

ORDINANCE NUMBER 150.3
ZONING ORDINANCE FOR THE CITY OF IRVINGTON

WHEREAS, the interim zoning ordinance for the City of Irvington was passed on the 10th day of January, 1994, and the necessary prerequisites for the passage of a full and more complete zoning ordinance have been met according to law, including the preparation of a comprehensive plan and a zoning district map,

NOW, BE IT ORDAINED by the City of Irvington that the zoning ordinance for the City of Irvington attached hereto, incorporated herein by reference, the same as if fully printed herein, and designated as Exhibit A, be and the same is passed and enacted as the official zoning ordinance for the City of Irvington, and all ordinances and amendments thereto existing or in conflict herewith are repealed.

THIS ordinance is declared to be severable, section by section, topic by topic, and paragraph by paragraph, and in the event that it is determined that a part ~~of~~ parts of this ordinance is or are unenforceable or unconstitutional, then in that event, the remainder of said ordinance shall remain in full force and effect.

READ FOR THE FIRST TIME THIS 6th DAY OF December,
19 93.

READ, ADOPTED AND APPROVED THIS 10th DAY OF January,
19 94.

Tarry R. DeWood
MAYOR

ATTEST:
Bra J. Powell
CITY CLERK

PROPOSED ZONING ORDINANCE FOR THE
CITY OF IRVINGTON -- A SUMMARY

SECTION I: Introduction and General Provisions.

Section I introduces the Ordinance in terms of (1) the authority of the City to enact zoning legislation; (2) the purpose; (3) invalidation of any portion; and (4) conflict with other regulations.

SECTION II: Definitions.

Section II states legal definitions of words or terms used in the text.

SECTION III: Administration and Enforcement.

Section III describes the manner by which the Ordinance is administered in terms of (1) general requirements; (2) duties and powers of the Commission; (3) designation of an Administrative Official to enforce Orders, Ordinances and Regulations, and (4) appointment of Board of Adjustment, power of the board and procedures before it.

SECTION IV: Zoning Map and Non-conforming Uses.

Section IV describes (1) procedure for adoption of an official zoning district map; (2) district boundary interpretations; (3) non-conforming uses; (4) non-conforming structures, and (5) non-conforming lots.

SECTION V: Amendments.

Section V describes (1) the manner in which the text of the Ordinance may be amended; (2) procedure for public hearing to amend map or Ordinance, and (3) findings required to amend zoning map.

SECTION VI: Violations, Penalties and Liabilities.

Section VI establishes and describes (1) violation procedures; (2) any person who violates the provisions of this ordinance shall, upon conviction, be fined not less than ten (\$10.00) dollars nor more than one hundred (\$100.00) dollars for each offense. Each day of violation shall constitute a separate offense, and (3) limitation of liabilities of commission and board members.

SECTION VII: General Provisions.

Section VII describes the establishments of zoning districts R-1, R-2, R-3, C-1, C-2, I-1, Conservation and Agricultural.

SECTION VIII: Permitted Uses.

Section VIII describes (1) uses permitted in each zoning district; (2) parking requirements of each zoning district; (3) conditional uses for each zoning district, and (4) home occupations which are allowed.

SECTION IX: R-1 Single Family.

Section IX describes (1) composition of the district; (2)

structures permitted in the district; (3) uses permitted in the district; (4) home occupations permitted in the district; (5) dimensional requirements for the district; (6) off street parking requirements for the district; (7) minimum visibility requirements for corner lots in the district; and (8) signs permitted in the district.

SECTION X: R-2 Two Family.

Section X describes (1) composition of the district; (2) structures permitted in the district; (3) uses permitted in the district; (4) home occupations permitted in the district; (5) dimensional requirements of structures in the district; (6) off street parking requirements for the district; (7) minimum visibility requirements for corner lots in the district, and (8) signs permitted in the district.

SECTION XI: R-3 Multi-Family.

Section XI describes (1) composition of the district; (2) structures permitted in the district; (3) uses permitted in the district; (4) dimensional requirements of structures in the district; (5) off street parking requirements for the district; (6) minimum visibility requirements for corner lots in the district, and (7) signs permitted in the district.

SECTION XII: Commercial Zoning.

Section XII describes composition of commercial zone districts and procedures for changing said zones and review

thereof.

SECTION XIII: C-1 Central Business District.

Section XIII describes (1) composition of district; (2) structures permitted in the district; (3) dimensional requirements for lots in the district; (4) type of building fronts permitted in the district; (5) off street parking requirements of the district; (6) off street loading requirements of the district; (7) district designation and development plan provisions, and (8) signs permitted in the district.

SECTION XIV: C-2 Highway Commercial.

Section XIV describes (1) composition of the district; (2) structures permitted in the district; (3) uses permitted in the district; (4) dimensional requirements in the district; (5) building fronts permitted in the district; (6) off street parking requirements of the district; (7) minimum visibility requirements for corner lots in the district; (8) district development and plan provisions, and (9) signs permitted in the district.

SECTION XV: Industrial Zone General Regulations.

Section XV describes (1) composition of the district; (2) limitations on or external effects of permitted uses; (3) accessory uses permitted in the district; (4) encroachment on set-back requirements permitted in the district, and (5) limitations on signs in the district.

SECTION XVI: I-1 Light Industry.

Section XVI describes (1) composition of the district; (2) general conditions applicable to the district; (3) structures permitted in the district; (4) uses permitted in the district; (5) dimensional requirements in the district; (6) off street parking in the district; (7) off street loading requirements in the district; (8) minimum visibility for corner lots in the district, (9) signs permitted in the district.

SECTION XVII: Conservation District.

Section XVII describes (1) composition of the district; (2) requirements for development plan; (3) uses permitted in the district; (4) uses allowed by temporary permit, and (5) structure set-back requirements.

SECTION XVIII: Agricultural District.

Section XVIII describes (1) composition of the district; (2) structures permitted in the district; (3) uses permitted in the district, and (4) signs permitted in the district.

SECTION XIX: Off Street Parking Requirements.

Section XIX describes (1) scope of requirement; (2) obligations to provide off street parking spaces; (3) location of off street parking spaces; (4) separate or combined parking spaces; (5) amount of off street parking spaces required; (6) type of parking for single family residential; (7) type of parking for multi-family residential; (8) type of parking for

recreational areas; (9) type of parking for commercial-retail; (10) type of parking for industrial-wholesaling; (11) location of off street loading space, and (12) amount of off street loading space required.


SECTION XX: Mobile Homes and Mobile Parks Regulations.

Section XX describes (1) definitions; (2) purpose; (3) administration of regulations; (4) application requirements; (5) mobile home replacement; (6) plan submission with application; (7) information required for plat; (8) submission procedures; (9) required certification; (10) area and density requirements; (11) mobile home lots; (12) lot set-back and separation requirements; (13) internal street requirements; (14) parking requirements; (15) water system requirements; (16) sanitary sewer requirements; (17) electric and telephone utility requirements, and (18) the fee for filing a preliminary plat for a mobile home park shall be \$50.00.

SECTION XXI: Enforcement.

Section XXI describes (1) limitations on all land and structures; (2) limitations on sales and rentals of land and structures; (3) zoning certificate required to erect or alter structures; (4) a stop work permit issuance, and (5) establishment of violations.

This is to certify that the foregoing summary of the zoning ordinance of the City of Irvington was prepared and certified by the undersigned who is an attorney duly licensed to practice law in the Commonwealth of Kentucky.


DANNY E. DARNALL, Attorney at Law

SECTION I

INTRODUCTION

1.1 Title

This ordinance shall be known and may be cited as the ZONING ORDINANCE FOR IRVINGTON, KENTUCKY.

1.2 Authority

Pursuant to the authority granted to cities and counties by the Kentucky Revised Statutes (KRS) 100.201 to 100.213, the rules and regulations contained herein shall apply within the corporate limits of Irvington.

1.3 Purpose

The purpose of these regulations is to promote the public health, safety and general welfare of the citizens of Irvington by facilitating orderly and harmonious development through the regulation of population density and intensity and type of land use.

1.4 Severability Clause

If any word or words, phrase or phrases, sentence or sentences, paragraph or paragraphs of this ordinance should be declared unconstitutional, it shall not invalidate any other portion of the ordinance.

1.5 Repeal of Conflicting Ordinances and Regulations

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

SECTION II

DEFINITIONS

For the purpose of these regulations, certain words, terms, and phrases are to be used and interpreted as defined herein.

Accessory Building: a detached building, the use of which is incidental to that of the principal building on the same lot.

Administrative Official: any department, employee, advisory, elected or appointed body which is authorized to administer any provision of the zoning ordinance.

Agricultural Operation: the use of a parcel of land for agricultural purposes, regardless of size.

Alley: any public or private way used for public travel which is twenty (20) feet or less in width.

Apartment Building: a building arranged, designed, or intended to be occupied by three (3) or more families living independently of each other.

Board of Adjustment: the Board of Adjustment of the City of Irvington Planning Commission.

Building (Principal): a building in which is conducted the principal use of the lot on which the building is located.

Building Height: the vertical distance from the average elevation of the finished grade at the front of the building to the highest point of the building.

Building Line: the line extending across a lot generally parallel to the street on which the lot faces.

Building Permit: the permit required for the construction, alteration, or relocation of a building.

Commission: the City of Irvington Planning Commission.

Conditional Use: a use which is essential to, or would promote the public health, safety, and welfare in one or more zones, but which would impair the integrity and character of the zone or adjoining zones in which it is located unless restrictions on location, size, extent, and character of performance are imposed in addition to those required in this ordinance.

Conditional Use Permit: legal authorization by the Board of Adjustment to undertake a conditional use based upon the following criteria:

1. a statement of the factual determination by the Board of Adjustment which justifies issuance of the permit; and,
2. a statement of specific conditions which must be met in order for the permit to be issued.

Dimensional Variance: a departure from the terms of the zoning ordinance pertaining to the height or width of buildings or the size of lots due to existing conditions peculiar to the property because of size, shape, or topography, and not as the result of action by the applicant, where the literal enforcement of the zoning ordinance would result in unnecessary and undue hardship and where such deviation will not be contrary to the public interest.

Dwelling (Single-Family): a detached building designed exclusively for occupancy by one (1) family.

Dwelling (Two-Family): a building designed exclusively for occupancy by two (2) families living independently of each other.

Dwelling (Multiple-Family): a building designed for or occupied by three (3) or more families living independently of each other.

Floodplain: the area adjoining the channel of a river, stream, watercourse, lake, or body of water which has been or may be covered by flood waters.

Flood-prone Area: all land subject to periodic flooding by the overflow of natural waterways.

Home Occupation: the keeping of professional offices, studios, personal service facilities or rental sleeping rooms within a personal dwelling provided such activities are: (1) incidental to the principal residential use, (2) involve the employment of no more than one (1) person not residing in the dwelling, and (3) occupy no more than twenty-five (25) percent of the total floor area of the dwelling. The selling of merchandise is not a home occupation.

Junkyard: any place where two (2) or more junked, wrecked, or non-operative automobiles, vehicles, machines, and other similar scrap or salvage materials are deposited, parked, placed, or otherwise located.

Lot: a parcel of land devoted to a common use or occupied by a single principal building and its accessory structures having its principal frontage upon a street or road.

Lot, Corner: a lot situated at the intersection of two (2) or more streets or roads.

Lot Depth: the horizontal distance between front and rear lot lines measured along the median between the two side lot lines.

Lot Width: the horizontal distance between the side lot lines measured at right angles to the lot depth at a point midway between the front and rear lot lines.

Mobile Home: a movable living unit designed for year-round occupancy or any vehicle on wheels, skids, or rollers without motor power designed to be used for human habitation.

Mobile Home Park: any parcel of land proposed, developed, or designed to be used for the location, temporary or permanent, of two (2) or more mobile homes.

Nonconforming Use: a building or use of the land existing at the time of enactment of this ordinance which does not conform to the regulations of the district or zone in which it is situated.

Planned Unit Development: a complex of structures and uses designed as an integral unit of development rather than as single units on individual lots.

Special Use: a use which must receive approval by the Board of Zoning Adjustment in order to be permitted in a particular zoning district. Special uses include conditional uses and variances.

Street: any public right-of-way which affords the primary means of access to adjoining property.

Structure: any man-made object which is erected or constructed which requires location on the ground or which is attached to something having a location on the ground.

Variance: a departure from the strict compliance with the dimensional and area requirements of this ordinance which must be approved by the Board of Adjustment.

SECTION III

ADMINISTRATION AND ENFORCEMENT

3.1 General Requirements

- A. No land shall be used and no structure be erected, altered, or used except in conformity with all the provisions of this ordinance.
- B. No person, firm, or corporation shall sell, lease, or attempt to sell or lease any land or structure upon the representation, falsely made, that such land or structure may be used in a manner or for a use prohibited by this ordinance.
- C. No permit, certificate, document or oral approval, the use of which may be subject to the provisions of this ordinance, shall be issued until the Commission shall have certified that the use made of the permit, certificate, document, or oral approval is in full compliance with the provisions of this ordinance.
- D. No structure shall be erected or altered until a building permit has been issued by the Administrative Official.
- E. No lot shall be reduced in such a manner that the total lot area, yards, or open spaces shall be smaller than prescribed by this ordinance.
- F. No part of a required yard or open surface for one structure shall be included as part of the yard or open space for another structure.
- G. Every building shall be erected on one (1) lot and in no case shall there be more than one (1) principal building and its accessory buildings on one (1) lot.

