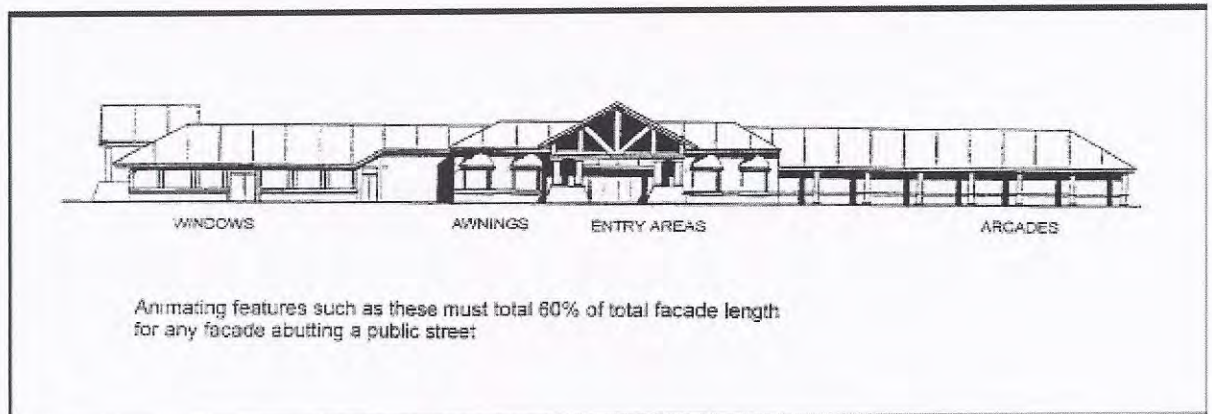
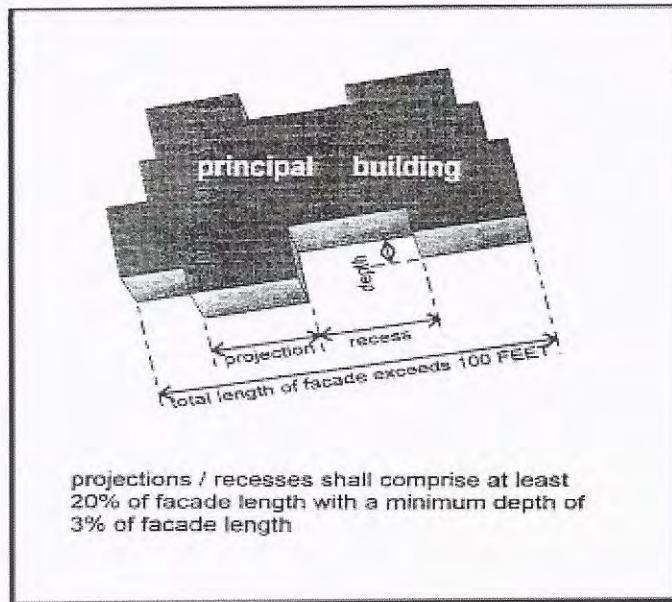
- Smooth-faced concrete block
- Tilt-up concrete panels
- Pre-fabricated steel panels with a predominantly steel exterior appearance

32.5.2 Facades and Exterior Walls

Facades should be articulated to reduce the massive scale and the uniform, impersonal appearances of large retail buildings and provide visual interest that will be consistent with the community's identity, character and scale. The intent is to encourage a more human scale.

Developments with a facade over 100 feet in linear length which is visible from a street shall incorporate wall projections or recesses a minimum of 3 foot depth for a minimum of 20 contiguous feet within each 100 feet of facade length. Developments shall use animating features such as arcades, display windows, entry areas, or awnings along at least 60 percent of the facade. Figure 1 and 2 (Photograph 1) show examples of facade standards.

