

# **ZONING ORDINANCE FOR THE CITY OF STANFORD**

Final Draft Recommended for Adoption by the  
Stanford Planning Commission on:  
August 26, 1993\*\*

Adopted by Stanford City Council on:

First Reading: September 2, 1993

Second Reading: October 7, 1993

Revised and Prepared by the  
STANFORD PLANNING COMMISSION  
and  
BLUEGRASS AREA DEVELOPMENT DISTRICT  
Based on May, 1978 Edition  
OCTOBER, 1993

\*\* (Updated 05/15/2025 with all Amendments to date - Clerk Allen)

**TITLE:** Zoning Ordinance for Stanford, Kentucky

**SUBJECT:** Zoning Ordinance

**DATE:** October, 1993

**LOCAL PLANNING AGENCY:** Stanford Planning Commission

**SOURCE OF COPIES:** City Hall of the City of Stanford

**NUMBER OF PAGES:** 83

**PURPOSE:** The purpose of these regulations is to promote the public health, safety and the general welfare; to prevent the overcrowding of land and the wasteful scattering of population; to avoid undue concentration of the population; to protect and guide development of rural areas; to insure adequate provisions for transportation, water supply, sewage disposal, schools, parks, open space, natural areas and other public requirements, to encourage the most appropriate use of land and structures throughout the City; to guide and accomplish a coordinated, adjusted, and harmonious development of all areas of the City; and to aid in the implementation of the Comprehensive Plan.

## **PREAMBLE**

An ordinance of Stanford, Kentucky, enacting zoning regulations in accordance with the provisions of KRS 100, dividing the City of Stanford into zones and districts, encouraging, regulating and restricting therein the location, construction, reconstruction, alteration and use of structures and land; promoting the orderly development of residential, business, industrial, recreational and public areas; providing for adequate light, air, and convenience of access to property by regulating the use of land and buildings and the bulk of structures in relationship to surrounding properties; limiting congestion in the public right-of-way; providing for the compatibility of different land uses with the most appropriate use of land; providing for the administration of this ordinance; defining the powers and duties of the administrative officer as provided hereinafter; and prescribing penalties for the violation of the provisions of this ordinance or any amendment thereto; all for the purpose of protecting the public health, safety, comfort and general welfare; and for the repeal thereof.

Therefore, be it ordered and ordained by:

The City Council of Stanford

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## **ARTICLE I**

### **TITLE, INTERPRETATION, AND ENACTMENT**

#### **100 Title**

This Ordinance shall be known and referred to as the “Zoning Ordinance for the City of Stanford, Kentucky”. It may be cited as the “City of Stanford Zoning Ordinance” or the “City Zoning Ordinance”.

The map referred to herein is entitled the “Zoning Map for the City of Stanford, Kentucky”. It may be cited as the “City of Stanford Zoning Map” or the “City Zoning Map”.

Certified copies of this ordinance and this map are on file with the Stanford City Clerk’s Office.

#### **110 Authority**

Authority for this Ordinance is granted by the Kentucky Revised Statutes, Section 100.201 through Section 100.271. The Stanford Planning Commission and the Stanford City Council have fulfilled the requirements set forth as prerequisite to the adoption of this Ordinance.

#### **120 Goal and Objective**

The goal of this Ordinance is to establish a program of zoning for the City of Stanford. The objective of this Ordinance is to guide the use of land and the location and design of structures in a manner that will stabilize property values, assist in achieving a sound growth policy, promote an orderly pattern of land use, and direct development of community facilities and services within the jurisdiction of the City of Stanford.

#### **130 Purpose**

The Zoning regulations and districts set forth herein have been made in accordance with the Stanford Comprehensive Plan Update prepared by the City Planning Commission to:

- a. Promote the general welfare, health, safety, and convenience of the citizens of Stanford.
- b. Execute the provisions of the Stanford Comprehensive Plan Update regarding growth and development in Stanford, to ensure suitable and satisfactory arrangements between the various types of land use.
- c. Lessen traffic congestion and secure safety from fire, flood, and other dangers in the City of Stanford.
- d. Provide adequate light and air while preventing the encroachment of undesirable noise, odor, glare, and vibration.
- e. Facilitate the adequate provision of transportation, schools, recreation, and other public improvements stemming directly or indirectly from the use of land in the City of Stanford.

#### **140 Jurisdiction**

This Ordinance shall apply to all lands within the corporate limits of the City of Stanford and all subsequently annexed territory. Subdivision regulations apply within the city limits of Stanford and within the subdivision growth boundary established by the Planning Commission and shown on the boundary map.

#### **150 Interpretation**

In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements, adopted for the promotion of the public health, safety, morals and general welfare. Whenever the requirements of this ordinance differ from the requirements of any other lawfully adopted rules, regulations, resolutions, or ordinances the most restrictive, or that imposing higher standards, shall govern.



## **160 Separability Clause**

Should any section or provision of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared unconstitutional or invalid.

## **170 Repeal of Conflicting Resolution and Ordinances, Effective Date**

All ordinances, resolutions, or parts of same in conflict with this Zoning Ordinance or inconsistent with the provisions of this ordinance are hereby repealed to the extent necessary to give this ordinance full force and effect. Any previously adopted ordinance entitled Zoning Ordinance for the City of Stanford, Kentucky, together with all amendments thereto, is hereby repealed, and declared to be of no effect. This ordinance shall become effective from and after the date of its approval and adoption as provided by law.

## **180 Continuity**

Nothing in this ordinance shall change the effective date of a violation of any provision of any previously adopted Zoning Ordinance that continues to be a violation of any provision of this ordinance.

## **ARTICLE II TERMS AND DEFINITIONS**

### **200 Terms and Definitions**

Unless the context otherwise requires, the following definitions shall be used in the interpretation of this Ordinance. The words which are defined are those having special or limited meanings in this Ordinance. Words with self-evident meanings are not defined here. Words used in the present tense include the future; words used in the singular include the plural and the plural include the singular; the word "shall" is mandatory; the word "may" is permissive; the word "should" is preferred; the word "building" includes the word "structure"; the "lot" includes the words "plot" and "parcel"; the word "person" includes a firm or corporation as well as an individual; and the word "submission" indicates a complete filing as called for by the Ordinance. These definitions shall be first used in the interpretation of any words or phrases used in this Ordinance. Any words or phrases not defined in this Ordinance shall be given the definition provided in KRS Chapter 100 (planning and zoning statutes) or KRS Chapter 219 (mobile and recreational vehicle park). Words neither defined in this Ordinance nor in KRS 100 and KRS 219 shall be given their ordinary meaning and usage.

#### **1. Accessory Use or Structure**

Any use or structure subordinate to the principal use or structure located on the same lot serving a purpose customarily incidental to the use of the principal structure or the land use.

#### **2. Administrative/Enforcement Officer**

The Administrative/Enforcement Officer is an individual who shall be appointed by the Mayor of Stanford upon recommendation of the Planning Commission, and approved by the Stanford City Council, to administer this Ordinance. This officer may also be known as the Building Inspector, Enforcement Officer, Zoning Administrator or various other titles descriptive of the work performed. The duties and titles may be split between one (1) or more persons as required.

#### **3. Agricultural Use**

The use of a tract of at least five (5) contiguous acres for the production of agricultural or horticultural crops, including but not limited to livestock, livestock products, poultry, poultry products, grain, hay, pastures, soybeans, tobacco, timber, orchard fruits, vegetables, flowers, or ornamental plants, including provision for dwellings for persons and their families who are engaged in the above agricultural use on the tract, but not including residential building for sale or lease to the public (per KRS 100.111(2)).

#### **4. Alley**

Any public or private way affording a secondary means of vehicular access to abutting property and not intended for general traffic circulation.

#### **5. Alteration**

Any change or addition to the supporting members or foundation of a building or other structure.

#### **6. Apartment**

A room or suite of rooms in a multi-family building, consisting of at least one (1) habitable room, together with a kitchen or kitchenette and sanitary facilities.

#### **7. Approving Authority**

The Stanford Planning Commission unless a different agency is specifically designated by ordinance.

## **8. Automobile Service Station or Filling Station**

A place where gasoline, kerosene, or any other motor fuel or lubricating oil or grease for operating motor vehicles is offered for sale to the public and deliveries are made directly into motor vehicles, including greasing and oiling on the premises.

## **9. Automobile or Trailer Sales Area**

An open area, other than a street, used for display, sale, or rental of new or used motor vehicles or trailers in operable condition and where no repair work is done. No vehicles shall be placed or displayed forward of the building line required for the district.