3.2 Commission

The duties and powers of the Commission shall include:

- A. Enforcement of this ordinance.
- B. Undertaking investigations and surveys to determine compliance or noncompliance with the provisions of this ordinance.

- C. Making written orders requiring compliance with the provisions of this ordinance. Such orders shall be served by registered mail upon the person deemed by the Commission to be violating the provisions of this ordinance. The date of mailing shall be deemed the date of service of any order served by registered mail.
- D. Institution in courts of proper jurisdiction proceedings for the enforcement of the provisions of this ordinance. The Commission attorney shall be the City Attorney of Irvington.

3.3 Administrative Official

- A. The Commission shall designate, with the concurrence of the City Council, an Administrative Official to be charged with and provided the authority to enforce the orders, ordinances and regulations of the Commission.
- B. The duties and powers of the Administrative Official include:
 - (1) Proposing and recommending to the Commission the enactments of amendments to this ordinance for the purpose of improving administration and enforcement.
 - (2) Proposing and recommending to the Commission the enactments of amendments to the official maps as necessary by judicial or administrative proceedings or as deemed desirable because of changing conditions.
 - (3) Review of all applications and, upon compliance with this ordinance, approve and issue building permits.
 - (4) Receiving all applications for amendments to this ordinance and the official map, refer such applications to the appropriate agencies for examination and submit all applications with recommendations to the Commission.
 - (5) Administering rules and regulations established by the Commission.
 - (6) Maintenance of a map or maps showing the current zoning classification of all land within the jurisdiction of the Commission.

- (7) Maintenance of a current register of all nonconforming uses, variances, and conditional use permits.
- (8) Recording with the City Clerk and/or the County Clerk all matters required to be recorded by the Commission.
- (9) Maintenance of written records of all actions taken by the Commission under this ordinance.
- (10) Preparation of an annual financial report for submission to the Commission, and City Council.

3.4 Board of Adjustment

- A. A Board of Adjustment shall be appointed pursuant to the provisions of KRS 100.217 before this ordinance shall have legal effect.
- B. The Board of Adjustment shall conduct meetings at the call of the Chairman who shall give written notice to all members at least seven (7) days prior to the meeting. The notice shall contain the date, time, and place for the meeting and the subject or subjects to be discussed. The Board shall also give notice to the public of such meetings as required in KRS Chapter 424 and shall give notice by registered mail to affected adjoining property owners.
 - (1) A single majority of the total membership of the Board of Adjustment shall constitute a quorum. Any member of the Board of Adjustment who has any direct or indirect financial interest in the outcome of any question before the Board shall disclose the nature of the interest and shall disqualify himself from voting on the question.
 - (2) The Board of Adjustment shall adopt bylaws for the transaction of business and shall keep minutes and records of all proceedings including regulations, transactions, findings, determinations, the number of votes for and against each question, members absent, and members abstaining from voting.
- C. The Board of Adjustment 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 ordinance pursuant to the provisions of KRS 100.237.

D. The Board of Adjustment shall have the power to hear and decide on applications for dimensional variances pursuant to the provisions of KRS 100.241, .127, and .251. The findings necessary for granting a variance by the Board of Adjustment shall include all of the following:

- (1) The specific conditions in detail which are unique to the applicant's land in the same zone.
- (2) The manner in which the strict application of this ordinance would deprive the applicant of a reasonable use of the land in the manner equivalent to the use permitted other land owners in the same zone.
- (3) The unique conditions and circumstances are not the result of actions of the applicant taken subsequent to the adoption of this ordinance.
- (4) The variance will preserve and not harm the public safety and welfare or alter the essential character of the neighborhood.

E. Appeals to the Board of Adjustment may be taken by any person or entity claiming to be injuriously affected or aggrieved by any official action or decision of the Commission or Administrative Official within thirty (30) days after notification of the action. The procedure for all appeals to the Board of Adjustment shall be pursuant to the provisions of KRS 100.261. The Board of Adjustment shall fix a reasonable time for hearing the appeal, give public notice in accordance with KRS Chapter 424, provide written notice to the appellant and Administrative Official at least one (1) week prior to the hearing, and shall decide it within sixty (60) days. The appellant may appear at the hearing in person or by attorney.

SECTION IV

ZONING DISTRICT MAP AND NONCONFORMING USES

4.1 Adoption

- A. The City of Irvington is hereby divided into zones or districts as described in Section and is shown on the Zoning District Map(s) which are hereby adopted by reference and declared to be a part of this ordinance.
- B. A complete and accurate copy of the official Zoning District Map(s) shall be filed and available for inspection in the Commission Office. A copy of the official map as originally adopted shall be filed and available for public inspection in the offices of the Irvington City Clerk.

4.2 District Boundary Interpretations

- A. Where a zoning district boundary follows an alley, street, railroad, stream, or body of water, the centerline of such feature is the boundary of the district.
- B. Where a zoning district boundary approximately follows a lot or property line, the line is the boundary of the district.
- C. Where a zoning district boundary does not clearly follow any of the features indicated on subsections A or B, the exact location on the ground shall be determined by measurement in accordance with the map scale.
- D. Where the area is divided into two (2) or more districts, the entire area may be used in conformity with any of said districts subject to the regulations established for the district in which is located one-half ($\frac{1}{2}$) of the area of the entire lot.

4.3 Nonconforming Use

- A. A nonconforming use shall not be extended or enlarged beyond the scope and area of its operation at the time of adoption of the ordinance or regulation which makes such use nonconforming. Area shall mean the structure and/or lot within or upon which said nonconforming use is being operated.

- B. Whenever a nonconforming use of any structure or lot has been discontinued for a period of twelve (12) months, the structure or lot must thereafter be used in conformance with this ordinance.

4.4 Nonconforming Structures

- A. A nonconforming structure shall not be enlarged, replaced, or structurally altered except in conformance with this ordinance, except for mobile homes, which may be replaced in accordance with city ordinance number 14-21. Any structure may be restored to a safe condition, however, if declared unsafe by a public official with jurisdiction except as provided elsewhere in this ordinance.
- B. A nonconforming structure for which restoration to a safe condition would cost more than fifty (50) percent of its fair-market value shall not be restored except in conformance with this ordinance.
- C. Proposed structures for which building permits have been issued prior to their designation as nonconforming by the adoption of or amendment to this ordinance may be completed as originally intended provided the structure is completed and in use within one (1) year after the issue date of the building permit.

4.5 Nonconforming Lots

- A. A lot of record which has received final plat approval by the Commission at the date of adoption or amendment to this ordinance but which does not conform to the width or area requirements shall be considered a legal nonconforming lot.
- B. Any subdivision which has received preliminary plat approval by the Commission shall be reviewed and may be considered as legal nonconforming lots if it is found that each lot may be reasonably used as a building site for any structure or use permitted within the district without requiring a dimensional variance.

SECTION V

AMENDMENT

5.1. Procedure

- A. A proposal for amendment to this ordinance may originate with the Commission, the Irvington City Council or with the owner of the property in question. The proposed amendment, regardless of origin, shall be referred to the Commission for action.
- B. The Commission shall conduct a minimum of one (1) public hearing on the proposed amendment after notice as required by KRS Chapter 424. The Commission shall make a recommendation to the Irvington City Council within forty-five (45) days from the date of the public hearing. It shall take a majority of the entire legislative body to override the recommendation of the Commission.

5.2 Public Hearing

When a public hearing is scheduled for a proposal to amend the zoning district map or ordinance, the following shall be given in addition to other notices required by other local regulations or ordinances.

- A. Notice of the public hearing shall be posted conspicuously on the property the classification of which is proposed to be changed, for fourteen (14) consecutive days immediately prior to the hearing. Posting shall be as follows:
 - (1) The sign shall state "Zoning Change" and the proposed classification change in letters three (3) inches in height. The time, place, and date of the hearing shall be in letters at least one (1) inch in height.
 - (2) The sign shall be constructed of durable material and shall state the telephone number of the Commission.
- B. Notice of the hearing shall be given at least seven (7) days in advance of the hearing by registered or certified mail, return receipt requested, to the owners of the property adjoining the property classification of which is proposed to be changed. It shall be the duty of the person or persons proposing

the amendment to furnish the Commission the names and addresses of the owners of all adjoining property.

5.3 Map Amendment

The Commission and City Council must find before any map amendment is granted that the proposed amendment is in agreement with the Comprehensive Plan, or, in the absence of such a finding that one or more of the following apply and such finding shall be recorded in the minutes and records of the Commission and City Council:

A. That the original zoning classification given the property was inappropriate or improper, or

B. That there have been major changes of an economic, physical or social nature within the area involved which were not anticipated in the Comprehensive Plan and which have substantially altered the basic character of the area.

SECTION VI

VIOLATIONS, PENALTIES AND LIABILITIES

6.1 Violations

The Administrative Official or Commission Chairman shall issue written notice to violators of all violations of this ordinance and order such violations to cease. If necessary, the Commission, through the City Attorney, or any property owner or occupant who would be damaged by a violation may institute appropriate action in court.

6.2 Penalties

Any person who violates the provisions of this ordinance shall, upon conviction, be fined not less than ten (10) dollars nor more than one hundred (100) dollars for each offense. Each day of violation shall constitute a separate offense.

6.3 Liabilities

Any member of the Commission or Board of Adjustment or any employee thereof, shall not render himself liable personally in the discharge of his duties. Any suit brought against any member of the Board of Adjustment, Commission or any employee, because of such act performed by him in the enforcement of any provision of this ordinance, shall be defended by legal representation of the Commission until the final termination of the proceedings.

SECTION VII

GENERAL PROVISIONS

7.1 Establishment of Zones

In order to implement the intent of this ordinance, the City of Irvington is hereby divided into the following classes of districts as listed below with the specifically permitted and conditionally permitted uses as listed in Section

R-1

Single family low density residential district, designed to encourage the building of well developed residential areas and allowing certain specified home occupations.

R-2

Single and two family residential district, allowing certain home occupations and secondary uses.

R-3

Primarily a multi-family or apartment district, but including single and two family structures and certain secondary uses.

C-1

A district composed primarily of retail trade and services located in the central business area and serving the needs of the entire community.

C-2

Primarily retail and wholesale activities that are dependent upon automobile traffic.

I-1

A district composed of manufacturing, assembling, and fabricating industries as well as warehousing and wholesale businesses.

Conservation (Cons.)

A district composed of open or undeveloped land subject to flooding as determined by maps of the Federal Emergency

Management Agency. Also included in this zone are sinkholes and recreational areas. Land with improper drainage may be developed if corrective actions are taken.

Agriculture (Ag)

This district is composed of open or undeveloped land in agricultural or pasture use as defined by Kentucky Revised Statutes Chapter 100.

SECTION VIII
PERMITTED USES

8.1 Uses Permitted in the Districts

Within each district as indicated on the Zoning Map, no land, building, or structure shall be used and no building or structure shall be erected except those which are marked with an "X" in the appropriate space in the following List of Permitted Uses. If there are any questions concerning the meaning or interpretation of this List, the final determination shall be made by the Planning Commission guided by the purpose and intent of this ordinance which is to promote the public health, safety, and general welfare of the citizens of Irvington. Where a specific use is not listed, the Planning Commission shall determine the appropriate zoning district and shall list this use in the district by means of an amendment.

8.2 Parking Requirements

Each use shall provide off-street parking in accordance with the provisions of the Off-Street Parking Requirements and other requirements contained in this ordinance. The type of parking required for each use is indicated by a number in the parking type column which refers to Section XIX of these regulations.

8.3 Conditional Uses

Certain uses may be permitted in specific districts on a conditional basis. The Board of Adjustment shall determine the appropriateness of the intended use of a particular lot in the specific zoning district. The Board of Adjustment may approve or disapprove only those Conditional Uses that are indicated by a "C" in the appropriate column of the following List of Permitted Uses.

8.4 Home Occupations

Certain home occupations as defined in the definitions section are allowed in residential areas.