Figure 1 & 2: Example of Wall Projections/Recesses & Façade Animated Features
 (Drawing courtesy of Fort Collins, Colorado Design Standards and Guidelines for Large Establishments)



Photograph 1: Example of Wall Projections/Recesses & Façade Animated Features



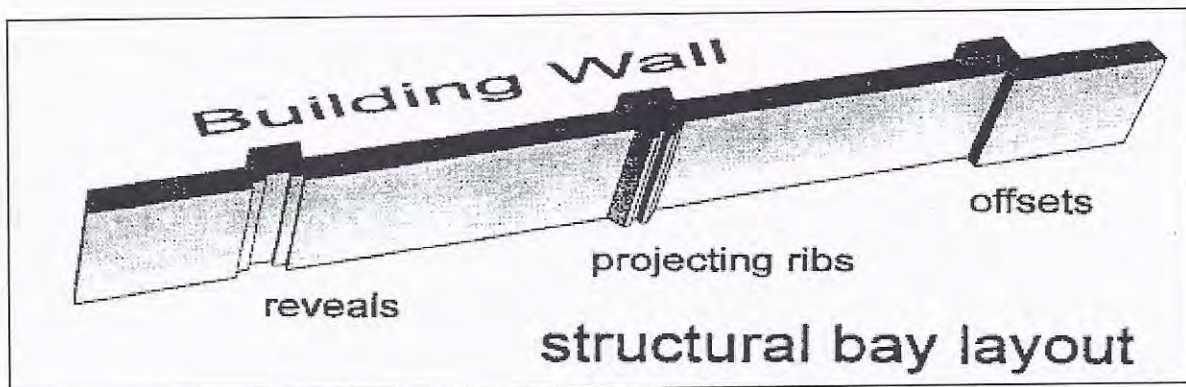
32.5.3 Detail Features

Buildings should have architectural features and patterns that provide visual interests, at the scale of the pedestrian, reduce massive aesthetic effects, and recognize local character. These elements of design should be integral parts of the building fabric, and not superficially applied trim or graphics, or paint.

Building facades shall include a repeating pattern that shall include no less than three of the elements listed below. At least one of these elements shall repeat horizontally. All elements shall repeat at intervals of no more than thirty (30) feet, either horizontally or vertically.

- Color change
- Texture change
- Material module change
- Expression of architectural or structural bay through a change in plane no less than 12 inches in width, such as an offset, reveal, or projecting rib. Figure 3 shows an expression of architectural or structural bay.

Figure 3: Expressions of Architectural or Structural Bay
(Drawing courtesy of Fort Collins, Colorado Design Standards and Guidelines for Large Establishments)