## **10. Automotive Repair, Major**

Repair of motor vehicles or trailers, including rebuilding or reconditioning of engines and/or transmissions; collision services including body, frame or fender straightening or repair; overall painting or paint shop and vehicle steam cleaning.

## **11. Automotive Repair, Minor**

Incidental minor repairs, upholstering, replacement of parts and motor service to passenger cars and trucks not exceeding one and one-half (1 1/2) tons capacity, but not including any operation named under "Automotive Repair, Major," or any other similar thereto. Cars or trucks being repaired or under repair shall not be stored outside the building for more than 48 hours.

## **12. Automotive Wrecking**

The dismantling or disassembling of used motor vehicles, or the storage, sale or dumping of dismantled, obsolete or wrecked vehicles or their parts.

## **13. Basement**

That portion of a building whose floor line is below grade at any entrance or exit and whose ceiling is not more than five (5) feet above grade at any such entrance or exit. Such basement shall be considered as a story for all non-residential development. All new development and additions or renovations shall comply with the locally adopted building code.

## **14. Bed and Breakfast**

A residential unit where 4 or fewer sleeping rooms are provided for transient persons for compensation, and in which meals may be served to overnight guests.

## **15. Billboard**

A sign, or structure, which directs attention to a business, commodity, service, activity or entertainment not conducted, sold or offered upon the premises upon which the sign is located (See Article XI).

## **16. Board**

The Board of Adjustment for Stanford, Kentucky.

## **17. Boarding or Lodging House**

A dwelling or part thereof occupied by a single housekeeping unit where meals and lodgings are provided for four (4) or more persons (not transients) for compensation by previous arrangement.

## **18. Buildable Lot Area**

The part of a lot not included within the open areas required by this Ordinance.

## **19. Building**

Any structure having enclosed space and a roof, used or intended to be used for the shelter of persons, animals or property.

## **20. Building, Height of**

The vertical distance measured from the average finished grade at the front wall of the building to the highest point of the roof (See Height of Structure).

## **21. Building Lines (See also Setback Lines)**

Lines and/or utility easements and rights-of-way beyond which no building or part thereof shall project, except as otherwise provided by this Ordinance.

## **22. Building Permit**

A permit issued by the Administrative/Enforcement Officer authorizing the construction or alteration of a specific building on a specific lot, submitted and approved per the Kentucky Building Code (KBC) and/or One- and Two-Family Dwelling Code as adopted by the City of Stanford.

## **23. Certificate of Occupancy**

A certificate issued by the Administrative/Enforcement Officer, after construction has taken place, which certifies that the building meets minimum standards for human occupancy.

## **24. Citizen Member**

Any member of the planning commission and/or board of adjustments who is not an elected or appointed official or an employee of the city or county.

## **25. Clinic**

A place used for the diagnosis and treatment of sick, ailing, infirmed and/or injured persons and those who are in need of medical or surgical attention, but limited to outpatients only.

## **26. Commercial Floor Area**

Building floor area devoted to the display of merchandise, the performance of consumer services, or the circulation and accommodation of customers.

## **27. Common Open Space**

An open space area within or related to a site designated as a development and designed and intended for the use or enjoyment of residents and/or owners of the development. Common open space may contain such complementary structures and improvements as are necessary and appropriate for the use or enjoyment of residents and/or owners of the development.

## **28. Commission, Planning**

Planning Commission of Stanford, Kentucky; also known as the Commission.

## **29. Comprehensive Plan**

A plan prepared to serve as a guide for public and private actions and decisions to assure the development of public and private property in the most appropriate manner within the planning area and adopted by the Planning Commission in accordance with KRS 100.

## **30. Conditional Use**

A use specifically permitted in a zoning district, other than a principally permitted use, requiring a conditional use permit and the review and approval of the Board of Zoning Adjustment. A conditional use is permitted but could impair the integrity and character of the zone in which it is located, or of adjoining zones, unless restrictions on location, size, extent, and character of performance are imposed in addition to those set forth by the Zoning Ordinance.

## **31. Conditional Use Permit**

Legal authorization to undertake a conditional use, issued by the Board of Zoning Adjustment, consisting of two parts:

- a. A statement of the factual determination of the Board of Zoning Adjustment, which justifies the issuance of the permit; and
- b. a statement of the specific conditions which must be met in order for the use to be permitted,

## **32. Consolidation**

The joining together of two or more contiguous lots for the purpose of sale, lease or building development.

## **33. Convalescent or Nursing Home**

An establishment which provides full-time convalescent or chronic care or both for three (3) or more individuals who are not related by blood or marriage to the operator and who by reason of chronic illness or infirmity, are unable to care for themselves. No care for the acutely ill or surgical or obstetrical services shall be provided in such a home. Hospital or sanitarium shall not be construed to be included in this definition.

## **34. Court**

An open, unoccupied, and unobstructed space other than a yard, on the same lot with a building or a group of buildings.

## **35. Consumer Services**

Sale of any service to individual customers for their own personal benefit, enjoyment, or convenience, and for fulfillment of their own personal needs.

## **36. Council, City**

Legislative body for the City of Stanford, Kentucky.

## **37. Coverage**

The percentage of the lot area covered by the building including all overhanging roofs.

## **38. Development Plan**

A presentation in the form of sketches, maps, and drawings (plans and profiles) of a proposed use and/or structure by the owner of the land which sets forth in detail the intended development (see site plan). At a minimum, a

development plan shall include the same information required for preliminary plats in the Stanford Subdivision Regulations, unless otherwise waived by the Planning Commission staff. Development plans may be required by the Planning Commission for all zone change requests and shall be required for all industrial developments consisting of one building or more and all other developments consisting of two or more principal buildings. The subdivision preliminary and final plat process shall satisfy the development plan requirements for all single family residential developments.

#### **39. Dimensional Variance**

See Variance, Dimensional.

#### **40. Developer**

The legal or beneficial owner or owners of all land proposed to be included in a development including the holder of options or contracts to purchase or other such persons having a proprietary interest in such land.

#### **41. District**

An area or zone of the municipality for which regulations governing the use of premises and structures or the height and area of buildings are uniform.

#### **42. Dwelling**

A building or portion thereof designed or used exclusively as the residence or sleeping place of one or more persons, but not including a tent, cabin, boarding or rooming house, motel, or mobile home.

#### **43. Dwelling Group**

A group of two or more detached dwellings located on a parcel of land in one ownership and having any yard or court in common.

#### **44. Dwelling, Multi-Family**

A building or portion thereof designed for or occupied by three (3) or more families living independently of each other. Low density multi-family complexes include buildings with up to six units per building, a maximum density of nine units per acre, and a maximum of two principle buildings per lot as described in Section 663. High density multi-family complexes include buildings with six units or greater as described in Section 664. In areas where dwellings are clustered, there shall be no more than eight buildings in any contiguous group. Townhouses are permitted except that not more than twelve units shall be attached in one unit.

#### **45. Dwelling, Single-Family**

A building designed for or occupied exclusively for residential purposes by one (1) family.

#### **46. Dwelling, Two-Family (also known as Duplex)**

A building designed to be occupied by two (2) families living independently of each other.

#### **47. Dwelling Unit**

One or more rooms designed for or used by one (1) family for living or sleeping purposes and having one (1) kitchen or kitchenette.

#### **48. Easement**

A grant by the property owner to the public, a corporation, or persons, of the use of a strip of land for specific

purposes.

#### **49. Family**

A person living alone or two or more persons related by blood, marriage, or adoption, or not more than five (5) unrelated persons living together in a dwelling unit, for non-profit purposes, as distinguished from a group occupying a boarding house, lodging house, hotel, or motel.

#### **50. Filing**

Filing with the City Clerk of Stanford unless a different county official is designated by ordinance.

#### **51. Final Approval**

The official action of the planning commission taken on a final plan after all conditions, engineering plans and other requirements have been completed or fulfilled and the required improvements have been installed or guarantees properly posted for their completion.

#### **52. Fiscal Court**

The chief legislative body of Lincoln County.

#### **53. Floor Area, Total**

The area of all floors of a building including finished attics, finished basements and covered porches.

#### **54. Frontage**

That boundary of a lot which is along an existing or dedicated public street, or where no public street exists, along a public way. Where a lot abuts more than one street, the Commission shall determine the frontage.

#### **55. Garage, Private**

A detached accessory building or a portion of the principal building used by the occupants of the premises for the shelter or storage of vehicles owned or operated by the occupants of the principal building.

#### **56. Garage, Public**

A building or structure used for the parking of vehicles on an intended profit basis.