	R-1	R-2	R-3	C-1	C-2	I	AF	Col	(F)
Automobile: (cont.)									
Repair					X	X			4
Salvage					NOT PERMITTED				
Baby Shops					X	X			4
Bags:									
Paper Mfg.							X		5
Burlap							X		5
Bakers:									
Mfg.					C	C	X		5
Sales					X	X	X		4
Ball Park								X	3
Ball Bearings:								X	3
Mfg. & Warehousing							X		5
Sales					X	X	X		4
Banks & Trust Companies					X	X			4
Barbecue Stand					X	X			4
Barbers:									
School					X	X			4
Shop					X	X			4
Supplies & Dealers					X	X			4
Barrel Mfg.									
Wood							X		5
Bars, (Liquor)					X	X			4
Baseball Park								X	3
Bathroom Accessories:								X	3
Sales					X	X			4
Mfg.							X		5
Battery Service									
Beauty:									
Culture Schools					X	X			4
Shops		C	C	C	X	X			4
Equipment Sales					X	X			4
Beer Distributor									
Office							X	X	5
Wholesale							X	X	5
Storage							X	X	5
Beverages (Soft):									
Office							X	X	5
Wholesale							X	X	5
Distributor							X	X	5
Bible Institute (School)					X	X			5
Bicycles, Sales & Service					X	X			4
Billboards								X	4
Billiard Parlors					X	X			4
Blast Furnaces									
Bleaching Compound Mfg.							X		5
Blind Peoples Home				X					5
Blood Banks					X	X			2
Blueprinting					X	X			4
Boarding House									4
Boat Mfg.			X						2
Boilers:								X	5
Mfg. & Storage								X	5
Sales & Service					X	X		X	5
Bolts & Nuts:									
Mfg.								X	5
Sales					X	X			4

Permitted Uses

	R-1	R-2	R-3	C-1	C-2	I-1	AE	Cons	TRK	Typ
Book Publishing										
Book Sellers				X	X				4	
Botanical Garden				X	X				4	
Bottle Mfg.							X	X	3	
Bottled Gas:										
Mfg.						X			5	
Storage & Distribution						X			5	
Bowling Alleys						X			5	
Boxes:				X	X				4	
Mfg.							X		5	
Sales						X			5	
Brake Lining Mfg.				X	X	X			5	
Brick Kilns						X			5	
Broadcasting Station						X				
Broom Mfg.				X	X				4	
Brush Mfg. & Sales						X			5	
Building Contractors:						X			5	
Equipment & Material/Storage							X	X	5	
Offices						X	X		5	
Building & Loan Association						X	X		5	
Building, Office						X	X		5	
Building Materials, Wholesale & Storage				X	X				4	
Burlap Processing				X	X	X			4	
Bus Line:						X			5	
Depots										
Shops, Garage, Repair				X	X				4	
Business College				X	X				4	
Business Machines:										
Mfg.							X		5	
Sales & Service				X	X				4	
Butcher Shops				X	X				4	
Butter & Cheese Mfg.				X	X				4	
Cabinet Makers						X			5	
Cafes						X			5	
Camera Shop				X	X				4	
Campground				X	X				4	
Candle Mfg.							X	X	NA	
Candy:						X			5	
Mfg.										
Sales & Distributors					X	X	X		4	
Cap & Hat Manufacturer					X	X	X		4	
Carnival						X			5	
Carpenters:							X	X	3	
Contractor's Office										
Equipment Storage					X	X			4	
Carpet & Rugs					X	X			4	
Sales, Retail				X	X				4	
Wholesaling					X	X			4	
Cleaning Stores										
Baskets Mfg.					X				4	
Caterer (food prep.)						X			5	
Cattle Shed				X	X				4	
Cellulose Mfg.					X		X	X	NA	
Cemeteries							X	X	NA	

Ceramic Shop & Sales							X	X					4		
Chalk Mfg.									X				5		
Charcoal Mfg.									X		X		5		
Chicken Farm											X		NA		
Child Care Center	C	C	C				X						2		
Children & Infant Wear								X	X				4		
Chiropodist							X	X	X				4		
Chiropractor							X	X	X				4		
Christian Science Reading & Practioner Rooms								X	X				4		
Churches						ANYWHERE							4		
Cider & Vinegar Mfg.											X		5		
Cigar & Cigarette Store								X	X				4		
Cigarettes: Mfg.											X		5		
Sales & Service of Machines								X	X				4		
Circus											X	X	3		
City Buildings								X	X				4		
Cleaners, Dry								X	X				4		
Clinics, Medical							X	X	X				4		
Clock Factory											X		5		
Clothing: Mfg.											X		5		
Wholesale & Distribution											X	X	5		
Clubs						DEPENDING ON TYPE					X	X	5		
Coin Dealers								X					4		
Cold Storage									X	X			5		
Collective Agencies							X	X					4		
College & Universities											X		3		
Community Center									X				4		
Concrete Mfg.											X		5		
Cosmetic Mfg.											X		5		
Costume Rentals								X	X				3		
Country Clubs											X		4		
Creosote Mfg. & Treatment											X		5		
Crop Dusting											X		5		
Curios							X	X			X	X	NA		
Department Stores: Retail							X	X					4		
Warehousing							X	X					4		
Deck: Mfg.								X	X				4		
Sales											X		5		
Diaper Supply Service									X				4		
Diesel Engine Service									X				4		
Distillers									X				4		
Distribution & Warehousing											X	X	5		
Doctor's Office									X	X			5		
Dog Pound							X	X	X				4		
Doors: Metal Mfg.											X		5		
Sash & Trim, Wood											X		5		
Dress Shops, Sales								X	X				4		
Printing Company											X		5		
Drive-In: Market											X		4		

Flour Mills:

	R-	R-	R-	C-	C-	I-	AE	Co	FF
Storage							X		5
Elevators							X		5
Food Processors							X	X	5
Freight Depot							X		5
Fruit Stores						X		X	4
Fuel Distributing Station							X		5
Funeral Parlor						X			4
Fur:									
Farms								X	3
Warehouse								X	5
Sales								X	5

Furnace:

Mfg.							X		5
Cleaning & Service								X	4
Display & Sales								X	4
Furniture:									
Mfg.							X		5
Display & Sales								X	4
Refinishing	C	C	C			X		X	4
Garage:									
Public								X	4
Private	X	X	X	X	X				1
Garment Factory								X	5

Gas:

Wells								X	X	NA
Bulk Storage								X		5
Gelatin Mfg.								X		5
Gift Shops						X	X			4
Glass:										
Blowing, Private						X	X			4
Mfg.								X		5
Sales & Repair						X	X			4
Golf:										
Miniature							X			4
Course								X	X	3

Government Buildings

Graphite Mfg.						X	X			4
Grease & Tallow Mfg.								X		5
Grist Mill								X		5
Grocers:										
Retail						X	X			4
Warehouse							X	X		5
Wholesale							X			4
Gunpowder Mfg.								C		
Gun Sales						X	X			4
Gunsmiths	C	C	C			X	X			4
Gyms						X	X		X	4/3

Gypsum Board Mfg.

alfway House		C	C					X		5
Hardware Sales						X	X			4
Harness:										
Repair						X	X		X	4
Sales									X	4
Hat & Cap Sales						X	X			4

	R	R	R	R	R	C	C	C	C	C	C	C	C
Hay & Straw Storage										X			3
Health Center						X	X						4
Health Food Products, Sales						X	X						4
Health Spa						X	X				C		4
Heating Contractors:													
Assembly								X					5
Sales						X	X	X					5
Storage							X	X					5
Hem Stitching	X	X	X		X	X	X						5/1
Herbs, Sales, Growing									X	X			3
Hide & Tallow Mfg.									X				5
Homes:													
Children's					X								2
Old Age					X								2
Retarded					X								2
Horse Radish Mfg.								X	X				5
Hose Mfg.								X					5
Hosiery:													
Mfg.								X					4
Sales						X	X						4
Hospitals:													
Mental								X					4
Private & Public								X					4
Veterinarian								X	X				3/4
Hotels, Motels						X	X						4
Housefurnishings, Retail						X	X						4
House Movers:													
Office						X	X						4
Equipment						X	X						4
Ice:													
Mfg.							X	X					4
Sales						X	X						4
Ice Cream:													
Mfg.								X					5
Shops						X	X						4
Ice Skating Rink						X	X				C		4
Imported Goods:													
Retail Sales						X	X						4
Warehousing							X	X					5
Incineration of Animal & Garbage								X		C	X		5
Industrial School								X		C	C		5
Infirmiry, Private								X					4
Insecticides, Mfg.	NOT PERMITTED							X					4
Institute, Bible								X					4
Insurance Offices					X	X	X						4
Interior Decorators:													
Display & Sales	C	C	C			X	X						4
Workshops	C	C	C			X	X						4
Irrigation Companies & Equipment							X						4
Jewelers, Retail						X	X						4
Junk Yards	NOT PERMITTED												
Kennels (Commercial)	X	X							X	X			1/3
Key Shops						X	X						4
Kerosene Mfg.								X					5
Knit Goods Mfg.								X	X				5
Kindergarten						X	X						

	R-	R-	R-	C-	C-	I-	VE	Col	(T)
Landscape Architects Office						X	X		4
Landfill Mfg., Selling								X	3
Laundries:								X	3
Self Service									4
Service						X	X		4
Lawn Furniture Sales						X	X		4
Lawn Mower Repair Shops						X	X		4
Lawyers Offices	C	C	C					C	4
Leather Goods:						X	X		4
Repairing									4
Fabrication							X	C	4
Sales							X		5
						X	X		4
Libraries						X	X		4
Limb, Artificial Mfg.							X		5
Lime Mfg. & Storage							X		3
Linens, Sales								X	4
Linseed Oil Mfg.						X	X		5
Lithographers								X	4
Livery Stables						X	X		3
Livestock:								X	3
Sales & Shipping								X	3
Slaughter								X	3
Supplies								X	4
Loan Company						X	X	C	4
Loan or Pawn Shops						X	X		4
Lockers, Food Storage									4
Locksmith's Repair Shops						X	X		4
Lodging House						X	X		4
Luggage Mfg.								X	5
Lumber:									5
Bulk Processing								X	5
Storage Yard								X	5
Lunch Rooms						X	X		4
Machine Shops						X	X		5
Magazine Sales								X	4
Marble Processing						X	X		5
Mattresses Mfg.								X	3
Mausoleums									4
Meat, Storage & Wholesale						X	X		4
Meat & Fish Retail Sales						X	X		3
Meat Packers								X	4
Medical Clinics						X	X		5
Meter Mfg.								X	5
Milk:									5
Bottling Plant								X	5
Distribution								X	5
Millinery & Dress Making	C	C	C			X	X		4
Milling Equipment, Sales						X	X		4
Mineral Water Distillation								X	3
ning								C	3
ining Machinery:								X	3
Wholesale & Storage									4
Supplies								X	4
Mission, Religion								X	4
Mobile Home Park	ANYWHERE								3

	R	R	R	C	C	I	A	C		
Molasses Mfg. -----									X	5
Monuments: -----									X	5
Mfg. -----									X	5
Sales & Display -----									X	4
Mortar Preparation & Sales -----									X	5
Mortuary -----									X	4
Motion Picture Theaters: -----									X	4
Indoor -----									X	4
Outdoor -----									X	3
Motorcycles, Repair & Sales -----									X	4
Movers: -----									X	4
Garage -----									X	4
Warehouse -----									X	4
Museums -----									X	4
Music Instruction -----	X	X	X						X	4
Musical Instruments & Repair -----	C	C	C						X	4
News: -----									X	4
Dealers -----									X	4
Service -----									X	4
Stands -----									X	4
Printing -----									X	4
Office -----									X	4
Noodle Mfg. -----									X	4
Notions: -----									X	5
Mfg. & Wholesale -----									X	5
Retail -----									X	4
Novelties: -----									X	5
Mfg. & Wholesale -----									X	4
Retail -----									X	4
Nursery Schools -----									X	4
Office Equipment: -----									X	4
Mfg. -----									X	5
Sales -----									X	4
Office Machinery -----									X	4
Oil: -----									X	5
Storage -----									X	5
Refinery -----									X	5
Old People's Home -----					X				X	2
Optical Sales -----									X	4
Organ Mfg. -----						X	X	X	X	5
Orthopedic Sales -----									X	4
Oxygen Equipment Rental -----									X	4
Package Store (liquor) -----									X	4
Paint Shop (automobile) -----									X	4
Paint & Varnish: -----									X	4
Retail -----									X	4
Wholesale -----									X	4
Palmistry -----						X	X	X	X	4
Parking Lots (commercial) -----									X	4
Parish House -----	C	C	C	C	C	X	X	X	X	4/1
Parochial Schools -----	C	C	C	C	C	C	C	C	C	3
Pattern Shops, Dress -----						X	X	X	X	4
Paving Contractor Equipment & Storage -----									X	5
Pawnbroker -----									X	4
Pencil Factory -----									X	5

Snuff Mfg. -----																				X	5	
Soft Drinks: -----																						
Bottling -----																					X	5
Distributors -----																					X	4
Sound System Retail & Service -----																					X	4
Specialties Shops -----																					X	4
Sporting Goods, Retail -----																					X	4
Stables -----																					X	3
Stamp Dealers -----	X	X	X																		X	4
Stock Yards -----																					X	3
Storage Warehouse -----																					X	4
Substation Electric Power & Light -----																						NA
ANYWHERE																						
Surveyor Office -----																						
Swimming Pool Installer -----																					X	4
Tailors -----																					X	4
Tannery -----																					X	4
Tax Consultants -----																					X	5
Taxidermists -----	C	C	C																		X	4
Telephone Companies, Office -----																					X	4
Tennis Court -----																					X	4
Termite Control Office -----																					X	5
Textile Mills -----																					X	4
Theaters: -----																					X	5
Indoor -----																					X	4
Outdoor -----																					X	4
Tin Shop -----																					X	3
Tires: -----																					X	4
Repair -----																					X	4
Mfg. -----																					X	5
Recapping -----																					X	5
Tobacco: -----																					X	5
Cigarette Mfg. -----																					X	5
Curing -----																					X	3
Wholesale & Storage -----																					X	5
Tombstones: -----																					X	5
Mfg. -----																					X	5
Sales -----																					X	4
Trucking Companies -----																					X	3
Undertaker -----																					X	3
Uniform Rental -----																					X	4
United States Gov't Offices -----																					X	4
Upholsterers -----	C	C	C																		X	4
Used Car Sales -----																					X	4
Vacuum Cleaners - Sales & Service -----																					X	4
Variety Stores Retail -----																					X	4
Vending Machines: -----																					X	4
Distributor & Repair -----																					X	4
Veterinarians Office -----																					X	4
Vocational School -----																					X	4
Wall Boards - Wholesale & Storage -----																					X	4
Warehouses -----																					X	4
Washing Machines, Sales & Display -----																					X	4
Watches - Repair -----																					X	4
Water: -----																					X	4
Public Plant -----																					X	5

	R-	R-	R-	C-1	C-2	I-	AE	Col	
Welding Shops									
Wheel Chairs - Rental					X	X			5
Window Glass Installers				X	X				4
Wood, Storage Yard				X	X				4
Woodworking:					X				4
Cabinet					X				4
Sawmill				X	X				4
Equipment						X	X	X	5
Wool Processing				X	X				4
Woven Goods, Mfg.						X			5
Wrecking Contractors - Yards						X			5
YMCA									4
YWCA					X				4
Zoos							X	X	5

NOT PERMITTED

SECTION IX

R-1 SINGLE FAMILY

9.1 Description of District

This district is composed of single family low-density residential areas of the city, plus certain open areas where similar residential development is desired. The regulations for this district are designed to stabilize and protect the essential characteristics desired in the district, to promote and encourage a suitable environment for family life, and to promote orderly planning and development of land uses by prohibiting all activities of a commercial nature. Public and private parks and schools are permitted within the district provided that they serve the residents of the district and that they are a part of a development unit approved by the Planning Commission.