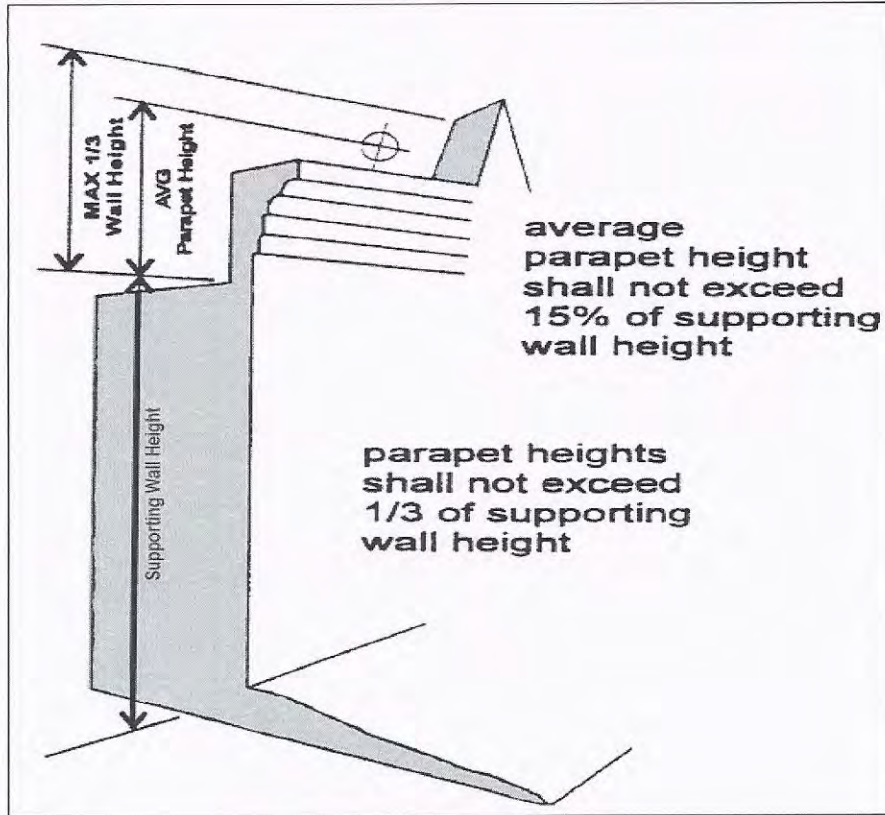
32.5.4 Roofs

Variations in roof lines should be used to add interest to, and reduce the massive scale of large buildings. Roof features should compliment the character of adjoining neighborhoods.

Roof lines shall be varied with a change in height every 100 linear feet in the building length. Parapets, mansard roofs, gable roofs, hip roofs, or dormers shall be used to conceal flat roofs and roof top equipment from public view. Alternating lengths and designs may be acceptable. Figure 4 (Photograph 2) provides an example of parapet design.

Figure 4: Parapet Standards

(Drawing courtesy of Fort Collins, Colorado Design Standards and Guidelines for Large Establishments)



Photograph 2: Parapet Standards



32.5.5 Entryways

Entryway design elements and variations should give orientation and aesthetically pleasing character to the building. These required design elements are shown in Photograph 3.

Each principal building on a site shall have clearly defined, highly visible customer entrances featuring no less than three of the following:

- canopies or porticos
- overhangs
- recesses/projections
- arcades
- raised corniced parapets over the door
- peaked roof forms
- arches
- outdoor patios
- display windows
- architectural details such as tile work and moldings which are integrated into the building structure and design
- integral planters or wing walls that incorporate landscaped areas and/or places for sitting