#### **57. Governing Body**

The chief legislative body of the City of Stanford (City Council) or of another jurisdiction as indicated.

#### **58. Height of Structure**

The vertical distance measured from the average finished grade at the front wall of the building to the highest point of the roof (See Building, Height of).

#### **59. Home Occupation**

An occupation or profession carried on within a dwelling by the occupant thereof which is clearly incidental and secondary to the use of the dwelling for residential purposes, permitted as a conditional use in Section 660 of this ordinance, provided that:

- a. No more than one (1) person other than members of the family residing on the premises shall be engaged in such occupation;
- b. There shall be no change in the outside appearance of the building or premises or other visible evidence of the conduct of such home occupation other than one non-illuminated sign four (4) square feet in area mounted flat against the outside wall of the main or accessory building;
- c. Such use shall not require structural alterations or involve construction not customary in dwellings;
- d. No more than 25 percent of the floor area of the dwelling unit shall be used in the conduct of such home occupation
- e. No traffic generated by such home occupation shall be in greater volume than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall meet the off-street parking requirements as specified in this ordinance and shall not be in the required front yard;
- f. A customary home occupation is primarily of a service character such as:
  - i. an office or studio of a physician, dentist, artist, lawyer, engineer, architect, realtor, or insurance agent;
  - ii. a teacher, provided that musical instruction is limited to one pupil at a time;
  - iii. child care centers, day cares;
  - iv. beauty parlors, barber shops, schools of any kind with organized classes, provided that the display and/or trading of wholesale or retail merchandise is clearly incidental to the primary service being provided;
- g. All such home occupations shall require a conditional use permit and approval of the Board of Adjustment. The Board may attach certain conditions to its approval which it feels are necessary to preserve and protect the character of the district in which the proposed use would locate.

## **60. Home Occupation, Agricultural**

Any occupation as defined in "Home Occupation" which occurs in the residential dwelling on the farm, plus any occupation conducted in an accessory building in any agricultural zone, provided that:

- 1. No more than three (3) persons other than members of the family residing on the premises shall be engaged in such occupation;
- 2. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one non-illuminated sign, not exceeding eight (8) square feet in area, and not placed in such a manner as to create a traffic visibility problem or obstruction; and
- 3. That the use is clearly incidental and subordinate to the land's principal agricultural use.

## **61. Hospital or Sanitarium**

An establishment which provides accommodations, facilities and services over a continuous period of twenty-four (24) hours or more for observation, diagnosis and care of two (2) or more individuals suffering from illness, injury, deformity or abnormality or from any condition requiring medical services. Convalescent homes and nursing homes are not included.

## **62. Housing or Building Regulations**



Regulations adopted by the local governing body which regulate housing, building, or other safety codes, including but not limited to plumbing and electrical codes, the Kentucky Building Code (KBC) and the One- and Two-Family Dwelling Code.

### **63. Industry, Heavy**

Those industries whose processing of products result in the emission of any atmospheric pollutant, light flashes or glare, odor, noise, or vibration which may be heard and/or felt off the premises and those industries which constitute a fire or explosion hazard.

### **64. Industry, Light**

Those industries whose processing of products results in none of the conditions described for heavy industry.

### **65. Junk Yard**

A place where junk, waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled including auto wrecking yards, house wrecking yards, used lumber yards, and places or yards for storage of salvaged house wrecking and structural steel materials and equipment; but not including such uses when conducted entirely within a completely enclosed building, and not including pawn shops, and establishments for the sale, purchase or storage of used furniture and household equipment, used cars in operable condition, or the processing of used, discarded or salvaged materials as a minor part of manufacturing operations.

### **66. Kennel, Commercial**

A compound where three or more dogs over four months of age are kept and where the owner is actively engaged in buying dogs for resale, consistently selling offspring of the owner's dogs, and/or boarding dogs which are not owned by the owner for compensation.

### **67. Kennel, Noncommercial**

A compound in or adjoining a private residence where hunting or other dogs are kept for the hobby of the householder or for protection of the householder's property. The occasional sale of pups by the keeper of a noncommercial kennel does not change the character of residential property.

### **68. Kentucky Building Code**

The state building code adopted by local jurisdictions for the purpose of protecting the health, safety, and welfare of residents in all dwelling units in that jurisdiction; also known as the KBC.

### **69. Land Use Plan**

The Plan adopted by the local Planning Commission as a part of or separate from the Comprehensive Plan proposing the most appropriate, economic, desirable and feasible patterns for the general location, character, extent and inter-relationship of a community's public and private land.

### **70. Limited Food Service**

The preparation and service of food carried on within a residential unit by the occupant thereof for compensation, provided that such food service shall not be available to the general public, but shall be provided to private groups on a pre-arranged basis.

### **71. Loading Space, Off-Street**

An off-street space or berth on the same lot with a building or contiguous to a group of buildings and accessory buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or

materials, and which abuts on a street, alley or other appropriate means of access. Required off-street loading space is not to be included in off-street parking space or computation of required off-street parking space. All off-street loading spaces shall be located totally outside of any street or alley right-of-way.

**72. Lot**

A piece or parcel of land occupied or intended to be occupied by a principal building or group of such buildings and accessory buildings, or utilized for a principal use and uses accessory thereto, together with such open spaces as required by the Ordinance and having frontage on a public street. Agricultural tracts are not included. See Exhibits 2-1 and 2-2 for Lot Terms and Lot Types.

**73. Lot Area**

The computed area contained within the lot lines.

**74. Lot, Corner**

A lot abutting and situated at the intersection of two streets, of which the interior angle of such intersection does not exceed one hundred thirty-five (135) degrees.

**75. Lot Depth**

The mean horizontal distance between the front and rear lot lines.

**76. Lot, Interior**

A lot other than a corner lot.

**77. Lot Lines**

The property lines bounding a lot.

- a. *Lot Line, Front:* The property line separating the lot front and the street.
- b. *Lot Line, Rear:* The lot line opposite and most distant from the front lot line.
- c. *Lot Line, Side:* Any lot line other than a front or rear lot line. A side lot line separating a lot from a street is called a side street lot line. A side lot line separating a lot from another lot or lots is called an interior side lot line.

**78. Lot, Through**

A lot having frontage on two parallel or approximately parallel streets.

**79. Lot Width**

The mean width of the lot measured at right angles to its depth.

**80. Lot of Record**

Recorded lot on file in the County Court Clerk's Office.

**81. Manufactured Home**

See Article IX for definitions of Type I, II, and III Manufactured Homes.

## **82. Map**

A map of the jurisdiction indicating district boundaries according to this Ordinance.

## **83. Mobile Home or Trailer**

See definitions relating to the three types of manufactured homes, certified mobile homes, and mobile homes/trailers in Article IX.

## **84. Mobile Home, Trailer, or Manufactured Home Park**

An area of land upon which two or more occupied mobile homes are placed, either free of charge or for revenue purposes, and which is constructed in compliance with the standards of this ordinance as specified in Article IX, and which must consist of a minimum of three (3) acres.

## **85. Motel or Motor Hotel**

A series of attached, semi-attached or detached sleeping or living units, for the accommodation of automobile transient guests, said units having convenient access to off-street parking spaces, for the exclusive use of the guests or occupants.

## **86. Municipality**

Any incorporated city, borough, town, township, or village.

## **87. Municipal Authority**

The City Council of Stanford, Kentucky.

## **88. Nonconforming Use or Structure**

An activity or a building, sign, structure or a portion thereof which lawfully existed before the adoption or amendment of the Zoning Ordinance, but which does not conform to all of the regulations contained in the Zoning Ordinance which pertain to the zone in which it is located (See Article V).

## **89. Open Space**

Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated or reserved for public or private use or enjoyment of owners and occupants of land adjoining or neighboring such open space. Such areas may be improved with only those buildings, structures, streets and off-street parking and other improvements that are designed to be incidental to the natural openness of the land.

## **90. Parking Space**

A space with a minimum rectangular dimension of not less than nine (9) feet in width and nineteen (19) feet in length for ninety-degree parking.

## **91. Plan**

The provisions for development of a planned unit development including a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, private streets, ways and parking facilities, common open space and public facilities. The phrase "provisions of the plan" when used in this act shall mean the written and graphic materials referred to in this definition.

## **92. Planned Unit Development**

An area with a specified minimum contiguous acreage of 10 acres to be developed as a single entity according to a plan, containing one or more residential clusters or planned unit residential developments and one or more public, quasi-public, commercial or industrial areas in such ranges of ratios of nonresidential uses to residential uses as shall be specified in the Zoning Ordinance (See Article XII).