9.2 Permitted Structures

Each lot shall have at least one (1) front property line and shall be occupied only by one (1) single family dwelling unit structure and such accessory buildings as are clearly incidental and normal and are operated and maintained by the owner of the lot, provided however, that it shall not be a residence.

9.3 Permitted Uses

In the R-1 district, those uses specified under R-1 in the list of Permitted Uses of these regulations will be permitted in addition to the following home occupations.

9.4 Permitted Home Occupations

- A. Custom dressmaking, millinery, tailoring, sewing of fabric for custom apparel and custom home furnishings.
- B. Foster family home and child day care facilities provided that the number of children kept in the home does not exceed the maximum number permitted by state law.
- C. Office - Any office in which chattels or goods, wares, or merchandise are not created, exchanged, or sold.
- D. Tutoring (not more than four (4) children simultaneously).
- E. Fine arts studio in which are created only individual works of art.

9.5 Dimensional Requirements

The lot for each structure shall comply with the following dimensional area requirements.

- A. Lot Area - The lot area shall be not less than seventy-five hundred (7,500) square feet when served by public sanitary sewer, and not less than ten thousand (10,000) square feet when not served by a public sanitary sewer; and shall provide not less than sixty-five (65) percent of the lot area as unobstructed open space.
- B. Each lot shall be not less than eighty (80) feet wide at the front building line with that line being established from the point of the structure nearest the front lot line and extending to the side lot line.
- C. Minimum Required Front Yard - All buildings shall be constructed so that no portion thereof falls within twenty-five (25) feet of the nearest front lot line or be in conformity with a building located within one hundred (100) feet of the proposed building; however, in no event shall the front yard be less than fifteen (15) feet from the public right of way.
- D. Minimum Side Yards - All structures shall have two (2) side yards, in no case less than ten (10) feet or ten (10) percent of lot width, measured at the front building line whichever is less, except that any side yard abutting a street shall be at least fifteen (15) feet, unless other ordinances require a greater setback for the purpose of street widening or for other purposes.
- E. Minimum Rear Yard Requirements - There shall be a rear yard having a depth of not less than twenty-five (25) feet.
- F. Maximum Height - No building hereinafter erected or structurally altered shall exceed two and one-half (2½) stories or thirty-five (35) feet in height, excluding basements.
- G. Location of Accessory Buildings - No accessory building shall be located on any required front or side yard or within five (5) feet of any lot line that is not a street line; and shall not cover more than thirty (30) percent of any required rear yard. Fences up to ninety-six (96) inches in height may be erected along any boundary of the side yard or rear yard from

the rear of the lot forward to the rear of the main structure. A fence up to sixty (60) inches in height may be erected along the side yards from the rear of the main structure forward to the front building line. Any fence or screen constructed in the required front yard or side yard which is along a street must be constructed of materials that do not eliminate or impede the view of the principal structure from the street.

9.6 Off-Street Parking

Each single family lot shall provide at least one (1) off-street parking space. The provision of off-street parking requirements shall be in full force and effect in this district.

9.7 Corner Visibility

On a corner lot, within the areas formed by the right-of-way lines of intersecting streets and a line joining points on such right-of-way lines at a distance of twenty-five (25) feet from their intersection, there shall be no obstruction to vision between a height of two (2) feet and a height of ten (10) feet above the average grade of each street at the centerline thereof, except that street name signs, fire hydrants, street lighting poles, and associated appurtenances thereto shall be permitted within this area.

9.8 Permitted Signs

In the R-1 district only, the signs specified below shall be permitted.

- A. One (1) flat nameplate for each residential lot, not to exceed one (1) square foot of displayed surface area, the sign limited to the name of the residents and the name of the house or tract. In the case of a home occupation permitted in that R-1 district, the displayed surface area may be increased to two (2) square feet and in addition to the information listed above, it may state the service rendered, but in no event shall any product be advertised, nor shall there be mention of any name other than the persons owning the permitted home occupation. No displays of products permitted shall be visible from the exterior of the structure. Under no conditions may these signs be illuminated by a low wattage constant light.

B. One sign with not over four (4) square feet of displayed surface area, pertaining only to the private sale, rental, or lease of the premises upon which it is displayed.

C. One (1) permanent sign not to exceed ten (10) square feet of displayed surface area pertaining only to the name of the subdivision shall be permitted at each entrance to a subdivision where it can be shown that such sign is clearly necessary to the identification of a group of adjacent lots comprising the subdivision. These signs must be constructed of a permanent material that will withstand the affects of weathering. Each sign may be illuminated by a low wattage light, but may not be illuminated internally.

D. On schools and public and private parklands permitted in the R-1 district, one (1) sign shall be permitted at each entrance to the facility, each sign not to exceed six (6) square feet of displayed surface area, and shall be limited to the name of the facility and the name of the public or private body responsible for the facility, and the times when the facility will be open.

SECTION X

R-2 TWO FAMILY

10.1 Description of District

The R-2 district is composed mainly of areas containing single and two family dwellings (duplex) plus certain open areas where this type of development is desired. It is intended for quiet medium density family living, with good environment for bringing up children and to prohibit all commercial activities except certain prescribed home occupations controlled by specific regulations, plus certain uses which are conducive to residential areas, such as schools, parks, churches, and certain public facilities.

10.2 Permitted Structures

Each lot shall have at least one (1) front property line and shall be occupied by one (1) principal structure which may be a single or a two (2) family dwelling structure, and such accessory buildings as are clearly incidental and are operated and maintained by the owner or renter as provided in the rental agreement. This accessory building must not be used as a residence.

10.3 Permitted Uses

In the R-2 district only those uses specified under R-2 in the List of Permitted Uses of the regulations will be permitted, except that the following home occupations will be permitted.

10.4 Permitted Home Occupations

- A. Custom dressmaking, millinery, tailoring, securing of fabric for custom apparel and custom home furnishings.
- B. Laundering and pressing.
- C. Foster family home and child day care facilities provided that the number of children kept in the home does not exceed the maximum number permitted by state law.
- D. Any office in which chattels or goods, wares, or merchandise are not created, exchanged, or sold.
- E. Tutoring (not more than four (4) students simultaneously).

- F. Fine arts studio in which no more than one (1) artist is actively engaged.

10.5 Dimensional Requirements

The lot for each structure shall comply with the following dimensional area requirements.

- A. Lot Area - The lot area shall be not less than seventy-five hundred (7,500) square feet when served by public sanitary sewer; and not less than ten thousand (10,000) square feet when not served by public sanitary sewer; and shall provide not less than fifty (50) percent of the lot area as unobstructed open space. A lot of record in this district which is less than seventy-five hundred (7,500) square feet may not be used for a two family structure.
- B. Each lot shall be not less than one hundred (100) feet wide at the front building line with that line being established from the point of the structure nearest the front lot line and extending to the side lot lines.
- C. Minimum Required Front Yard - All structures shall be set back so that no portion thereof falls within twenty-five (25) feet of the nearest front lot line point.
- D. Minimum Side Yards - All lots with structures shall have two (2) side yards of not less than ten (10) percent of the width of the lot at the front building line, but in no case shall it be less than ten (10) feet as measured from that point of the structure lying nearest the side lot line, with fifteen (15) feet the maximum required except that any side yard abutting a street shall be at least twenty (20) feet or under other ordinances a greater setback is required for the purpose of street widening or for other reasons.
- E. Minimum Rear Yard Requirements - There shall be a rear yard having a depth of not less than twenty-five (25) feet.
- F. Maximum Height - No building hereafter erected or structurally altered shall exceed two and one-half (2½) stories or thirty-five (35) feet in height.
- G. Location of Accessory Buildings - No accessory building shall be located on any required front or

side yard or within five (5) feet of any lot line, that is not a street line. Fences up to ninety-six (96) inches in height may be erected along any boundary of the side yards or rear yard from the rear of the main structure forward to the front building line. Any fence or screen constructed in the required front yard or side yard which is along a street must be constructed of materials that will not impede or disallow the viewing of the dwelling unit from the street and must have approval from the Planning Commission in regards to location, height, material, and construction.

H. Minimum Size of Living Units - Each living unit in a two-family dwelling shall contain a gross floor area of not less than six hundred (600) square feet, excluding porches, steps, and carports.

10.6 Off-Street Parking

Each dwelling shall provide at least one (1) off-street parking space. The two-family dwelling unit in this district shall be required to provide three (3) off-street parking spaces. The provisions of the Off-Street Parking Requirements shall be in full force and effect in this district.

10.7 Corner Visibility

On a corner lot, within the areas formed by the right-of-way lines of intersecting streets and a line joining points on such right-of-way lines at a distance of twenty-five (25) feet from their intersection, there shall be no obstruction to vision between a height of two (2) feet and a height of ten (10) feet above the average grade of each street at the centerline except that street name signs, fire hydrants, street lighting poles, and associated appurtenances thereto shall be permitted within this area.

10.8 Permitted Signs

In the R-2 district only, the signs specified below shall be permitted.

A. One (1) flat nameplate for each residential lot, not to exceed one (1) square foot of displayed surface area, the sign limited to the name of the residents, the name of the house or tract, and official street address. Provided, however, that where there is a home occupation permitted in the R-2 district, the

displayed surface area may be increased to two (2) square feet and in addition to the information listed above, it may state the service rendered, but in no event shall any product be advertised nor shall there be mention of any name other than the person owning the permitted home occupation. No displays of products shall be visible from the exterior of the structure. No illumination of signs will be permitted.

- B. One (1) sign with not over four (4) square feet of displayed surface area, pertaining only to the private sale, rental of unit or units, or lease of the premises upon which it is displayed.
- C. One (1) permanent sign not to exceed ten (10) square feet of surface area pertaining only to the name of the subdivision where said sign must be located and in reference to the adjacent lots and structures. This sign must be constructed of weather resistant materials and must meet prior approval of the Planning Commission. These signs may only be located at exits and entrances to the subdivision and may be illuminated by a low wattage light, but not illuminated internally.
- D. On schools, public and private parks, churches, and other public uses permitted in the R-2 district, one (1) sign shall be permitted at each entrance to the facility, each sign not to exceed six (6) square feet of displayed surface area, and shall be limited to the name of the facility and the name of the public or private body responsible for the facility, and the times when the facility will be open.

SECTION XI

R-3 MULTI-FAMILY

11.1 Description of District

This district is composed of multi-family or apartment residences, but can include single and two-family structures plus certain open areas of the city where such residential development is desired. The regulations for this district are designed to protect the residential character of the areas by prohibiting commercial uses, to promote a neighborhood environment suitable for family life, and to provide open areas for the residents. Certain uses such as schools, parks, churches, and certain public and quasi-public facilities are also permitted.

11.2 Permitted Structures

Each lot shall have at least one (1) front property line and shall be occupied by only one (1) principal structure, which may be a multi-family, two-family, or single family dwelling structure and such accessory buildings as are clearly incidental and normal and are operated and maintained by the owner of the lot; provided, however, that no accessory building shall be used as a residence.

11.3 Permitted Uses

In the R-3 district, only those uses specified under R-3 in the list of Permitted Uses of the regulations will be permitted in addition to those home occupations listed as permitted in the R-1 and R-2 zones.

11.4 Dimensional Requirements

The lot for each structure shall comply with the following dimensional area requirements.

- A. Lot Area - The lot area when served by a public sanitary sewer for a single-family structure shall be not less than seventy-two hundred (7,200) square feet, and for a two-family structure shall be not less than four thousand (4,000) square feet, and for a multi-family structure shall be not less than thirty-five hundred (3,500) square feet each for the first three (3) dwellings in the multi-family structure plus fifteen hundred (1,500) square feet for each dwelling unit with less than four (4) stories. If the structure is four (4) stories or more for each

dwelling unit in addition to the first three (3) add six hundred (600) square feet per unit. The lot area when not served by public sanitary sewer shall be not less than sixteen thousand (16,000) square feet and may only be used for single-family and two-family structures. A multi-family may not be constructed on a lot not served by public sanitary sewer.