Photograph 3: Example of Required Entryway Design Elements



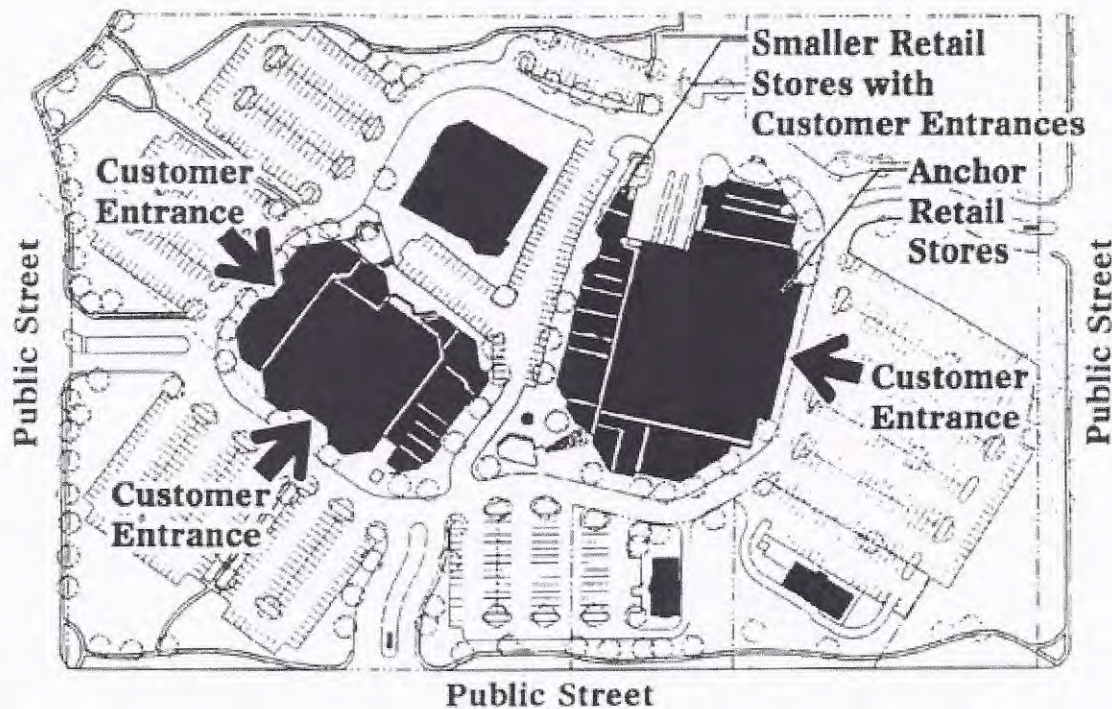
32.6 DESIGN STANDARDS –SITE DESIGN

32.6.1 Building Entrances

Buildings should feature multiple entrances. Multiple building entrances reduce walking distances from cars, facilitate pedestrian and bicycle access from public sidewalks, and provide convenience where certain entrances offer access to individual stores, or identified departments in a large store. Multiple entrances also mitigate the effect of the unbroken walls and neglected areas that often characterize building facades that face bordering land uses.

All sides of a principal building that directly face an abutting street shall feature at least one customer entrance. Where a principal building directly faces more than two abutting streets, this requirement shall apply only to two sides of the building, one of which must be the side of the building facing the primary street. Where additional stores will be located in the principal building, each such store shall have at least one exterior customer entrance, which shall conform to the above requirements. Figure 5 shows an example of a development with customer entrances on all sides of a building facing a public street.

Figure 5: Example of Development with Customer Entrances on All Sides Facing Public Street
(Drawing courtesy of Fort Collins, Colorado Design Standards and Guidelines for Large Establishments)



32.6.2 Site Entrances

Access to the site should be clearly defined to assure that customers can easily identify the proper traffic circulation for the development for both vehicular and

pedestrian traffic. It should also present a pleasing, aesthetic entrance to the community.

A principal entrance should be defined through the use of curbs, appropriate traffic pavement markings, monument signage and extensive landscaping so that the entrance to the development is predominant. A typical site entrance is illustrated in Photograph 4 below. Walkways should also be provided along the principal entrance with a connection to the public sidewalk along the street.

32.6.2.1 Walkway widths for neighborhood and community shopping centers should be five (5) feet. Walkway widths for regional shopping centers and large retail centers should be six (6) feet.

Photograph 4: Example of Typical Site Entrance



32.6.3 Parking Lot Orientation

Parking areas should provide safe, convenient, and efficient access for vehicles and pedestrians. They should be distributed around buildings in order to shorten the distance to other buildings and public sidewalks and to reduce the overall scale of the paved surface. If buildings are located closer to streets, the scale of the complex is reduced, pedestrian traffic is encouraged, and architectural details take on added importance.

The amount of off-street parking area for the entire property located between the front facade within the front yard of the principal building(s) and the primary abutting street shall be limited unless the principal building(s) and/or parking lots are screened from view by out parcel development and additional tree plantings, landscaping and/or berms are provided.

32.6.3.1 Principal front yard off-street parking area shall be limited to no more than 80 % of the provided parking area for neighborhood shopping centers; no more than 70 % for community shopping centers; and no more than 60% for regional and large retail centers.

32.6.4 Pedestrian Walkways

Pedestrian accessibility opens auto-oriented developments to the neighborhood, thereby reducing traffic impacts and enabling the development to project a friendlier, more inviting image. Public sidewalks and internal pedestrian circulation systems can provide user-friendly pedestrian access as well as pedestrian safety, shelter, and convenience within the development.