### **93. Planned Unit Residential Development**

An area with specified minimum contiguous acreage of five (5) acres to be developed as a single entity according to a plan containing one or more residential clusters, which may include appropriate commercial or public or quasi-public uses primarily for the benefit of the residential development.

### **94. Planning Commission**

The Stanford Planning Commission was established pursuant to Chapter 100 of the Kentucky Revised Statutes.

### **95. Plat**

A map or maps of a subdivision showing lot lines therein and fulfilling the requirements of the locally adopted Subdivision Regulations.

### **96. Principal Permitted Use**

A use which is permitted outright in a district for which a zoning certificate may be issued by the Administrative Official in accordance with the provisions of the Ordinance.

### **97. Principal Use of Structure**

The primary use of the land or the main structure on a lot which determines the primary activity that takes place on the land or in the structure.

### **98. Preliminary Approval**

The conferral of certain rights, pursuant to this ordinance and the adopted subdivision regulations, prior to final approval after specific elements of a subdivision plat have been agreed upon by the planning commission.

### **99. Premises**

A lot or other tract of land under one ownership and all the structures on it.

### **100. Public Open Space**

An open space area conveyed or otherwise dedicated to a municipality, municipal agency, board of education, state or county agency, or other public body for recreational or conservational uses.

### **101. Residential Cluster**

An area developed as a single entity according to a plan containing residential housing units in which the individual lots have a common or public open space area.

### **102. Residential Unit**

Any unit designed for use by one family for living purposes being self-contained, and being either in a detached, semi-detached, attached, multi-family or multi-story structure.

### **103. Setback Line**

The distance between a given lot line, easement, or right-of-way line and any structure -- front, rear, or side as

specified.

#### **104. Signs**

See Article XI.

#### **105. Site Plan**

A development plan of one or more lots on which is shown (1) the existing and proposed topography of the lots, (2) the location of all existing and proposed buildings, drives, parking spaces, means of ingress and egress, drainage facilities, landscaping, structures and signs, lighting, screening devices, and (3) any other information that may be reasonably required in order to make an informed decision.

#### **106. Story**

That portion of a building, other than a basement, included between the surface of any floor and the ceiling next above it.

#### **107. Street**

A public right-of-way which provides a public means of vehicular and pedestrian access to abutting property. The term street shall include avenue, drive, circle, road, parkway, boulevard, highway, thoroughfare, or any other similar term. The right-of-way limits of any street shall include the street pavement, curb, and gutter (or open ditches) and may provide space for the location of utilities. The right-of-way limits of any street shall be coincidental to the property line of the adjacent or the abutting lot. Streets are classified specifically herein as follows and as seen in Exhibit 2-3.

##### *a. Expressways*

Expressways rank first in the classification of streets and are used only for vehicular movement without access to abutting properties. Interchange of traffic between expressways and other streets (only arterial streets when possible) is accomplished by grade separated interchange with merging deceleration and acceleration lanes.

##### *b. Arterials*

Arterial streets rank second in the classification of streets, and are primarily for vehicular movement. Access to abutting properties, if permitted, should be provided by means of a marginal access street in order to serve several abutting properties, rather than provide each abutting property its own individual access thereto. Arterial streets are the link between expressways and collector streets, and generally rank next to expressways in traffic volume, speed limit control, and right-of-way limits.

##### *c. Collector Streets*

Collector streets rank third in the classification of streets, and they are principally used for vehicular movement; however, access to abutting properties is planned and controlled so that minimum disturbance is made to the traffic flow on said collector street. Collectors are the link between arterial and minor streets, and generally rank next to minor streets in right-of-way lengths and speed control.

##### *d. Minor or Local Streets*

Minor streets rank fourth in the classification of streets and are used primarily for providing access to abutting properties. Vehicular movement on minor streets should have an origin or destination in the immediate vicinity, whereas all types of through-traffic should be eliminated. Minor streets are the primary link between

generator points (homes, offices, stores, etc.) and collector streets. Minor streets require the least amount of vehicular movement and may be further classified into five categories as follows:

*i. Continuing Streets*

Continuing streets are minor streets having two open ends; each end generally connecting with different streets. One or more streets may intersect such a street between its two open ends, and property abuts both sides of such a street.

*ii. Marginal Access Streets*

Marginal access streets are minor streets generally having two or more access points to the major street system by connecting to a street of higher classification. Property abuts only one side of such a street whereas the other side thereof should generally be parallel and adjacent to a street of higher classification. Marginal access streets are sometimes called access or frontage roads.

*iii. Loop Streets*

Loop streets are minor streets having two open ends, each generally connecting with the same street. No other streets intersect between its two ends and property abuts on both sides thereof.

*iv. Cul-de-Sacs*

Cul-de-Sacs are minor streets having only one open end providing access to another street, and a closed end providing a turn-around circle for vehicular movement. No streets of this type shall dead-end at the closed end, unless future plans provide for its continuation for an open end or a turn-around circle. Temporary turn-around circles may be required when deemed necessary by the commission.

*v. Alleys*

Alleys are streets generally having two open ends with each end connecting to different streets. Such streets generally provide service and access to the rear of abutting properties on both sides.

## **108. Structural Alteration**

Any change, other than incidental repairs, in the supporting members of a building, such as bearing walls, columns, beams, or girders.

## **109. Structure**

Anything constructed or made, the use of which requires permanent location in or on the ground or attachment of something having a permanent location in or on the ground, including buildings and signs.

## **110. Subdivision**

The division of a parcel of land into three (3) or more lots or parcels for the purpose, whether immediate or future, of sale, lease, or building development, or if a new street is involved, any division of a parcel of land; provided that a division of land for agricultural purposes into lots or parcels of five (5) acres or more and not involving a new street shall not be deemed a subdivision. The term includes re-subdivision and when appropriate to the context, shall relate to the process of subdivision or to the land subdivided. Any division or redivision of land into parcels of less than one acre occurring within twelve (12) months following the division of the same land shall be deemed a subdivision within the meaning of this act.

## **111. Subdivision Regulations**

The regulations governing the subdivision of land within the City of Stanford and as adopted by the Stanford Planning Commission.

#### **112. Trailer**

See definitions relating to the three types of manufactured homes, certified mobile homes, and mobile homes/trailers in Article IX.

#### **113. Variance, Dimensional**

A departure from the terms of the zoning regulations pertaining to height or width of structures and size of yards and open spaces, where such departures will not be contrary to the public interest, and where, owing to conditions peculiar to the property because of its size, shape, or topography and not as a result of actions of the applicant, the literal enforcement of the zoning regulations would result in unnecessary and undue hardship.

#### **114. Yard**

An open space or lot other than a court, unoccupied and unobstructed from the ground upward except as otherwise provided in this Ordinance.

- a. *Yard, Front:* That portion of the yard extending the full width of the lot and extending between the front lot line and the nearest part of the principal building.
- b. *Yard, Rear:* That portion of the lot extending the full width of the lot and extending between the rear lot line and the nearest part of the principal building.
- c. *Yard, Side:* Those portions of the yard extending from the nearest part of the principal building to the side lot line.

## **ARTICLE III ADMINISTRATION AND ENFORCEMENT**

### **300 Administrative/Enforcement Officer**

Provisions of this Ordinance shall be enforced by an Administrative/Enforcement Officer who may be designated as provided in Article II, Section 2 of this Ordinance to administer said Ordinance. The Administrative/Enforcement Officer may request and shall receive, so far as may be necessary in the discharge of his duties, the assistance and cooperation of the Chief of Police and/or County Sheriff's Office in enforcing orders, of the City and/or County Attorney in prosecuting violations, and of other officials.

The Administrative/Enforcement Officer shall be authorized to issue building permits and/or certificates of occupancy in accordance with the literal terms of this Ordinance, but may not have the power to permit any construction, or to permit any use or any change of use which does not conform to the literal terms of this Ordinance.

The Administrative/Enforcement Officer shall keep accurate records in a permanent file for the issuance of building permits, certificates of occupancy, inspections, violations, stop orders, condemnations and other permits and actions as required. If the Administrative/Enforcement Officer finds any provisions of the Ordinance being violated, the person or persons responsible for such violation shall be notified by the Administrative/Enforcement Officer through registered mail. Said notification shall order the discontinuation of any illegal use of land, buildings, and/or structures.

Any permit or certificate of occupancy issued in conflict with the provisions of this Ordinance shall be null and void.

The Administrative/Enforcement Officer shall be required to inform and/or report his actions to the Planning Commission. Said report shall be in writing and issued to the Planning Commission on or before each monthly meeting.