- B. Each lot shall be not less than one hundred (100) feet wide at the front building line with that line being established from the point of the structure nearest the front lot line and extending to the side lot lines.
- C. Minimum Required Front Yard - All structures shall be constructed so that no portion thereof falls within twenty-five (25) feet of the nearest front lot line point, provided, however, that where the height exceeds forty-five (45) feet, the front yard setback distance shall be increased one (1) foot for each increment of two (2) feet in increased structure height above forty-five (45) feet up to the maximum permitted.
- D. Minimum Side Yards - For a single and two-family structure there shall be two (2) side yards to each lot with no less than ten (10) feet the minimum required, except that any side yard abutting a street shall be at least twenty (20) feet unless under other ordinances a greater setback is required for the purpose of street widening or for other reasons. For multi-family and other permitted use structures there shall be a side yard on each side of the structure of not less than ten (10) feet. For buildings more than forty-five (45) feet or three (3) stories in height, the side yard in addition to complying with the preceding requirements, shall add two (2) feet to each side yard for each additional five (5) feet in height above forty-five (45) feet.
- E. Minimum Rear Yard Requirements - There shall be a rear yard having a depth of not less than twenty-five (25) feet, and for structures more than forty-five (45) feet or three (3) stories in height, in addition to complying with the preceding requirements shall add one (1) foot for each increment of two (2) feet in increased structure height above forty-five (45) feet up to the maximum permitted height.
- F. Maximum Height - No building hereafter erected or structurally altered shall exceed three (3) stories or

forty-five (45) feet in height; provided, however, that where the provision of the yard requirements and addition thereto are complied with, the building may be increased in height, provided that no building shall exceed a height of seventy-five (75) feet.

G. Location of Accessory Buildings - No accessory buildings shall be located on any required front or side yard or within ten (10) feet of any lot line, that is not a street line. Fences up to ninety-six (96) inches in height may be erected along any boundary of the side yard or rear yard from the rear of the lot forward to the rear of the main structure forward to the front building line. Any fence, screen, or hedge established in the required front or side yard which is along a street shall not be higher than forty-eight (48) inches in height and must have Planning Commission approval as to location, height, materials, and construction.

H. Minimum Size of Single Unit Dwelling - Each two-family or multi-family unit shall contain a gross floor area of not less than: Single Family - seven hundred (700) square feet; Two-Family - six hundred (600) square feet per unit; and, Apartments, Efficiencies - two hundred forty (240) square feet, Other Apartments - four hundred (400) square feet.

11.5 Off-Street Parking

Each dwelling unit shall provide at least two (2) off-street parking spaces. The provisions of the Off-Street Parking Requirements shall be in full force and effect in this district.

11.6 Corner Visibility

On a corner lot, within the areas formed by the right-of-way lines of intersecting streets and a line joining points on such right-of-way lines at a distance of twenty-five (25) feet from their intersection, there shall be no obstruction to vision between a height of two (2) feet and a height of ten (10) feet above the average grade of each street at the centerline thereof except that street name signs, thereto shall be permitted within this area.

11.7 Permitted Signs

In the R-3 district, only the signs specified below shall be permitted, and they shall be in compliance with the

limitations on Signs in the Residential Districts under the general regulation, page 30.

- A. One (1) flat nameplate for each residence, not to exceed one (1) square foot of displayed surface area, the sign being limited to the name of the residents and the official street address. These signs must be attached directly to the residential structure.
- B. One (1) sign with not over six (6) square feet of displayed surface area pertaining only to the private sale, rental, or lease of the premises upon which it is displayed, not to be illuminated.
- C. One (1) permanent sign not to exceed ten (10) square feet of displayed surface area pertaining only to the name of the subdivision shall be permitted at each entrance to a subdivision where it can be shown that such sign is clearly necessary to the identification of a group of adjacent lots comprising the subdivision. Each sign may be illuminated by a low wattage, constant light.
- D. On schools, public and private parks, churches, and public and quasi-public uses permitted in the R-3 district, one (1) sign shall be permitted at each entrance to the facility, each sign not to exceed six (6) square feet of displayed surface area and shall be limited to the name of the facility and the name of the public or private body responsible for the facility, and the time when the facility will be open.

SECTION XII

COMMERCIAL ZONES

12.1 Commercial Zone General Regulations

A. Commercial Zone Districts - Certain areas of the city are designated as commercial districts. These districts are designed to permit the transaction of various types of business in separate areas, and in surroundings conducive to the particular type of business without interference with surrounding areas, and developed to avoid traffic congestion, traffic hazards and provide ample parking. It is intended that each commercial district should provide for good traffic and pedestrian circulation, eliminating all possible conflicts between the two, and the development of open spaces, landscape and green areas of sufficient size and number to enhance each business and create in Irvington business centers that are attractive to the eye, but yet provide the services offered in a convenient and safe location.

B. Commercial District Designation - The designation of an area as a C-1, C-2, or C-3 district may be accomplished in this Zoning Ordinance by action started by the Planning Commission.

If a person or group of persons wishes to change the designation of a particular zoned district to C-1, C-2, or C-3 or a change from one designated commercial district to another, they must present a preliminary development plan to the planning commission. This preliminary development plan shall show all street rights-of-way, the present zone and proposed zoning change, boundaries, and reasons for the requested zoning change. In all cases, before any change in designation is given, there shall be a public hearing as required in Kentucky Revised Statute 100.212. The change of designation to a commercial zone shall cause the conditions and requirements set forth in Section C, Commercial Zoning Districts, to come into full force and effect.

Upon review of the consequences of the public hearing the Planning Commission may approve or disapprove the request for change in zone designation. If the requested zoning change is approved, then the person or persons must submit a commercial Development Plan to the Planning Commission before any development,

granting of building permit, or alteration is permitted on the lot site in question. Not until the filing, approval by the Planning Commission and registration, may any lot or lots in question begin to be modified. Whenever a failure to comply with any of the provisions set forth in the Commercial Zone Regulations of the Zoning Ordinance occurs, no permit shall be issued for the erection or alteration of any structures on the lot in question and all issued permits therefore shall be terminated and cancelled until the area has been examined by the Planning Commission and zoned or rezoned for its appropriateness.

12.2 Review

All development plans filed hereunder shall be reviewed for completeness by the administrative office. If the plans are found to be complete and all requirements met, they shall be approved in writing. In the case of disapproval, it shall go before the Planning Commission, and if the Commission disapproves, they shall be notified in writing the reasons for disapproval, and in all cases, giving due notice to the applicants.

1. Disposition - After completing its review of a development plan, the Commission shall return one (1) approved copy of the plan and all pertinent data together with a notice of recommendation, to the applicants.
2. Registration - Upon approval of the development plan, the Commission shall register a copy thereof among its records.
3. Exception to Lot Widths - On a lot of record shown on a plat or deed prior to the adoption of this ordinance, or where the lot is adjoined on one side by a street and on the other by a lot with a structure thereon, the minimum lot width at the building line and minimum lot area may be waived by the Planning Commission, providing that the intended structure is in full compliance with all other requirements of this ordinance, in no case, however, shall a lot width of less than twenty (20) feet be permitted or a lot area of less than twenty-five hundred (2,500) square feet be permitted.

SECTION XIII

C-1 CENTRAL BUSINESS DISTRICT

13.1 Description of District

This district is composed of certain land and structures used primarily to provide retailing and community service of all kinds satisfying the needs of the residents of Irvington and outlying areas. The volume of pedestrian traffic is expected to increase as more of the population realizes the benefits of a centrally located business area. The catalyst for the rejuvenation of the district will be the soaring costs of fuel required to get to more out-of-the-way retail trade centers. This district is located at the area of convergences of the main arterial highways and rail transit lines. At present, it is the largest of the commercial districts. In the future energy limitations, this area will need to expand and provide for more varied commercial uses. These regulations are designed to permit a highly concentrated, intensive development of the permitted facilities but not to the extent to make the area unenjoyable to carry on trade. Because numerous transportation routes intersect here and because the provision of off-street parking can be a recognized separate business entity, the regulations do not require the furnishing of off-street parking space; but in the interest of the individual business venture and the central business district as a whole, business individuals or a consortium of business or the city are encouraged to provide adequate off-street parking necessary for the district to prosper. Where extensions, redevelopment or new areas of the C-1 district are proposed and if they exceed one hundred thousand (100,000) square feet in total site area, then the owner and developer shall submit a complete development plan, as provided for in the Commercial Zone General Regulations, Section 12.1. Although existing downtown areas have developed without benefit of setbacks, off-street parking areas or landscaping, all owners and tenants in the C-1 district are encouraged to incorporate these improvements in any individual or group development of lots in the C-1 district.

13.2 Permitted Structures

Each lot shall have at least one (1) front line and shall be occupied only by structures containing permitted uses.

13.3 Permitted Uses

In the C-1 district, only those uses specified under C-1 in the List of Permitted Uses, pages 17-27, of these Regulations will be permitted.

13.4 Dimensional Requirements

The lot for each permitted use shall comply with the following dimensional and area requirements.

- A. Lot Area - The lot area shall be not less than twenty-five hundred (2,500) square feet.
- B. Lot Width - Each lot shall be not less than twenty-five (25) feet wide at the front building line, with that line being established from the point of the principal structures nearest the front lot line and extending to the side lot lines.
- C. Minimum Front Yard - There shall be no front yard requirements for a C-1 district other than the following:
 1. Where other ordinances require a setback.
 2. In compliance with the provisions of an adjoining district where a part of the frontage is in a district requiring a front yard.
- D. Minimum Side Yards - No side yard shall be required under this ordinance but they shall be provided if required under other ordinances or in compliance with the provisions of an adjoining district when a part of the side yard is in that district. If a side yard or yards are provided, they shall be not less than five (5) feet.
- E. Minimum Rear Yard Requirements - No rear yard is required in this district except where a rear yard abuts a residential district, then a setback of not less than ten (10) feet is required.
- F. Maximum Height - No building hereafter erected or structurally altered shall exceed sixty (60) feet in height; provided, however, that church spires, flag poles, antennas, chimneys, vents, accessory water towers, air conditioning towers, and elevator shafts; all clearly necessary to the structure shall be permitted to exceed this height limitation upon the approval of the Planning Commission provided they do

not exceed the height limitations by more than twenty-five (25) feet and that no illuminated sign, name, display, or advertising device of any kind whatsoever shall be inscribed or attached to any portion of any structure exceeding the height limitations, and further provided that a tower, not exceeding twenty (20) percent of the lot area and not having any side greater than sixty (60) feet in height nor any wall closer than twenty (20) feet to any lot line may be constructed without reference to these regulations.

- G. Maximum Floor Area - The sum total of the gross floor area of all structures in a lot, including garage space, shall not be greater than ten (10) times the area of the lot on which the structures are located.

13.5 Permitted Building Fronts

Each building shall have a masonry front.

13.6 Off-Street Parking

The provisions of the Off-Street Parking Regulations shall be of no force and effect in the C-1 district, unless otherwise mentioned herein.

13.7 Off-Street Loading Requirements

The provisions of the Off-Street Loading Requirements shall be in full force and effect in this district.

13.8 District Designation and Development Plan Provisions

The provisions of the General Regulations for Commercial District shall be in full force and effect in the C-1 district.

13.9 Permitted Signs

In the C-1 district all signs must conform to the specifications outlined below.

- A. The aggregate area of all signs on the lot or structure of a permitted use shall not exceed twenty-five (25) percent of the facade of the structure having frontage on a street; no one sign may comprise all or more than half of this twenty-five (25) feet.

- B. No sign of any kind will be permitted above the height limitation as specified herein.
- C. No sign will be permitted to infringe in any way upon a public right-of-way, except that where a sidewalk area is completely covered, there shall be permitted one additional sign outside, hanging from the sidewalk coverings no less than eight (8) feet from the sidewalk surface at a ninety (90) degree angle from the structure. 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) feet for the combined surface area of the all displayed sides.
- D. No sign will be permitted which creates or constitutes a nuisance to any adjacent property or creates a hazard or danger to traffic movement, or conflicts with or reduces the effectiveness of any traffic sign or signal.
- E. The maximum displayed surface area of any sign which is not an integral part of the structure where the business is housed shall not exceed two hundred (200) square feet.
- F. All owners and developers of property in the downtown area are reminded of this obligation to the community to maintain the district in an attractive and pleasing manner that will enhance the consumer to trade in this district. The owners should use care and forethought in the location, design, and size of any sign located on their property in the district and all signs advertising their business out of the district.

SECTION XIV

C-2 HIGHWAY COMMERCIAL

14.1 Description of District

This district is composed of certain lands that should be a minimum of one-half acre [twenty-one thousand, seven hundred eighty (21,780) square feet] in size and structures used primarily to provide retail and wholesale trade that is dependent upon vehicular traffic to bring both its merchandise and customers to it. The location of this district shall be located along arterial thoroughfares within the Irvington city limits. Due to its highly intensive use, this district should not be located near the R-R, R-1, R-2 districts without the use of adequate buffer zones.

14.2 Permitted Structures

Each lot shall have at least one (1) front property line and shall be occupied only by structures containing permitted uses and such accessory buildings that are incidental or required for the proper functioning of the permitted uses.

In order to protect existing structures with regards to visibility and access to and from U.S. Highway 60, no structure shall be permitted to be located between any existing structure and U.S. Highway 60 within the corporate city limits.

14.3 Permitted Uses

In the C-3 district only those areas specified under C-3 in the List of Permitted Uses, pages 17-27, of the Regulations shall be permitted.

14.4 Dimensional Requirements

The lot for C-2 commercial district shall comply with the following dimensional and area requirements:

- A. Lot Area - The lot area shall be not less than twenty-one thousand, seven hundred eighty (21,780) square feet of which fifty (50) percent shall remain as unobstructed open space, provided, however, that this open space may be used for parking and landscaped areas.
- B. Lot Width - Each lot shall be not less than one hundred (100) feet wide at the front building line with that line being established from the point of the structure nearest the front lot line and extending to the side lot lines.