32.6.4.1 Sidewalks at least five (5) feet in width shall be provided along all sides of the lot that abut a street, excluding interstates and limited access state roads.

32.6.4.2 Walkways, no less than six (6) feet in width, shall be provided along the full length of the building along any facade featuring a customer entrance, and along any facade abutting off-street parking areas.

32.6.4.3 All walkways shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways. Signs may be installed to designate pedestrian walkways. Connections to community features and public spaces should be provided.

32.6.5 Landscaping

Landscaping is a visible indicator of quality development and must be an integral part of every commercial project and not merely located in remnant portions of the site. Landscaping a site enhances the overall appearance of the development, helps to protect the environment by controlling water runoff and by reducing heat effects caused by parking areas, helps clear the air from the effects of vehicle emissions, and can be used to clearly define the separation between vehicle and pedestrian. Developments should be generously landscaped to provide a pleasing environment for the customer and the community as a whole.

32.6.5.1 All developments shall provide a continuous landscape area along all street frontages which shall be a minimum of ten (10) feet in width. The use of a variety of plant materials and elevations is encouraged in these areas through the use of differing materials, seasonal plantings, earth berms, decorative walls/fences and the existing topography. For regional shopping centers and large retail centers at least 25% of the area must be in plant materials with one tree for every 40 linear feet of street frontage.

32.6.5.2 Parking area landscaping shall be provided in conformance with the standards of this section and the standards found in Article XXX. For neighborhood shopping centers parking area landscaping shall equal to at least 7% of the parking area. For community and regional shopping centers and large

retail centers parking area landscaping shall equal at least 10% of the parking area.

32.6.5.3 Parking area landscaping shall be provided in community shopping centers at a minimum of 50% of the parking stall aisle end areas. For regional shopping centers and large retail centers the end of each parking stall aisle must be provided with parking area landscaping.

32.6.5.4 All developments shall provide a continuous landscape area along property boundaries which shall be a minimum of 20 feet in width. If the adjoining property is zoned residentially then a continuous planting, berm, and/or decorative walls/fences shall be provided. The berm shall be installed, no less than 6 feet in height, containing at a minimum, a double row of evergreen or deciduous trees planted at intervals of 15 feet on center. Materials, colors, and designs of screening walls and/or fences shall conform to those used as predominant materials and colors of the building.

32.6.5.5 All developments regulated by the standards found in this Article must also comply with the Landscaping Standards found in Article XXX.

32.6.6 Outdoor Storage, Trash Collection, and Loading Areas

Loading areas and outdoor storage areas exert visual and noise impacts on surrounding neighborhoods. These areas, when visible from adjoining properties and/or streets, should be screened, recessed or enclosed. While screens and recesses can effectively mitigate these impacts, the selection of inappropriate screening materials can exacerbate the problem. Appropriate locations for loading and outdoor storage areas include areas between buildings, where more than one building is located on a site and such buildings are not more than 40 feet apart, or on those sides of buildings that do not have customer entrances.

32.6.6.1 Areas for outdoor storage, truck parking, trash collection or compaction, loading, or other such uses shall not be visible from a street.

32.6.6.2 No areas for outdoor storage, trash collection or compaction, loading, or other such uses shall be located within 20 feet of any street, public sidewalk, or pedestrian walkway.

32.6.6.3 Loading docks, truck parking, outdoor storage, utility meters, HVAC equipment, trash dumpsters, trash compaction, and other service functions shall be incorporated into the overall design of the building and landscaping so that the visual and noise impacts of these functions are fully contained and out of view from adjacent properties and streets, and no attention is attracted to the functions by the use of screening materials that are different from or inferior to the principal materials of the building and landscape.