### **310 Building Permits**

No building or other structure shall be erected, moved, added to, or structurally altered without a permit therefore, issued by the Zoning Enforcement Officer. No building permit shall be issued except in conformity with this ordinance. Buildings exempt from this requirement include residential accessory buildings or residential storage buildings not structured on permanent foundations and not exceeding 144 square feet; provided that such accessory buildings shall comply with all yard and setback requirements as defined herein.

All commercial and industrial buildings shall comply with the development plan requirements set forth in Article XIII prior to the issuance of a building permit. Such development plans not involving a zoning map amendment may be reviewed by the Zoning Enforcement Officer at his discretion.

### **320 Procedure**

- a. Application: In applying to the Administrative/Enforcement Officer for a building permit, the applicant shall submit a completed application form; a site plan drawn to scale, showing the dimensions of the lot to be built upon, the locations and outside dimensions of all structures to be constructed or altered and all existing structures, yard depths; floor plan of the proposed new structure or alterations of existing structure, drawn to scale; building elevations of exterior of the new or existing structure or structures; and any other information necessary for determining compliance with this order and/or the KBC. Two copies of all of the above information shall be required. Applications may be obtained from the Zoning Enforcement Officer. One copy of the plans shall be returned to the applicant by the Zoning Enforcement Officer after each copy has been marked as approved or disapproved and attested to the same by his signature on such copy, The second copy of the plans, similarly marked, shall be retained by the Zoning Enforcement Officer.
- b. Issuance: If the proposed construction or alteration conforms with all applicable ordinances, regulations and codes, the Administrative/Enforcement Officer shall issue a building permit authorizing such construction or alteration. If proposed construction or alteration fails to conform the Administrative/Enforcement Officer shall refuse to issue a building permit and shall cause delivery of written notice to the applicant stating the reasons for



refusal. The Administrative/Enforcement Officer shall act upon applications for building permits within three (3) weeks from the date of their submission.

- c. **Restraint of Construction Without Permit:** If no building permit has been issued and a builder begins or continues to build, a restraining order may be obtained upon application to the proper court of record. Evidence of the lack of a building permit shall establish a prima facie case for the issuance of the restraining order.
- d. **Validity:** The issuance of a building permit shall not waive any provisions of this regulation.
- e. **Duration:** A building permit shall become void one (1) year from the date of issuance unless substantial progress has been made by that date on the construction or alteration authorized therein. A building permit may be renewed without fee upon review by the Administrative/Enforcement Officer before it becomes void.

### **330 Certificate of Occupancy**

No land or buildings or part thereof hereafter erected or altered in its use or structure shall be used until the Administrative/Enforcement Officer shall have issued a Certificate of Occupancy stating that such land, building or part thereof and the proposed use thereof, are found to be in conformity with the provisions of this regulation. Within three (3) days after notification that a building or premises or part thereof is ready for occupancy or use, it shall be the duty of the Administrative/Enforcement Officer to make a final inspection thereof and to issue a Certificate of Occupancy if the land, building or part thereof and the proposed use thereof, are found to conform with the provisions of this regulation; or, if such certification is refused, to state refusal, in writing with the cause and immediately thereupon to mail notice of such refusal to the applicant at the address indicated in the application.

### **340 Enforcement by Commission**

The Planning Commission may bring action for all appropriate relief including injunctions against any governmental bodies or any person who violates the provisions of this Ordinance.

### **350 Enforcement**

- a. **Correction Period:** All violations of this Ordinance shall be corrected within a period of thirty (30) days after the order to correct is issued by the Administrative/Enforcement Officer or in such longer period of time, not exceeding six (6) months, as the Administrative/Enforcement Officer may determine. A violation not corrected within the allowed time for correction shall be reported to the City and/or County Attorney who shall initiate prosecution procedures.
- b. **Remedies:** The Administrative/Enforcement Officer, the Board of Adjustment, the Planning Commission, the City Council, the Fiscal Court, or any interested party may institute an injunction, mandamus, abatement or other appropriate proceedings to prevent, enjoin, abate, or remove any violation of this Ordinance.

### **360 Penalties**

Any person or entity who violates any of the provisions of the Zoning Ordinance for which no other penalty is provided, ~~[shall upon conviction be deemed guilty of a misdemeanor and]~~ shall be assessed a civil fine~~[d]~~ not less than \$100.00 but not more than \$500.00 for each ~~[conviction]~~ violation. Each day of violation shall constitute a separate offense. Nothing contained herein shall prevent the city from taking such other lawful action as is necessary to prevent or remedy any violation. (Amended 11-23-2017, Ord. 2017-1123)

Any person, owner or agent involved in the sale or transfer of a lot or parcel and who violates this Ordinance ~~[shall, upon conviction, be deemed guilty of a misdemeanor]~~ shall be assessed a civil fine, and shall be fined not less than \$100.00 nor more than \$250.00 for each lot or parcel which was the subject of sale or transfer, or a contract for sale or transfer. (Amended 11-23-2017, Ord. 2017-1123)

Any person who begins construction which requires a building permit, without such permit, shall incur an initial penalty not to exceed double the permit fee. Continued non-compliance would incur penalties as discussed above.

### **370 Fee Schedule**

The Stanford Planning Commission shall establish a schedule of fees, charges, and expenses and a collection procedure for building permits, certificates of occupancy, appeals, and other matters pertaining to this ordinance. The schedule of fees shall be available in the office of the Administrative/Enforcement Officer and may be altered or amended only by official action of the Planning Commission. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

## **ARTICLE IV BOARD OF ADJUSTMENT**

### **400 Establishment of Board**

The Board of Adjustment shall be established before the City Zoning Ordinance shall be legally enforced. The Board established shall consist of five (5) citizen members, two of whom may be citizen members of the Planning Commission from the appropriate jurisdiction. A "citizen member" means any member of the Planning Commission or Board of Adjustment who is not also an elected or appointed official or employee of the City Council. The term of office for members of the Board shall be four years, but the term of office of members first appointed shall be staggered so that a proportionate number serve one, two, three, and four years respectively. Vacancies on the Board shall be filled within sixty days by the respective legislative body. If the Mayor fails to act within that time, the Planning Commission shall fill the vacancy. When a vacancy occurs other than through expiration of the term of office, it shall be filled for the remainder of that term.

All members of the Board shall, before entering upon their duties, qualify by taking the oath of office prescribed by Section 228 of the Constitution of the Commonwealth of Kentucky before a judge, county judge-executive, notary public, clerk of a court, or justice of the peace of Lincoln County.

Reimbursement for expenses or compensation or both may be authorized for members of the Board.

Any member of the Board may be removed by the appointing authority for inefficiency, neglect of duty, malfeasance, or conflict of interest. The appointing authority, who exercises the power to remove a Board member, shall submit a written statement to the Planning Commission setting forth the reasons for removal and the statement shall be read at the next meeting of the Board of Adjustment. The member so removed shall have the right of appeal to the Circuit Court of Lincoln County.

The Board shall annually elect a chairman, vice-chairman, and a secretary and any other officer it deems necessary. Any officer shall be eligible for re-election at the expiration of his term.

### **410 Meetings of Board, Quorum, Minutes, Bylaws**

The Board shall conduct meetings at the call of the chairman who shall give written or oral notice to all members of the board at least seven days prior to the meeting which notice shall contain the date, time and place for the meeting, and the subject or subjects which will be discussed.

A simple majority of the total membership, as established by regulation or agreement, shall constitute a quorum. Any member of the Board who has any direct or indirect financial interest in the outcome of any question before the body shall disclose the nature of the interest and shall disqualify himself from voting on the question.

The Board shall adopt bylaws for the transaction of business and shall keep minutes and records of all proceedings, including regulations, transactions, findings, and determinations and the number of votes for and against each question, and if any member is absent or abstains from voting, indicating the fact, all of which shall, immediately after adoption, be filed in the office of the Board. If the Board has no office, such records may be kept in the custody of an officer of the board and shall be available to the general public. A transcript of the minutes of the Board shall be provided if requested by a party, at the expense of the requesting party, and the transcript shall constitute the record.

### **420 Other Rights and Powers of Board**

- a. The Board of Adjustment may employ or contract with planners or other persons as it deems necessary to accomplish its assigned duties.
- b. The Board shall have the right to receive, hold, and spend funds which it may legally receive from any and every source in and out of the Commonwealth of Kentucky, including the United States Government, for the purpose of carrying out its duties.