- C. Minimum Required Front Yard - All structures shall be setback a distance of not less than forty (40) feet from each front property line, or as required in other ordinances, whichever is the greater.
- D. Side Yards - All structures shall have two (2) side yards of not less than five (5) feet on both sides except where the zone abuts a residential area in which case a side yard of fifteen (15) feet is required on the side or sides abutting the residential area, provided, however, that where the zone abuts a street, the side yard setback established for that street shall be maintained, or as required by other ordinances, whichever is the greater.
- E. Minimum Rear Yard Requirements - There shall be a rear yard having a depth of not less than twenty (20) feet where it abuts a residential zone provided that where the rear lot line abuts an alley and the property on the other side of the alley is not within a residential zone, then the minimum rear yard requirement shall be a depth of not less than fifteen (15) feet where the rear lot line abuts onto a street, the rear building line shall be the building setback line established by the primary zone abutting the street.
- F. Maximum Height - No building hereafter erected or structurally altered shall exceed three and one-half (3½) stories or forty-five (45) feet in height, provided, however, that cooling towers, elevator shafts, and other structural units necessary for the functioning of the use shall be permitted to exceed this height.
- G. Location of Accessory Buildings - No accessory buildings shall be located in any required front or side yard, or within ten (10) feet of any lot line, that is not a street line. Fences up to ninety-six (96) inches in height shall be erected on those C-2 uses where a great portion of the merchandise is stored outside or where heavy equipment is operated. These fences shall be erected along the rear yard and side yard boundaries extending to the front building line. Any fence or screen constructed in the required front yard must have approval of the Planning Commission.
- H. Screens - All C-2 uses shall provide a screen between abutting residential areas of at least ninety-six (96) inches in height not to exceed one hundred twenty (120) inches so as to protect these areas from

unreasonable disturbance by movement of people or vehicles from lights, noises, or exposure to view not compatible with residential areas. Such screen shall be pleasing in design, and of a substantial material, easily maintainable.

14.5 Permitted Building Fronts

Each building shall have a masonry front.

14.6 Off-Street Parking

The provisions of the Off-Street Parking Requirements shall be in full force and effect in the C-2 district.

14.7 Corner Visibility

On a corner lot, within the areas formed by the right-of-way lines of intersecting streets and a line joining points on such right-of-way lines at a distance of twenty-five (25) feet from their intersection, there shall be no obstruction to vision between a height of two (2) feet and a height of ten (10) feet above the average grade of each street name signs, fire hydrants, street lighting poles, and associated appurtenance shall be permitted within this area.

14.8 District Development Plan Provisions

The provision of the General Regulations for Commercial Districts inclusive shall be in full force and effect in the C-2 district.

14.9 Permitted Signs

In the C-2 district only the signs specified below shall be permitted.

- A. One flat sign for each permitted use within the C-2 district not to exceed fifty (50) square feet. This sign may be illuminated. Where a building faces onto more than one street one additional sign shall be permitted for each street frontage, provided that in no case will the total of all signs exceed seventy-five (75) square feet.
- B. Where the C-2 district is a planned shopping center with 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 at a height of not less than

eight (8) feet from the sidewalk surface. It shall not exceed ten (10) square feet for each of the two (2) displayed surface areas.

C. Where the C-2 district is a planned shopping center approved by the Planning Commission, there shall be permitted an additional sign located close to, but not infringing in any way upon the street right-of-way, indicating the name of the shopping center and the stores therein. It shall not exceed a height of twenty (20) feet above the level of any adjacent sidewalk or parking area. These signs may be illuminated.

D. One sign with not over twelve (12) square feet displayed surface area, pertaining to the private sale, rental, or lease of the premises upon which it is displayed.

SECTION XV

15.1 Industrial Zone General Regulations

A. Description of the Industrial Districts - Certain areas of the City are designated as industrial zone districts. These areas are established in locations where they will not interfere with other types of districts and will provide suitable sites for development of clean industrial uses. The standards developed herein are intended to protect industrial uses and to insure the continuing stability of land values by:

- (1) Providing ample, uncongested space and circulation for all industrial users.
- (2) Protecting each owner or tenant so that he may obtain maximum convenience, safety, economy, view, identity, and amenity in relation to adjacent sites and in relation to the industrial zone district as a whole.
- (3) To provide for adequate space for access parking, off-street loading, internal circulation, utilities, for insulation of noise and vibration, for police and fire protection.
- (4) To provide for safe and uncongested traffic and pedestrian movements both on and off the lots.
- (5) To provide through careful landscaping, a pleasant environment in which in work and to provide shade and protection from sun and light glare and to provide windbreaks.

B. Limitations or External Effects of Uses - Within not more than two (2) years from the date on which this ordinance becomes effective, every use shall be made to comply with the following limitations:

- (1) Enclosure of Uses - Every use, unless expressly exempted by this ordinance, shall be operated in its entirety within a completely enclosed structure; the exemption of a use from the requirement of enclosure will be indicated by a symbol appearing after any use exempted. For all uses exempted from total enclosure the lot will be so developed and screened so that it will

present an attractive appearance from all approaches.

(2) All lots and structures will be developed and operated in a manner that will to the greatest extent practicable protect 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 in a dangerous degree.

(3) Outdoor Storage and Waste Disposal - No highly flammable or explosive liquids, solids, or gases shall be stored in bulk above ground. Tanks or drums of fuel directly connecting with heating devices or appliances located on the same lot as the tanks or drums of fuel are excluded from the provision. Where the permitted industry, by its nature, requires storage of flammable or explosive liquids, solids or gases, it shall locate only in the zone district specified herein and shall meet all of the distance requirements specified below:

a. Liquid petroleum gas, where permitted, shall be stored no closer to any boundary line of a lot on which they are located than the following minimum distances:

<u>Gallons Per Container</u>	<u>If Stored Underground</u>	<u>If Stored Above Ground</u>
Less than 125 gallons	10 ft.	10 ft.
125 - 500 gallons	10 ft.	10 ft.
501 - 2,000 gallons	25 ft.	25 ft.
Over 2,000 gallons	50 ft.	50 ft.

b. Flammable liquids where permitted shall be stored no closer to any boundary line of a lot on which they are located than the following minimum distances:

<u>Above Ground Capacity</u>	<u>Minimum Distance</u>
1 - 1,000 gallons	25 ft.
1,000 - 3,000 gallons	50 ft.
3,000 - 35,000 gallons	100 ft.
Over 35,000 gallons	120 ft.

Underground Capacity

Minimum Distance

500 gallons	6 ft.
2,000 gallons	10 ft.
5,000 gallons	20 ft.
15,000 gallons	30 ft.
20,000 gallons	40 ft.
35,000 gallons	50 ft.

c. Explosives where permitted shall be stored no closer to any boundary line of the lot on which they are located than the following distances:

<u>Pounds</u>	<u>Minimum Distance</u>
2 - 5	70 ft.
5 - 10	90 ft.
10 - 20	110 ft.
20 - 25	125 ft.
Over 25	Not allowable without a permit issued by the city

Railroad right-of-ways abutting a lot may be part of the required setback.

(6) Lighting facilities shall be so arranged that they neither unreasonably disturb occupants of adjacent properties nor interfere with traffic.

D. Accessory Uses - An accessory use shall be only incidental to a permitted use and must comply with all of the following conditions concerning an accessory use.

- (1) Is clearly incidental and commonly associated with the operation of the permitted use.
- (2) Is operated and maintained under the same ownership or by the lessees occupying the permitted use.
- (3) Does not include residential occupancy except by caretakers and watchmen.
- (4) The accessory use shall be limited to a gross floor area of not more than twenty (20) percent of the gross floor area of the principal structure.

E. Permitted Encroachment on Setback Requirements - Belt courses, sills, lintels, cornices, eaves, gutters, stoops, and building accessories designed and intended to control light and glare entering the building, and not being a permanent part of such buildings by being supported from the ground, may extend three (3) feet into any setback space without being considered in violation of the setback requirements of the industrial zone district.

F. Limitations on Sign in Industrial District - No sign shall be permitted which may interfere with, obstruct the view, or be confused or conflict with any authorized traffic sign, signal, or device by location or by the use of any word, symbol, or character in such manner as to interfere with or mislead traffic. No sign shall be permitted which constitutes a nuisance to adjacent property because of lighting glare, focus, or flashing of the sign. No sign shall be permitted closer than one hundred (100) feet to any residence. No sign shall be permitted which makes use of any sound or smoke making device that will cause any effect upon the human senses. The total dimensions of all signs for this district shall be no greater than two hundred (200) square feet. In the locating of signs, care and consideration should be given to preserving and enhancing the natural scenery. Only one sign may be illuminated with a low wattage lamp. Any illuminated sign shall be constructed of a material that resists the effect of weathering.

SECTION XVI

I-1 LIGHT INDUSTRY

16.1 Description of District

This district is composed of areas of the city where industry is wished to be located. Since light industry are those businesses of noise, smoke, heat, or other industrial by-products occur, they can therefore and should be located near or adjacent to any C-2 zoned district. This district is intended to provide good and attractive sites for industrial uses and encourage a high standard of industrial development.

16.2 General Conditions

The general conditions applying to all zone districts and the general conditions applying to Industrial Zone Districts shall be in full force and effect in the I-1 district.

16.3 Permitted Structures

Each lot shall have at least one (1) front property line and shall be occupied only by structures containing permitted uses and such accessory buildings as are clearly incidental and normal to the structure and are operated and maintained by the owner or tenant of the permitted use; provided, however, that it shall not be a residence.

16.4 Permitted Uses

In the I-1 district only those uses specified under I-1 in the List of Permitted Uses, pages 17-27, of the Regulations will be permitted.

16.5 Dimensional Requirements

A. Minimum Required Front Yard - All structures shall be constructed so that no portion thereof falls within fifty (50) feet of the nearest front lot line point. Where the height of any main structure exceeds thirty-five (35) feet as permitted under these regulations, the front yard setback shall be increased one (1) foot for each increment of five (5) feet increased structure height up to fifty (50) feet, the maximum permitted.

B. Minimum Side Yards - There shall be two (2) side yards to each lot; the minimum required side yard width shall be not less than thirty (30) feet as measured from the point of the structures lying nearest the side lot line, except that any side yard abutting a street shall be at least thirty-five (35) feet, unless under other ordinances a greater setback is required for the purpose of street widening or for other reasons. Where the height of any structure exceeds thirty-five (35) feet as permitted, the side yard setback shall be increased one (1) foot for each increment of five (5) feet increased structure height up to fifty (50) feet, the maximum permitted.

16.6 Off-Street Parking

The provisions of the Off-Street Parking Requirements shall be in full force in the I-1 district.

16.7 Off-Street Loading Requirements

The provisions of the Off-Street Loading Requirements shall be in full force and effect in the I-1 district.

16.8 Corner Visibility

On a corner lot, within the areas formed by the right-of-way lines of intersecting streets and a line joining points on such right-of-way lines at a distance of twenty-five (25) feet from their intersection, there shall be no obstruction to vision between a height of two (2) feet and a height of ten (10) feet above the average grade of each street at the centerline thereof, except that street name signs, fire hydrants, street lighting poles, and associated appurtenances thereto shall be permitted within this area.

16.9 Permitted Signs

In the I-1 district all signs must conform to the specifications outlined in the Limitations on Signs in the Industrial Districts under the general regulations or as described herein;

A. In the district, undeveloped lots may be used to display signs of no more than a combined total per side of two hundred (200) square feet. When any such vacant lot is to be developed for a permitted use, no building permit will be issued until the signs have been removed from the property.

B. No more than one (1) sign of not more than eighty (80) square feet pertaining only to the name of the industry and the products it manufactures will be permitted. This sign shall be constructed of a durable weather resistant material capable of withstanding the effects of weathering. This sign may be illuminated by a low wattage light.

SECTION XVII

CONS - CONSERVATION DISTRICT

17.1 Description of District

This district is comprised of lands which have flooding problems, improper drainage, sinkholes, or similar problems or public lands such as schools, parks, etc. The district is established to protect the public health and to reduce the financial burden imposed on unknowing individuals locating in such zones. The boundaries of these lands are established by the Planning Commission, U.S. Army Corps of Engineers, Soil Conservation Service, and Federal Emergency Management Agency. In this district, it is felt that the problems of water table, improper drainage and overflow can be solved through natural or man-made improvements that must be approved by the City Engineer or Planning Commission before any building will be allowed. Under no conditions will the filling of sinkholes or other geologic conditions be allowed nor will it be permitted to build upon, over, or within thirty-five (35) feet of a sinkhole opening, unless the lots have a public sanitary sewer hook up. If the residents are using on-site sewerage systems, then the residences must be located no closer than three hundred (300) feet from the sinkhole. Once conditions of drainage have been solved and demonstrated beyond a doubt, then all structures erected thereon must comply with all regulations applying to the type of building, its use, and the surrounding district characteristics.