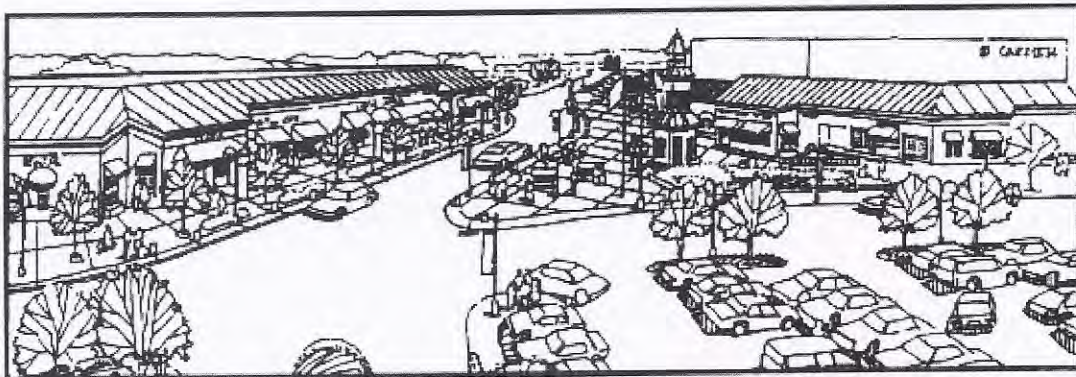
32.6.6.4 Temporary sales/displays, such as Christmas trees, landscape materials, and fireworks, shall be permanently defined and may not occupy more than 20% of a site. Screening with walls and/or fences may be required to assure pedestrian and vehicular safety. Materials, colors, and designs of screening walls and/or fences shall conform to those used as predominant materials and colors of the building.

32.6.7 Features and Community Spaces

Buildings should offer attractive and inviting pedestrian scale features, spaces and amenities. Entrances and parking lots should be configured to be functional and inviting with walkways conveniently tied to logical destinations. Photograph 5 shows a typical pedestrian walkway that connects an entrance to a parking area. Bus stops and drop-off/pick-up points should be considered as integral parts of the configuration. Pedestrian ways should be anchored by special design features such as towers, arcades, porticos, pedestrian light fixtures, bollards, planter walls, and other architectural elements that define circulation ways and outdoor spaces. The features and spaces should enhance the building and the center as integral parts of the community fabric. These special features and community spaces are illustrated in Figure 6.

32.6.7.1 Regional shopping centers and large retail centers shall provide at least two of the following: patio/seating area, pedestrian plaza with benches, transportation center, outdoor play area, kiosk area, water feature, clock tower, steeple, or other such deliberately shaped area and/or a focal feature or amenity. Any such areas shall have direct access to the public sidewalk network and such features shall not be constructed of materials that are inferior to the principal materials of the building and landscape.

Figure 6: Example of a Center with Numerous Special Features and Community Spaces
(Drawing courtesy of Fort Collins, Colorado Design Standards and Guidelines for Large Establishments)



Photograph 5: Example of Pedestrian Walkway Connecting Entrance and Parking Area



32.7 WAIVER PROCEDURE

An applicant may request a waiver from the standards as contained in this Article. As part of the waiver request, the applicant shall have the burden of proof in showing that there will be no adverse impact upon the neighborhood or general area by the granting of the waiver. In granting a waiver, the Planning Commission shall consider the following:

1. The special circumstances of the proposed use; and
2. Site constraints that would make compliance economically unfeasible; and
3. The neighborhood and the general development patterns of the surrounding properties and the prospects for development in the near future; and
4. Whether the development as proposed would serve the purpose of enhancing the public welfare and safety.

The Planning Commission may also consider other factors it may deem relevant in making its decision. A waiver of any of the requirements of this Article does not exempt the development from any other requirements of this Ordinance.