- c. The Board shall have the power to issue subpoenas to compel witnesses to attend its meetings and give evidence bearing upon the questions before it, The Chief of Police and/or Sheriff shall serve such subpoenas. The Circuit Court may, upon application by the Board, compel obedience to such court or such subpoena by proceedings of contempt.
- d. The Chairman of the Board, or in his absence, the Acting Chairman, shall have the power to administer an oath to witnesses prior to their testifying before the board on any issue.

#### **430 Conditional Use Permits**

The Board shall have the power to hear and decide applications for conditional use permits to allow the proper integration into the community of uses which are specifically named in the Zoning Ordinance and which may be suitable only in specific locations in the district and only if certain conditions are met.

- a. The Board may approve, modify or deny any application for a conditional use permit. Before granting any such permits, the Board are required to consider the comments of all adjoining property owners. If it approves such permit it may attach necessary conditions such as time limitations, requirements that one or more things be done before the request can be initiated, or conditions of a continuing nature. Any such conditions shall be recorded in the Board's minutes and on the conditional use permit, along with a reference to the specific section in the Zoning Ordinance listing the conditional use under consideration. The Board shall have power to revoke conditional use permits, or variances, for noncompliance with the condition thereof. Furthermore, the Board shall have a right of action to compel offending structures or uses removed at the cost of the violator and may have judgment in person for such cost.
- b. Granting of a conditional use permit does not exempt the applicant from complying with all of the requirements of building, housing and other regulations.
- c. In any case where a conditional use permit has not been exercised within the time limit set by the Board, or within one year, if no specific time limit has been set, such conditional use permit shall not revert to its original designation unless there has been a public hearing. Exercised, as set forth in this section, shall mean that binding contracts for the construction of the main building or other improvement has been let; or in the absence of contracts that the main building or other improvement is under construction to a substantial degree, or that prerequisite conditions involving substantial investment shall be under contract, in development, or completed. When construction is not a part of the use, exercised shall mean that the use is in operation in compliance with the conditions as set forth in the permit.
- d. The Administrative/Enforcement Officer shall review all conditional use permits, except those for which all conditions have been permanently satisfied, at least once annually and shall have the power to inspect the land or structure where the conditional use is located in order to ascertain that the landowner is complying with all of the conditions which are listed on the conditional use permit. If the landowner is not complying with all of the conditions which are listed on the conditional use permit, the Administrative/Enforcement Officer shall state conditions on the conditional use permit, and copy of the report shall be furnished to the landowner at the same time that it is furnished to the Chairman of the Board. If the Board finds that the facts alleged in the report of the Administrative/Enforcement Officer are true and that the landowner has taken no steps to comply with them between the date of the report and the date of the hearing, the Board may authorize the Administrative /Enforcement Officer to revoke the conditional use permit and take the necessary legal action to cause the termination of the activity on the land which the conditional use permit authorizes.
- e. Once the Board has approved a conditional use permit and all the conditions required are of such type that they can be completely and permanently satisfied, the Administrative/Enforcement Officer, upon request of the applicant, may, if the facts warrant, make a determination that the conditions have been satisfied, and enter the facts which indicate that the conditions have been satisfied and the conclusion in the margin of the copy of the conditional use permit which is on file with the County Clerk, as required in KRS 100.237. Thereafter said use, if it continues to meet the other requirements of the regulations, will be treated as a permitted use.

#### **440 Dimensional Variance**

The Board shall have the power to hear and decide on applications for dimensional variances where, by reason of the exceptional narrowness, shallowness, or unusual shape of a site on the effective date of this Ordinance, or by reason of exceptional topographic conditions, or some other extraordinary situation or condition of that site, the literal enforcement of the dimensional requirements (height or width of building or size of yards, but not population density) of this Ordinance would deprive the applicant of reasonable capacity to make use of the land in a manner equivalent to the use permitted other landowners in the same district. The Board may impose any reasonable conditions or restrictions on any variance it decides to grant.

Before any variance is granted, the Board must find all of the following, which shall be recorded along with any imposed conditions or restrictions in its minutes and records and issued in written form to the applicant to constitute proof of the dimensional variance.

- a. The specific conditions in detail which are unique to the applicant's land, and which do not exist on other land in the same zone.
- b. The manner in which the strict application of the provisions of the Ordinance would deprive the applicant of a reasonable use of the land in the manner equivalent to the use permitted other landowners in the same zone.
- c. That the unique conditions and circumstances are not the result of actions of the applicant taken subsequent to the adoption of the Ordinance.
- d. Reasons that the variance will preserve, not harm, the public safety and welfare and will not alter the essential character of the neighborhood.
- e. Consideration of all adjoining property owner's comments regarding the variance request.

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

A dimensional variance applies to the property for which it is granted, and not to the individual who applied for it. A variance also runs with the land and is transferable to any future owner of the land, but it cannot be transferred by the applicant to a different site.

#### **450 Recording of Variances and Conditional Use Permits**

All variances and conditional use permits approved by the Board of Adjustment shall be recorded at the expense of the applicant in the Office of the County Court Clerk.

#### **460 Existing Nonconforming Use, Continuance, Change**

The lawful use of a building or premises, existing at the time of the adoption of the Zoning Ordinance affecting it may be continued, although such use does not conform to the provisions of such regulation, except as otherwise provided herein (See Article V for details).

The Board of Adjustment shall not allow the enlargement or extension of a nonconforming use beyond the scope and area of its operation at the time the Ordinance, which makes its use nonconforming, was adopted. Nor shall the Board permit a change from one nonconforming use to any other nonconforming use.

#### **470 Administrative Review**

The Board shall have the power to hear and decide cases where it is alleged by an applicant that there is error in any order, requirement, decision, grant, or refusal made by the Administrative/Enforcement Official in the enforcement of this Ordinance. A request for review shall be taken within thirty days after the applicant or his agent receives notice of the action alleged to be in error.

#### **480 Procedure for All Appeals to Board**

Appeals to the Board may be taken by any person, or entity, claiming to be injuriously affected or aggrieved by an official action or decision of any officer enforcing this Ordinance. Such appeal shall be taken within thirty days after the appellant or his agent receives notice of the action appealed from by filing with said officer and with the appropriate Board a notice of appeal specifying the grounds thereof, and giving notice of such appeal to any and all parties of record. Said officer shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken and shall be treated as and be the respondent in such further proceedings. At any hearing by the Board any interested person may appear and enter his appearance, and all shall be given opportunity to be heard.

The Board shall fix a reasonable time for hearing the appeal and give public notice in accordance with KRS Chapter 424, as well as written notice to the appellant and the Administrative/Enforcement Official at least one week prior to the hearing, and shall decide it within sixty days. The affected party may appear at the hearing in person or by attorney.

Any person or entity claiming to be injured or aggrieved by any final action of the Planning Commission or Board of Adjustments may appeal from the action to the circuit court of the county in which the land lies.

All appeals shall be taken in the circuit court within thirty (30) days after the action or decision of the Planning Commission or Board of Adjustment and all decisions which have not been appealed within thirty days shall become final. After the appeal is taken the procedure shall be governed by the rules of civil procedure. When an appeal has been filed, the Clerk of the Circuit Court shall issue a summons to all parties, including the Planning Commission in all cases, and shall cause it to be delivered for service as in any other law action.

**ARTICLE V**  
**NONCONFORMING LOTS, STRUCTURES, AND USES**

**500 Intent**

It is the intent of this ordinance to permit nonconforming lots, structures, and/or uses to continue until they are removed, but not to encourage their survival. It is further the intent of this ordinance that nonconformities shall not be enlarged upon, expanded, extended, or be used as grounds for adding structures or uses prohibited elsewhere in the same district.

**510 Nonconforming Lots of Record**

In any district in which single-family dwellings are permitted, a single-family dwelling and permitted accessory uses, including manufactured and certified mobile homes as permitted in Article IX, may be erected on any single lot of record at the effective date of adoption or amendment of this ordinance. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirements for area and width or both that are generally applicable in the district, provided that yard dimensions and requirements other than those applying to area or width or both of the lot shall conform to the regulations for the district in which such lot is located. Variance of yard requirements shall be obtained only through action of the Board of Adjustment.