17.2 Development Plan Required

Prior to the issuance of a building permit for any construction in a conservation zone a Preliminary Development Plan must be submitted to the Planning Commission. The developer shall submit six (6) copies of the plat and other appropriate supplementary material and fees to the Planning Commission meeting at which it is to be considered. The following information shall be included on the plat. The name and address of the owner and the developer and the proposed name of the development; the location of the tract in relation to the community and facilities; the boundary lines and dimensions of the proposed development; the name and address of each adjacent property owner; the gross acreage of the tract; the location of all existing streets, roads, wet and dry weather water courses, wooded areas, sinkholes and other significant physical features within the tract

and two hundred (200) feet beyond the property boundaries; the location of all existing structures within the area that will be retained; the location, size elevation, and direction of flow of existing water, sanitary sewer and storm-drainage systems on and adjacent to the tract; the elevation of high and low points and sufficient contour data to indicate the slope and drainage of the tract. Contour data shall extend two hundred (200) feet beyond the boundaries of the tract. Elevation and contour data from USGS topographic maps are acceptable. In addition, the location of all proposed structures, rights-of-way, utility easements, vegetation, and any other proposed facility shall be shown. If approved by the Planning Commission, a certified copy of the approved plat shall be filed for recording, at the developer's expense, in the office of the County Clerk within sixty (60) days after final approval. The Commissioner's approval is voided if the approved final plat is altered in any manner, except for Commission requirements, between the dates of Commission approval and recording of the plat. If the plat is not approved, the developer may resubmit a revised plan incorporating modifications specified by Planning Commission at least seven (7) days prior to the Commission meeting at which the revised plat is to be considered. Upon approval of the revised plat, recording requirements as previously stated shall be followed.

17.3 Permitted Uses

In the Cons. district only those uses specified under Cons. in the List of Permitted Uses, pages 17-27, of the Regulations will be permitted.

17.4 Uses by Temporary Permit

The Planning Commission may grant a Temporary Use Permit to an applicant applying for such. This permit shall state the length of time the Temporary Use Permit is in effect. The following uses may be operated as uses by Temporary Permit upon acceptance and issuances of the permit.

- A. Bazaar, carnival, circus.
- B. Parking lot used only for special events.
- C. Sale of Christmas trees and wreaths.

17.5 Structure Setback

All structures must conform to the appropriate residential, commercial, or industrial sign regulations as determined by the Planning Commission and stated in the appropriate Section of this Ordinance.

SECTION XVIII

AGRICULTURE DISTRICT

18.1 Description of District

This district is comprised of land used primarily for agricultural purposes as defined by Kentucky Revised Statutes Chapter 100 and is subject to regulations and restrictions as stated in this Chapter.

18.2 Permitted Structures

Each lot shall have at least one (1) front property line and shall be occupied by only one (1) principal structure and any other buildings that are required to produce agricultural products.

18.3 Permitted Uses

In an Agricultural district only those uses under Ag. in the List of permitted Uses of these regulations will be permitted.

18.4 Permitted Signs

Only the signs specified below will be allowed:

- A. One sign, not over twelve (12) square feet of displayed surface, pertaining to the nature of any home occupation, the items sold, and the name of the residents.
- B. Under no circumstances will any sign be permitted in an Agricultural district advertising any product, service, or use which is not manufactured, rendered, or available on the lot or tract on which the sign is located.
- C. One sign, not over six (6) square feet of displayed surface pertaining only to the sale, rental, or lease of the premises on which it is located.

SECTION XIX

OFF-STREET PARKING REQUIREMENTS

19.1 Scope of Requirements

The requirements herein set forth shall apply and govern in all districts except the C-1 district, where these regulations shall not be enforced.

19.2 Duty to Provide and Maintain Off-Street Parking Space

It shall be the duty and responsibility of the operator and owner of the use and the land on which the structure is located to provide the parking area as specified. No use on the land shall be permitted nor operated unless the off-street parking requirements are met. From the effective date of the ordinance, any use which is enlarged or changed, the off-street parking requirements shall be met.

19.3 Location of Off-Street Parking Space

Off-street parking area shall be located on the same lot as the use.

19.4 Separate or Combined Space

Where off-street parking space is required for a group of businesses all located on the same site, then the total floor area of all businesses will be used to determine the number of parking spaces.

19.5 Amount of Off-Street Parking Space Required

The following amounts of off-street parking space shall be provided plus an area of adequate egress and ingress which shall be not added in the computation of parking space, except single-family residences may utilize this area in their computation of parking area. The minimum dimensions of one (1) parking space shall be ten (10) by twenty (20) feet or two hundred (200) square feet.

19.6 Parking Type One (1), Single Family Residential

- A. A structure containing twelve hundred (1,200) square feet or less of gross floor area shall provide one (1) space of ten (10) by twenty (20); however, if this

structure is also used as a home business, one (1) additional space of the same dimension shall be provided.

- B. A structure containing more than twelve hundred (1,200) square feet of gross floor area, the off-street parking area shall be not less than two (2) spaces or four hundred (400) square feet, with one (1) additional space if a home business.

19.7 Parking Type Two (2), Multi-Family

For each dwelling unit there shall be provided one and one-half ($1\frac{1}{2}$) parking spaces of three hundred (300) square feet.

19.8 Parking Type Three (3), Recreational Areas

An area one-fourth ($\frac{1}{4}$) the size of the total recreation area shall be provided for parking.

19.9 Parking Type Four (4), Commercial - Retail, Area C-2

A. If the gross floor is seventy-five hundred (7,500) square feet or less, an area equal to one-half ($\frac{1}{2}$) the gross floor area shall be provided.

B. If the gross floor area is seventy-five hundred (7,500) square feet up to and including eleven thousand (11,000) square feet, an area equal to three-fourths ($\frac{3}{4}$) of the gross floor area shall be provided for parking.

C. If the gross floor area is more than eleven thousand (11,000) square feet, an area equal to the gross floor area shall be provided for parking.

D. If the gross floor area is more than fifteen thousand (15,000) square feet, an area equal to one and one-half ($1\frac{1}{2}$) times the gross floor area shall be required.

19.10 Parking Type Five (5), Industrial, Wholesaling

For each three (3) employees regularly present at the same time, two hundred (200) square feet shall be provided for parking, but in no event less than an area equal to one-tenth ($\frac{1}{10}$) of the gross floor area.

19.11 Off-Street Loading Requirements

The duty to provide off-street loading space shall be the joint responsibility of the owner and operator of the structure for which off-street loading space is required. No structure shall be designed, erected, altered, used, or occupied unless the required off-street loading space set herein is met. Where off-street loading space is not provided at present, and are occupied and used on the effective date of this ordinance, it shall be required to meet the requirements unless such structure is enlarged or the use enlarged. The new increment will be the only part of the building used for determining the amount of off-street loading space.

19.12 Location of Off-Street Loading Space

Off-street loading space shall be located on the same lot as the structure for which provided.

19.13 Amount of Off-Street Loading Space Required

The following amounts of off-street loading space shall be provided plus an area or means adequate for ingress and egress.

- A. For structures containing less than twenty-five thousand (25,000) square feet of gross floor area, one (1) berth for each twelve thousand five hundred (12,500) square feet of gross floor area or increment thereof. Each berth shall have a net of not less than one hundred sixty (160) square feet.
- B. For structures larger than twenty-five thousand (25,000) square feet of gross floor area, the number of berths are specified in the following table. Each berth shall be at least ten (10) feet wide, thirty-five (35) feet long and fifteen (15) feet high.

<u>Square Feet of Gross Floor Area</u>	<u>Number of Berths</u>
10,000 - 40,000	1
40,001 - 100,000	2
100,001 - 160,000	3
160,001 - 240,000	4
240,001 - 320,000	5
320,001 - 400,000	6
For each 100,000 over 400,000	1 Additional

SECTION XX - AMENDED - SEE ATTACHED

MOBILE HOMES AND MOBILE HOME PARK REGULATIONS

20.1 Definition

A parcel of land under the control of any person and available to the public, in which two (2) or more mobile home lots are constructed for occupancy by mobile homes, including any service building, structure, enclosure, or facility used as part of the park.

20.2 Purpose

These regulations establish rules and standards guiding mobile home park developments within Irvington in order to promote the safety, convenience, and general welfare of the citizenry.

20.3 Administration

These regulations shall be administered by the City of Irvington Planning Commission. All applications, maps, documents, and fees relating to mobile home park approval shall be submitted to the Administrative Official.

20.4 Application

No land within the City of Irvington shall be developed as a mobile home park until a final plat of the proposed park has been approved by the Planning commission and a plat recorded in the office of the County Clerk. All mobile home parks shall be located in the appropriate zoning district and henceforth no mobile home will be allowed on individual lots in any zone, nor be allowed in any other place outside of an approved mobile home park.

20.5 Mobile Home Replacement

Any mobile home located within the city of Irvington prior to the passage of this Zoning Ordinance shall be permitted to remain ~~even though not located within a mobile home park, and any such mobile home may be replaced by another like mobile home of equal or greater value provided, however, that no mobile home may be replaced if it is located in a yard on which a house is located, said yard being contiguous with said house, and further, that said mobile home must be replaced within one hundred eighty (180) days from the date removed from its premises.~~

SECTION XX (CONTINUED)

PLAN SUBMISSION

AMENDED

20.6 Consideration

Prior to the preparation of the plat, the developer should consult with the Administrative Official to insure compliance with these regulations and other applicable ordinances. The developer shall submit an application along with six (6) copies of the plat and other supplementary material and fees to the Administrative Official at least seven (7) prior to the Planning Commission meeting at which it is to be considered.

20.7 Information Required for Plat

- A. The name and address of the owner and developer and the proposed name of the mobile home park.
- B. The location of the tract in relation to the city.
- C. The boundary lines and dimensions of the proposed mobile homes park.
- D. The name and address of each adjacent property owner.
- E. The gross average of the tract.
- F. The location of all existing streets, road, wet and dry weather water courses, wooded areas, and other significant physical features within the tract and two hundred (200) feet beyond the property line.
- G. The approximate location of all existing structures within the proposed tract that will be retained.
- H. The location, size, elevation, and direction of flow of existing water, sanitary sewer, and storm drainage systems on and adjacent to the tract.
- I. The elevation of the high and low points and sufficient contour data to indicate the slope and drainage of the tract. Contour data shall extend two hundred (200) feet beyond the boundaries of the tract. Elevation and contour data from USGS topographic maps are acceptable.

SECTION XX (CONTINUED)

AMENDED

PLANNING COMMISSION REVIEW

20.8 Submission Procedures

If approved by the Planning Commission, a certified copy of the approved plat shall be filed for recording, at the developer's expense, in the office of the County Clerk within sixty (60) days after approval of the final plat by the Commission. The Commission's approval is voided if the approved final plat is altered in any manner, except for Commission requirements, between the dates of Commission approval and recording of the plat. If the plat is not approved the developer may resubmit a revised plat incorporating modifications specified by the Planning Commission at least seven (7) days prior to the Planning Commission meeting at which the revised plat is to be considered. Upon approval of the revised plat, recording requirements as previously outlined shall be followed.

20.9 Required Certification

All certifications and exhibits required for submission of an application for a mobile home park shall be the same as for any subdivision except that, in addition, an approved construction permit from the Cabinet for Human Resources must be submitted.

SECTION XX (CONTINUED)

MINIMUM DESIGN AND IMPROVEMENT STANDARDS

AMENDED

20.10 Area and Density

- A. No mobile home park shall be developed on an area of less than one (1) acre. The developer shall be permitted to develop the park in stages; however, the first stage shall contain a minimum of eight (8) developed lots.
- B. No mobile home park shall be permitted a density of more than eight (8) mobile home lots per acre.

20.11 Mobile Home Lots

- A. Each lot shall be designed for the occupancy of one (1) mobile home unit and shall have an area of not less than forty-five hundred (4,500) square feet and a minimum width of forty-five (45) feet.
- B. Each lot shall contain an appropriately sized pad or other foundation. The location of the pad on each lot shall be not less than ten (10) feet from the nearest lot boundary.

20.12 Lot Setback and Separation Requirements

- A. All mobile homes shall be located a minimum of twenty-five (25) feet from the boundaries of adjacent property.
- B. All mobile homes shall be setback a minimum of twenty (20) feet from the edge of internal streets.
- C. Mobile homes shall be separated from each other by a minimum of twenty (20) feet.

20.13 Internal Streets

- A. All mobile home parks shall be provided with convenient and safe vehicular access. Entrances shall be approved by the appropriate jurisdictional authority.
- B. Entrances and internal streets shall be of adequate width to accommodate anticipated traffic and parking needs. Minimum width of street pavements shall be as follows:

AMENDED

<u>Street Type</u>	<u>Minimum Pavement Width</u>
Entrance	
First 50 feet	24 feet
Beyond 50 feet	20 feet
Internal Sheets	18 feet

20.14 Parking Requirements

- A. A minimum of two (2) parking spaces shall be provided for each lot.
- B. Each designated space shall have minimum dimensions of nine (9) feet by twenty (20) feet.

20.15 Water System

- A. Where a public water supply is reasonably accessible, the developer shall construct a completely looped distribution system adequate to serve the park with a connection for each lot and with five (5) hydrants spaced a maximum of six hundred (600) feet apart.
- B. Where a public water supply is not within a reasonable distance or is otherwise unavailable, the developer shall be required to construct a distribution system in conformance to 5.6.1 and connect it to an alternate water supply approved by the appropriate health agency having jurisdiction.

20.16 Sanitary Sewer System

- A. Where a public sanitary sewer system is reasonably accessible, the developer shall construct a complete collection system, including a lateral connection for each lot and, if necessary, lift or pumping stations.
- B. Where a public sanitary system is not accessible, the developer shall construct such a system and must get approval of the appropriate agency having jurisdiction.