APPENDIX A

ILLUSTRATION OF SELECTED MINIMUM REQUIRED STANDARDS FOR ALL ZONES

MINIMUM REQUIRED STANDARDS	ZONES											
	R-H	R-E	R-1	R-2	R-3	R-4	R-5	R-6	R-7	P.U.D.	COMM.	INDUSTRIAL
LOT AREA ^{1,2}	4. 5 ACRES	30,000 SQ. FT.	15,000 SQ. FT.	10,000 SQ. FT.	8,000 SQ. FT.	5. 6,500 6. 10,000	7.	7.	4,500 SQ. FT.	14.	15.	15
FRONT-YARD SETBACK	4. 50'	50'	30'	25'	25'	25'	25'	25'	25' ¹⁰ 20' ¹¹	N/A	40' ¹⁶	50' ¹⁸
REAR-YARD SETBACK	4. 25'	25'	25'	25'	20'	20'	25'	25'	5' ¹² 20'	N/A	20' ¹⁷	25' ¹⁹
SIDE-YARD SETBACK	4. 25'	25'	15'	10'	10'	8'	15'	10'	10' ¹³	N/A	10' ¹⁷	15' ¹⁹
WIDTH AT FRONT-BUILDING LINE	200'	150'	100'	85'	75' ⁵ 110' ⁶	15' ⁵ 70' ⁶ 100'	100'	100'	40'	N/A	N/A	N/A
STREET FRONTAGE	60'	60'	60'	40'	40'	40'	60'	60'	40'	N/A	40'	40'
GROSS HABITABLE FLOOR AREA ³	1000 SQ. FT.	1800 SQ. FT.	1400 SQ. FT.	1000 SQ. FT.	900 SQ. FT.	800 SQ. FT.	400 SQ. FT.	400 SQ. FT.	400 SQ. FT.	N/A	N/A	N/A

- FOOTNOTES: 1. THE MINIMUM REQUIRED LOT AREAS ILLUSTRATED DO NOT PERTAIN TO PUBLIC AND QUASI-PUBLIC USES. THE ARTICLE COVERING THE SPECIFIC ZONE IN WHICH THE PUBLIC OR QUASI-PUBLIC USES IS TO BE LOCATED SHOULD BE REFERENCED IN DETERMINING THESE AREAS.
2. THE MINIMUM LOT AREAS FOR CORNER LOTS LOCATED IN THE R-1, R-2, R-3 AND R-4 ZONES SHALL BE INCREASED BY 20%.
3. THIS STANDARD IS DETERMINED ON A PER LIVING UNIT BASIS.
4. THIS STANDARD DOES NOT APPLY TO AGRICULTURAL BUILDINGS WHICH ARE LOCATED UPON AGRICULTURAL PROPERTIES.
5. THIS LOT AREA PERTAINS ONLY TO SINGLE-FAMILY DETACHED STRUCTURES LOCATED IN THE ZONE.
6. THIS LOT AREA PERTAINS ONLY TO SINGLE-FAMILY ATTACHED AND DUPLEX STRUCTURES LOCATED IN THE ZONE.

APPENDIX A CON'T

FOOTNOTES: 7. DETERMINED BY THE FOLLOWING CHARACTERISTICS OF THE MULTI-FAMILY STRUCTURE: GROUND FLOOR AREA; NUMBER OF UNITS AND NUMBER OF BEDROOMS IN EACH UNIT.

8. MAY BE INCREASED DEPENDING ON BUILDING SIZE AND ORIENTATION; REFERENCE SECTION 19.3.

9. MAY BE INCREASED DEPENDING ON BUILDING SIZE AND ORIENTATION; REFERENCE SECTION 20.3.

10. 25 IF THE MOBILE HOME FRONTS ONTO A PUBLIC STREET; REFERENCE SECTION 21.5,A.

11. 20 IF THE MOBILE HOME FRONTS ONTO A PRIVATE STREET; REFERENCE SECTION 21.5,A.

12. 5 ON ONE SIDE PROPERTY LINE AND 20 ON THE OTHER; MAY BE INCREASED UNDER SPECIAL CONDITIONS;REFERENCE 21.5,B.