**520 Nonconforming Uses of Land and Structures**

Where, at the time of passage of this ordinance, the lawful use of a building or premises exists which would not be permitted by the regulations imposed by this ordinance, the use may be continued so long as it remains otherwise legal with the following limitations:

- a. A non-conforming use shall not be extended, enlarged or moved to occupy any portion of land or structure except in conformity with this Ordinance.
- b. A non-conforming use shall not be re-established after discontinuation for a period of one year. Vacating of premises or building or nonoperative status shall be evidence of a discontinued use.
- c. A non-conforming structure damaged to an extent greater than fifty (50) percent of the current replacement value may be repaired and restored only to a structure and use conforming to the provisions of the Ordinance; provided, however, that a nonconforming residential structure may be rebuilt in the same general yard area if such damage is due to fire or natural causes and if rebuilt within 12 months of the date of damage. Manufactured and certified mobile homes are only to be placed on lots in conformance with Article IX. Restoring to a safe condition of any structure declared to be unsafe by any public official shall not be prohibited by this regulation.
- d. All non-conforming uses shall be changed only to a conforming uses; provided, however, that dimensional variances may be granted.
- e. An owner claiming a continuing non-conforming use shall bear the burden of showing that said use was in existence as of the effective date of this ordinance and has not been discontinued for a period of one (1) year since said effective date. An owner may register a continuing non-conforming use with the Administrative/Enforcement Officer within twelve (12) months of the adoption of this ordinance to establish that said use was in existence as of the effective date of this ordinance.
- f. Any lot within the city limits used for agriculture, farming, dairying, and stock raising and not currently zoned A-1 shall be permitted to continue as a non-conforming use of the land; provided that such lot consists of greater than five (5) acres and that no such livestock shall be permitted to be located within one hundred (100) feet of any R-District. All lots consisting of less than five acres and being used for livestock purposes shall conform to the requirements of this ordinance within twelve months of the date of adoption of this ordinance.

### **530 Nonconforming Structures**

Where a lawful structure exists at the effective date of adoption or amendment of this ordinance that could not be built under the terms of this ordinance by reason of restrictions on area, lot coverage, height, yards, its location on the lot, or other requirements concerning the structure, such structure may continue so long as it remains otherwise lawful.

Any proposed addition or substantial remodeling of a nonconforming structure may be granted after public hearing as a dimensional variance by the Board of Adjustment. The Board must first determine that the proposed addition or substantial remodeling will not facilitate or expand a nonconforming use before such variance can be granted.

Any existing manufactured or mobile home in any district within the City of Stanford which does not conform with Article IX of this ordinance shall be classified as a non-conforming use at the time of passage of this ordinance and shall be allowed to remain in the existing location as long as the mobile home is occupied by the present residents. Should the present owner or residents decide to move, the right of maintaining the manufactured or mobile home in a manner not in conformance with Article IX shall terminate and the owner or renter shall be required to bring the lot and its use into compliance with Article IX and all other applicable sections of this ordinance.

### **540 Ordinary Repair and Maintenance**

Work may be done on ordinary repair and maintenance, or on repair or replacement of non-load-bearing walls, fixtures, wiring, or plumbing. Nothing in this ordinance shall be deemed to prevent the strengthening or restoring to a safe condition a building or other structure in accordance with the order of an appropriate public agency which declares such building or other structure to be unsafe and orders its restoration to a safe condition.



## ARTICLE VI ESTABLISHMENT OF DISTRICTS

### 600 General Regulation

No land shall be used or occupied and no structure shall be erected, altered, used or occupied except for the principal uses permitted for each of the twelve (12) zoning districts created by this Ordinance together with lawfully permitted conditional uses and/or accessory uses as listed in the following Sections of this Ordinance.

### 610 Official Zoning Map

The official City Zoning Map shall be identified by the signature of the Mayor, attested by the City Clerk and bear the seal of the City under the following words: "This is to certify that this is the City Zoning Map referred to in Section 620 of the City Zoning Ordinance adopted by the Stanford City Council on \_\_\_\_\_ as part of Ordinance No. \_\_\_\_\_ of the City of Stanford."

No changes shall be made in the City Zoning Map except in conformity with the procedures set forth in this Ordinance.

If the City Zoning Map becomes damaged, destroyed, lost, or difficult to interpret, the City Council may, by resolution, adopt a new City Zoning Map. The new map may correct original drafting errors or other errors or omissions, but the corrections shall not be in effect amendments of the original map including amendments thereto. A replacement map shall also contain the following additional words: "this map supersedes and replaces the City Zoning Map adopted (date of adoption of the map being replaced)."

### 620 Interpretation of District Boundaries

Boundaries of districts established under provisions of this ordinance are shown on the City Zoning Map on file in the Office of the City Clerk, Stanford, Kentucky.

Boundaries of districts shown on the City Zoning Map shall be interpreted as follows:

- a. Boundaries indicated as approximately following the center lines of streets, highways, alleys, railroad tracks shall be construed to follow such lines.
- b. Boundaries indicated as approximately following plotted lot lines shall be construed as following such lot lines.
- c. Boundaries indicated as approximately following city corporation limits shall be construed as following such corporation line.
- d. Boundaries indicated as approximately following the center lines of streams, rivers or other bodies of water shall be construed to follow such center lines.
- e. Boundaries indicated as parallel to or extensions of features indicated in 620 (a) through 620 (d) above, shall be so construed. Distances shall be determined by the scale of the City Zoning Map unless specifically shown on the map.
- f. All questions not covered by 620(a) through 620(e) concerning the exact location of any district boundary line or portion thereof, shall be determined by the Board of Adjustment.

Where a district boundary line on the City Zoning Map divides a lot of single ownership which was recorded at the time of enactment of this Ordinance, the Board of Adjustment may permit the extension of the regulations for either portion of the lot a distance not to exceed fifty (50) feet into the remaining portion of the lot.

Whenever any street, alley, public way, or public easement is vacated through legal action, the abutting districts shall be extended, depending on the land to which the vacated lands revert.

## 630 Annexation

In every case when land becomes a part of the City through annexation, such annexed land shall be automatically assigned to the A-1 Zoning District. This zoning district shall remain in effect unless or until the City Council, upon the recommendation of the Planning Commission, enacts a zoning map amendment using the procedures described in this ordinance. If the property to be annexed is already developed the Planning Commission shall have the authority to zone it appropriately.

## 640 Districts Established

The following zoning district classifications are established for the City of Stanford, Kentucky:

- A-1 Agricultural
- R-1 Residential - Low Density
- R-2 Residential - Two-family
- R-3 Residential - Low Density Multi-family
- R-4 Residential - High Density Multi-family
- B-1 Business - Central Business
- B-2 Business - Neighborhood Business
- B-3 Business - Highway Business
- I-1 Industrial - Light
- I-2 Industrial - Heavy
- FP Flood Plain
- H-1 Historic Overlay

## 641 Expressly Prohibited Uses in All Districts

1. Hazardous waste storage, hazardous material production, incineration, landfills, storage and/or handling of any type of the aforementioned uses are expressly prohibited in all zones in Stanford.
2. ~~Exterior Storage of Nonoperating or Non-licensed Vehicles: No person in charge of or in control of premises, whether as owner, lessee, tenant, occupant, or otherwise shall allow any partially dismantled, wrecked, junked, discarded or otherwise nonoperating motor vehicle to remain on such property longer than ten (10) days; except that this section shall not apply to historic motor vehicles registered and licensed in conformance with KRS 186.043, property where such use is allowed under zoning ordinances, or other applicable laws, or to any vehicle in an enclosed building or so located upon the premises as not to be readily visible from any public place or from any surrounding private property. This section shall further not apply with regard to any vehicle on the premises of a business enterprise operated in a lawful place, other than in a residential district, and operated in a lawful manner, when the keeping or maintenance of such vehicle is necessary to the operation of such business enterprise; or with regard to a vehicle in an appropriate storage place or depository maintained in a lawful place and manner by the county government or any other public agency or entity. (Amended 02/06/2020 Ordinance No. 920.27A)~~
3. ~~Duty of Maintenance of Private Property: No person owning, leasing, occupying, or having charge of any premises shall maintain or keep any nuisance thereon, nor shall any such person keep or maintain such premises in a manner causing substantial diminution in the value of the other property in the neighborhood in which such persons are located. Nuisances shall consist of but shall not be limited to abandoned buildings, abandoned mobile homes, garbage dumps, etc. (Amended 02/06/2020 Ordinance No. 920.27A)~~
4. Stockyards and slaughter houses except as provided for as a conditional use in the I-2 zone. The Board of Adjustment shall require such conditions to its approval as it deems necessary to protect and preserve the character of the zoning districts and/or land uses adjacent to the proposed use. Such conditions may include, but shall not be limited to, additional yard setback requirements, buffering, extraordinary provisions to limit off-site noise and odor, and shall require suitability of topography and access to adequate roads and utilities.
5. Recreational vehicles shall not be used for habitation except as provided for in Section 990 regarding transient

recreational vehicles. Under no circumstances shall such vehicles be permitted to attach to water, sewer, gas, electric, or phone in any permanent manner or in a temporary manner for more than ten (10) days in any given year. All sewage accumulated during such temporary use of a recreational vehicle must be disposed of in an appropriate manner.