20.17 Electric and Telephone Utilities

All electric and telephone lines shall be installed underground unless unnecessary hardship can be demonstrated.

SECTION XX (CONTINUED)

AMENDED

FEE STRUCTURE

20.18 Fees

The fee for filing a preliminary plat for a mobile home park shall be the same as for any subdivision.

EXHIBIT NO. 1

CERTIFICATION OF OWNERSHIP

I (we) do hereby certify that I am (we are) the owner(s) of record of the property shown and described herein which is recorded in Deed Book _____, Page _____, in the County Clerk's Office; do hereby adopt this mobile home park plan for this property; do hereby dedicate the streets and any other spaces so indicated to public use; do establish the minimum setback and separation requirements; and do establish and reserve the indicated easements for public utilities and drainage purposes.

Date

Owner

Owner

EXHIBIT NO. 2

CERTIFICATION OF PLAT

I hereby certify that this plat was prepared by me or under my direction; that all monuments indicated herein actually exist and their locations, size, and material are correctly indicated; the information shown herein is correct to the best of my knowledge and belief; and all requirements of the Mobile Home Park Regulations have been fully complied with.

Date _____ Land Surveyor

Certification Number

EXHIBIT NO. 3

CERTIFICATION OF APPROVAL OF THE WATER SUPPLY
AND SEWAGE DISPOSAL SYSTEMS

I hereby certify that the water supply and sewage disposal systems installed, or proposed for installation, in the mobile home park entitled _____ fully meet the requirements of the Kentucky State Health Department and are hereby approved as shown.

Date

Approving Authority
Breckinridge County Health Department

Title

SECTION XXI

ENFORCEMENT

21.1 Limitations on All Land and Structures

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

21.2 Limitations on Sales and Rentals of All Land And Structures

No persons, firm, or corporation and no employee thereof, shall sell, rent, or lease or attempt to do any of the aforementioned, upon the representation that such land or structure may be used or occupied in a manner or for a use prohibited in the zoning district in which said structures or land is located. Any failure to notify the intended purchaser of any real estate of the zoning clarification and restrictions thereof will be the fault of the seller and not the Planning Commission Board of Adjustments.

21.3 Zoning Certificate to Erect or Alter Structures

No structure shall be erected or altered until a Building Permit for such erection or alteration shall have been issued by the Planning Commission.

21.4 A Stop Work Permit

Any persons or group of persons who fail to comply with the specifications approved on the building permit, or knowingly deceive the Planning Commission through the application of a false building permit, the Planning Commission shall have the right to issue a stop work permit on the premises of the alleged infraction, at which time all work must be stopped and the violator must come before the Planning Commission for review and advisement on the illegal project.

21.5 Violations - Established

By the provisions of this ordinance, when the performance of any act is required or prohibited, or wherever any regulations, dimension or limitation is imposed on the use or change of use of any land or structure, a failure to comply with the provisions of this ordinance shall constitute a violation of this ordinance. Any persons or

group of persons who violates, disobeys, omits, neglects, or refuses to comply with or resists the enforcement of any of the provisions of this ordinance shall be fined not less than five (5) dollars or more than twenty-five (25) dollars for each offense. Where the violation is of a continuing nature, every day on which the violation exists shall constitute a separate offense.

103
(B) (C)
IRVINGTON ZONING ORDINANCE AMENDMENT

Section XX

20.1 Authority and Purpose.

- 20.1.1 Irvington, in pursuance of the authority of Kentucky Revised Statutes (KRS 100.201-100, 991) hereby ordains and enacts into law the following articles and sections:
- 20.1.2 The purpose of this ordinance provision is to provide minimum standards to safeguard life or limb, health, property, and public welfare in Irvington by establishing standards for the placement of manufactured homes on individual lots or subdivision development lots in Irvington and distinguishing between manufactured and mobile homes.

20.2 Definitions.

- 20.2.1 **Manufactured Home.** A single-family residential dwelling unit fabricated as defined in KRS 227.550 on or after June 15, 1976, in an off-site manufacturing facility for installation or assembly at the building site as a permanent structure with transport features removed, bearing a seal certifying that it is built in compliance with the Federal Manufactured Housing Construction and Safety Standards, as defined in Section 2.0.
- 20.2.2 **Mobile Home.** A structure manufactured prior to June 15, 1976, which was not required to be constructed in accordance with the federal act, which is transportable in one (1) or more sections, which, in the traveling mode, is eight (8) body feet or more in width and forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. These homes bear a numbered Class A or B seal issued by the Kentucky Department of Housing, Building, and Construction, Office of the State Fire Marshal.
- 20.2.3 **B1 Seal.** The unit has been inspected and found to be in compliance with applicable standards for human habitation.
- 20.2.4 **B2 Seal.** The unit: 1. Has been inspected and found not to be in compliance with applicable codes; 2. Is a salvage unit unfit for human habitation; and 3. Shall be sold only for the purpose of use as a storage or utility building.
- 20.2.5 **HUD Label.** (Sometimes referred to as A Seal) The label affixed to a new manufactured home by the manufacturer after it has been approved by a third-party inspector, as required under the HUD Act.

- 20.3 Standards. Class A Manufactured Homes must meet all of the following standards to achieve acceptable similarity between the manufactured home and site-built housing in Irvington:

20.9.2 Each lot shall contain an appropriately sized pad or other foundation. The location of the ad on each lot shall be not less than ten (10) feet from the nearest lot boundary.

20.10 Lot Setback and Separation Requirements.

20.10.1 All manufactured homes shall be located a minimum of twenty-five (25) feet from the boundaries of adjacent property.

20.10.2 All manufactured homes shall be setback a minimum of twenty (20) feet from the edge of internal streets.

20.10.3 Manufactured homes shall be separated from each other by a minimum of twenty (20) feet.

20.11 Internal Streets

20.11.1 All manufactured home parks shall be provided with the convenient and safe vehicular access. Entrances shall be approved by the appropriate jurisdictional authority.

20.11.2 Entrances and internal streets shall be of adequate width to accommodate anticipated traffic and parking needs. Minimum width of street pavements shall be as follows:

<u>Street Type</u>	<u>Minimum Pavement Width</u>
Entrance	
First 50 feet	24 feet
Beyond 50 feet	20 feet
Internal Streets	18 feet

20.12 Parking Requirements

20.12.1 A minimum of two (2) parking spaces shall be provided for each lot.

20.12.2 Each designated space shall have minimum dimensions of nine (9) feet by twenty (20) feet.

- 20.3.1 Subject to requirements and limitations applying generally to such residential use including minimum lot, yard and building spacing dimensions, percentage of the lot that may be covered by buildings and off-street parking requirements.
- 20.3.2 A poured concrete or masonry block skirting wall shall be constructed beneath and along the entire perimeter of the manufactured home, compatible in appearance with community site built housing foundations, even if the wall is not structurally required by the manufacturer's installation specifications.
- 20.3.3 Minimum width of main body of the manufactured home as assembled on the site shall not be less than twenty (20) feet, as measured across the narrowest portion.
- 20.3.4 The pitch of the main roof shall be not less than two and one-half (2 ½) feet of rise for each twelve (12) feet of horizontal run. Minimum distance from eaves to ridge shall be ten (10) feet. In general, any roofing material may be used that is generally acceptable for housing built on the site, if applied in such a manner as to be similar in appearance.
- 20.3.5 Any materials that are generally acceptable for housing built on site may be used for exterior finish if applied in such a manner as to be similar in appearance, provided, however, that reflections from such exterior shall not be greater than from siding coated with clean, white, gloss, exterior enamel.
- 20.3.6 All wheel, trailer-tongue and hitch assemblies shall be removed upon installation.

20.4 Permitted Placement of Mobile Homes

- 20.4.1 Class A and B mobile homes may be placed in a manufactured home community or a mobile home park with their placement governed by those regulations set forth in the adopted zoning code and subdivision regulations. They may be permitted in zones as a conditional temporary use subject to the requirements for such use as set forth in the zoning ordinance or subdivision regulations.
- 20.4.2 Manufactured homes with no HUD Code seal and mobile homes with no Class A or B seal are not permitted in any zoning district or in mobile home parks. Those which at the time of the adoption of this ordinance are located within the jurisdiction are non-conforming uses, subject to the same requirements and regulations as any other non-conforming use.

- 20.5 Manufactured Home Replacement. Any manufactured or mobile home located within the city of Irvington prior to the passage of this ordinance shall be permitted to remain, and any such manufactured or mobile home may be replaced by a manufactured home meeting the requirements of 20.3, 20.3.1, 20.3.2, 20.3.3, 20.3.4, 20.3.5, 20.3.6. No manufactured home may be replaced if it is located on a lot in which another residential home is located. If the home has been destroyed by fire or an "Act of God" it may be replaced with another single wide. The replacement home must be no older than three years.

20.6 Permit

- 20.6.1 If building permits are required for other single-family residential dwellings, building permits for manufactured homes shall be issued, providing that the other requirements for the zone are met, upon presentation of certification either by the United States Department of Housing and Urban Development or the Kentucky Department of Housing, Building, and Construction, Office of State Fire Marshal, that the home has been constructed in accordance with the Manufactured Home Construction and Safety Standards Act. Inspection shall be limited to the foundation and any accessory additions such as porches, basements, or other added or altered structures.
- 20.6.2 If building permits are required for other single-family residential dwellings, building permits for Class A and Class B mobile homes shall be issued where permitted upon receipt of certification that they are Class A or B mobile homes and after compliance with all the other provisions of the zoning ordinance and subdivision regulations including the obtaining of a conditional use permit, if required. Inspection shall be limited to the foundation and other on site improvements, if any.

Manufactured Housing Parks
Section XX (continued)

- 20.7 Application and Plan. Application for a manufactured housing park shall be made to the Irvington Planning Commission. A development plan is required. Content of the plan shall include dimensions, location and number of all lots, and a large-scale plan for one typical manufactured home lot showing home location, automobile parking spaces, walks, etc. Application for a manufactured housing park shall include a proposed plat for the horizontal division of land within the park. Said plat shall be deemed a subdivision plat and susceptible to the requirements of KRS 100.273 and 100.277.
- 20.8 Area and Density.
- 20.8.1 Such a park may contain common areas for management or recreation facilities, open space, or for other uses or structures customarily incidental to manufactured housing parks. No manufactured housing park shall be permitted on a site of less than one (1) acres in size. The developer may be permitted to develop the site in stages as long as he complies with the overall plan for the entire tract and initially has a minimum of eight (8) manufactured home spaces or lots developed for use.
- 20.8.2 The number of manufactured homes permitted in a park shall not exceed a density of eight (8) homes per gross acre.
- 20.9 Lot size.
- 20.9.1 Each lot shall be designed for the occupancy of one (1) mobile home unit and shall have an area of not less than forty-five hundred (4,500) square feet and a minimum width of forty-five (45) feet.

AN ORDINANCE AMENDING THE CITY'S ORDINANCE RELATING TO THE PERMITTED SIZE OF SIGNS LOCATED IN RESIDENTIAL 1 (R-1) ZONED DISTRICTS

THAT, WHEREAS, the present ordinance of the City permits signs for Residential (R-1) districts to be only be two (2) square feet in displayed surface area; and

THAT, WHEREAS, the City Council of the City desires to amend said ordinance to increase the size of the permitted displayed surface area of such signs to sixty-four (64) square feet;

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED BY THE CITY OF IRVINGTON, as follows:

Section 9.8 of the Irvington Code of Ordinances, Permitted Signs, is amended as follows:


In the R-1 district only, the signs specified below shall be permitted, as follows:

- A. One (1) flat nameplate for each residential lot, not to exceed one (1) square foot thirty-two (32) square feet of displayed surface area, the sign limited to the name of the residents and the name of the house or tract. In the case of a home occupation permitted in that R-1 district, the displayed surface area may be increased to two (2) square feet sixty-four (64) square feet and in addition to the information listed above, it may state the service rendered, but in no event shall any product be advertised; nor shall there be mention of any name other than the persons owning the permitted home occupation. No displays

of products permitted shall be visible from the exterior of the structure.
Under no conditions may these signs be illuminated by a low wattage
constant light.

Read, passed, and approved upon first reading on this 10TH day of
June, 2009.

Read, passed, finally approved and adopted upon second reading on this
17TH day of June, 2009.


INEZ BOARD, MAYOR
CITY OF IRVINGTON, KENTUCKY

ATTEST:


LISA BALLMAN, CITY CLERK
CITY OF IRVINGTON, KENTUCKY

**MOBILE HOME
AMENDMENT**

**AN ORDINANCE OF THE CITY OF IRVINGTON, KENTUCKY PROHIBITING
PLACEMENT OF MOBILE HOMES WITHIN THE CITY LIMITS OF THE CITY OF
IRVINGTON, BRECKINRIDGE COUNTY, KENTUCKY.**

WHEREAS, Chapter 15.24 of Code of Ordinances of the City of Irvington does not contain a definition of a mobile home. Whereas, the City Council of the City of Irvington, Breckinridge County, Kentucky desires to provide a definition of a mobile home in said ordinance.

NOW, therefore, be it ordained as follows:

Mobile Home is hereby Defined as follows:

A structure, transportable on wheels in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation.

First reading this 10th day of July, 2000.

Second reading this 7th day of August, 2000.


TED BROWN
Mayor

ATTEST:


LISA L. BALLMAN
City Clerk-Treasurer