13. MAY BE INCREASED TO 15 UNDER SPECIAL CONDITIONS; REFERENCE 21.5,C.

14. DETERMINED BY THE LAND USE MIX AND THE PROPOSED DESITY; REFERENCE 22.4.

15. DETERMINED BY THE SIZE OF THE BUILDING AND THE SPECIFIC LAND USE; REFERENCE 24.4 (COMM)AND 26.4 (INDUS.)

16. MAY BE REDUCED TO 30 UNDER SPECIAL CONDITIONS; REFERENCE 24.3,C.

17. MAY BE INCREASED OR DECREASED UNDER SPECIAL CIRCUMSTANCES; REFERENCE 24.4,B & C.

18. MAY BE REDUCED TO 35 UNDER SPECIAL CIRCUMSTANCES; REFERENCE 26.5,A.

19. MAY BE INCREASED OR DECREASED IN CERTAIN CIRCUMSTANCES; REFERENCE 26.5,B & C.

APPENDIX B

COMPARISON OF MULTI-FAMILY LOT AREAS/DENSITIES BETWEEN 1974 AND 1984 ZONING ORDINANCES

R-5 MULTI-FAMILY STANDARDS IN THE 1974 ZONING ORDINANCE:

BLDG. TYPE	MIN. LOT SIZE	SQ. FT./UNIT	UNITS/ACRE
4 - PLEX	12,000 SQ. FT.	3,000	14.5
6 - PLEX	15,000 SQ. FT.	2,500	17.4
8 - PLEX	18,000 SQ. FT.	2,250	19.4
10 - PLEX	21,000 SQ. FT.	2,100	20.7
12 - PLEX	24,000 SQ. FT.	2,000	21.8

R-6 MULTI-FAMILY STANDARDS:

PROPOSED BLDG. TYPE	MIN. LOT SIZE	SQ. FT./UNIT	UNITS/ACRE
4 - PLEX * 1 BD.	12,000	3,000 OR 2,400 W/DB	14.5 OR 18.2 W/DB
** 2 BD.	12,000	3,000 OR 2,400 W/DB	14.5 OR 18.2 W/DB
*** 3 BD.	12,200	3,050 OR 2,440 W/DB	14.3 OR 17.9 W/DB
6 - PLEX 1 BD.	12,600	2,100 OR 1800 W/DB	20.7 OR 24.2 W/DB
2 BD.	15,450	2,575 OR 2,207 W/DB	16.9 OR 19.7 W/DB
3 BD.	18,300	3,050 OR 2,614 W/DB	14.3 OR 16.7 W/DB
8 - PLEX 1 BD.	16,800	2,100 OR 1,680 W/DB	20.7 OR 25.9 W/DB
2 BD.	20,600	2,575 OR 2,060 W/DB	16.9 OR 21.1 W/DB
3 BD.	24,400	3,050 OR 2,440 W/DB	14.3 OR 17.9 W/DB
10 - PLEX 1 BD.	21,000	2,575 OR 2,146 W/DB	20.7 OR 24.9 W/DB
2 BD.	25,750	2,575 OR 2,146 W/DB	16.9 OR 20.3 W/DB
3 BD.	30,500	3,050 OR 2,542 W/DB	14.3 OR 17.1 W/DB
12 - PLEX 1 BD.	25,200	2,100 OR 1,680 W/DB	20.7 OR 25.9 W/DB
2 BD.	30,900	2,575 OR 2,060 W/DB	16.9 OR 21.1 W/DB
3 BD.	36,600	3,050 OR 2,440 W/DB	14.3 OR 17.9 W/DB

- * 1 BD. UNIT ASSUMED TO BE WALK-UPS WITH 400 SQ. FT./UNIT.
- ** 2 BD. UNIT ASSUMED TO BE WALK-UPS WITH 600 SQ. FT./UNIT.
- *** 3 BD. UNITS ASSUMED TO BE 2-STORY TOWNHOUSES WITH 800 SQ. FT./UNIT.
- DB = DENSITY BONUS