6. Junkyards except as provided for as a conditional use in the I-2 zone. Junkyards are not designated as permitted uses in any district and are consequently non-conforming uses in all districts. They shall conform with the requirements set forth in Article V of this Ordinance regarding non-conforming uses. The enforcement/administrative officer shall ensure that all existing, non-conforming junkyards maintain valid permits to operate issued by the Kentucky Transportation Cabinet, as required by KRS 177.905 through 177.99. He shall also ensure that all screening required by the Transportation Cabinet is maintained as long as the junkyard remains in operation.

Any proposed junkyard shall require a conditional use permit to be located in I-2 zone. In addition to all requirements of the Kentucky Transportation Cabinet, the Board of Adjustment shall require such conditions to its approval as it deems necessary to protect and preserve the character of the zoning districts and/or land uses adjacent to the proposed use. Such conditions may include, but shall not be limited to, additional yard setback requirements, buffering, extraordinary provisions to limit off-site noise, odor, dust, glare, or vibration and shall require suitability of topography and access to adequate roads and utilities.

## **650 Agricultural District**

The intent of the Agricultural District is to preserve, promote and protect the rural character of the land, including agricultural uses, significant natural features, wooded areas, the water courses, and to minimize erosion of soil, siltation and pollution of streams and lakes.

## **651 Agricultural District (A-1)**

The purpose of A-1 districts is to preserve agricultural endeavors and open space within the city limits of Stanford.

### *1. Permitted Uses*

- a. Land used exclusively for agriculture, farming, dairying, stock raising; provided that no lot consisting of less than five acres shall be zoned A-1 or used for livestock purposes.
- b. Horticultural services
- c. Hunting, trapping, wildlife refuge, forestry
- d. Single-family detached dwellings for use by those engaged in the aforementioned agricultural uses.
- e. Churches & cemeteries

### *2. Conditional Uses*

- a. Hospitals, nursing homes, convalescent homes, rest homes, orphanages, rehabilitation homes
- b. Sewage disposal plants and water treatment plants
- c. State approved sanitary landfills. The Board of Adjustment may attach special conditions necessary to protect neighboring premises from undesirable effects of such operation
- d. Veterinarian clinics
- e. Agricultural home occupations

- f. Recreational facilities, including playgrounds, golf courses, country clubs, sportsman's farms, riding stables, fishing lakes and private clubs
- g. Recreational vehicle park

### 3. *Permitted Accessory Uses*

- a. Accessory uses in connection with agriculture, farming, dairying, stock raising or similar uses, such as tenant homes, agriculture structures, stables, and parking areas
- b. Roadside stands offering for sale only agricultural products grown on the premises
- c. Keeping of roomers or boarders by a resident family
- d. Swimming pools and tennis courts for private use
- e. Horse training track

### 4. *Special Uses in A-1 District*

For the purpose of this Ordinance, all lots 5 acres or greater meet the definition of agricultural use necessary to qualify for the special exemptions noted in Article VII.

### 5. *Development Standards (A-1)*

Minimum lot area	5 acres
Minimum lot frontage	200 feet
Minimum width at building line	80 feet
Minimum front yard	35 feet
Minimum side yard (each side)	10 feet
Accessory buildings	5 feet
Minimum rear yard	20 feet
Maximum building height:	
Principal Structure	42 feet or 3 stories
Accessory Structure	25 feet or 2 stories*
Signs	See Article XI
Parking	See Article X

\*Provided that such second story is not used for separate living quarters.

## 660 Residential Districts

The purpose of residential districts is to establish and preserve single and multi-family home neighborhoods as desired by large numbers of people free from other uses except those which are both compatible with and convenient to the residents of such a district.

### 661 Single Family Residential District (R-1)

The low density residential classification is the most restrictive residential district. The principal land use in this district is for single-family dwellings and for associated religious, recreational, educational and public facilities necessary to provide for a balanced and attractive low density residential area. Lands in this district are intended to be protected from encroachment of uses detrimental to and not performing a function appropriate to the residential environment. Property values are stabilized and orderly growth promoted by providing adequate light, air and open

space and through consideration of proper function relationships of each permitted use.

*1. Permitted Uses*

- a. Detached single-family dwellings.

*2. Conditional Uses*

The following uses are special exceptions and require written approval of the Board of Adjustment. The Board may attach certain conditions to its approval which it feels are necessary to preserve and protect the character of the district in which the proposed use would locate.

- a. Churches, parish houses and other places of worship located not less than twenty (20) feet from any other lot in any R- District.
- b. Schools and colleges for academic instruction, located not less than forty (40) feet from other R- District lots.
- c. Public libraries, public museums, public art galleries, and similar public cultural uses, located not less than twenty (20) feet from other R- District lots.
- d. Private non-commercial recreation areas and facilities not listed above including tennis courts, club swimming pools; provided that no such swimming pool shall be located nearer than one hundred (100) feet from any other R- District lot. Private residential pools shall meet the yard requirements of other permitted uses as detailed in "development standards" below and fencing requirements as detailed in Section 831 of this Ordinance.
- e. Funeral homes and cemeteries
- f. Hospitals and clinics for human care, nursing and convalescent homes, physicians offices, religious and charitable institutions, provided that any buildings which are used for the permanent treatment of contagious diseases, the permanent care of drug addicts, the feeble-minded or insane shall be at least one hundred (100) feet from any R- District lot.
- g. Philanthropic institutions and clubs, except a club which is customarily carried on as a commercial activity.
- h. Non-commercial kennel on the premises of a residence occupied by the owner or tenant as a dwelling house.
- i. Bed and breakfast operations.
- j. Home occupations as defined in the definitions section of this Ordinance.
- k. Public parks, playgrounds, golf courses, country clubs; provided that any principal building used therefore shall be located not less than forty (40) feet from any other lot in any R-1 District.

*3. Accessory Uses*

Accessory uses and buildings may be permitted only as customarily incidental to any of the Permitted and Conditional Uses listed above; provided that such accessory uses shall not involve the conduct of any business, trade, or industry.

*4. Special Use*

A Planned Unit Development for residences shall be permitted as a special use in conformance with Article XII of this Ordinance.

## 5. Prohibited Uses

The keeping or raising of any number of livestock and poultry as defined by KRS 257.010 are prohibited. Except for livestock or poultry under 30 pounds confined entirely in the residence at all times. And up to a total of twelve (12) poultry or fowl per residence, all of which shall be in a confined space and shall not roam freely on the property. (Amended 05/08/2025 Ord. 920.44)

## 6. Development Standards (R-1)

	Dwellings	Other Permitted Uses
Minimum lot area	[12,000] sq ft <u>10,000 sq ft</u> **	16,000 sq ft
Min. lot frontage	[80] feet <u>70 feet</u> **	100 ft
Min. width at building line	[80] feet <u>70 feet</u> **	100 ft
Minimum front yard	35 feet	35 ft
Minimum side yard (each side)	10 feet	10 feet
Accessory buildings	5 feet	5 feet
Minimum rear yard	20 feet	12 feet
Maximum building height:		
Principal Structure	42' or 3 stories	42' or 3 stories
Accessory Structure	25' or 2 stories*	25' or 2 stories*
Signs	See Article XI	See Article XI
Parking	See Article X	See Article X
Sidewalks	See Article VIII	See Article VIII

\*Provided that such second story is not used for separate living quarters.

\*\* (Amendment 920.27C, 12/14/2023)

## 662 Two-family Residential District (R-2)

The two-family residential district is intended to provide for medium population density. Single-family and two-family dwelling units are the principal uses permitted along with the associated uses referred to in Section 661 as being necessary to provide a balanced and attractive residential area. The purpose of this district is the same as that of the R-1, Low Density Residential District except that two-family, detached dwelling units are permitted.

### 1. Permitted Uses

- Detached single-family dwellings
- Detached two-family dwellings (duplexes)
- Other principal permitted uses in R-1.
- Manufactured home subdivisions consisting of Type I classification manufactured homes as defined in Article IX.

### 2. Conditional Uses

- Any use conditionally permitted in an R-1 residential district and subject to the requirements thereof as provided in Section 661(2).
- Nursing homes, rest homes, and funeral homes will be permitted, when located only on premises that front on an officially designated state or federal highway, or a street designated as a primary or secondary

thoroughfare under the Thoroughfare Plan.

3. *Accessory Uses*

Accessory uses and buildings may be permitted as customarily incidental to any of the Permitted Principal and Conditional Uses listed above.

4. *Special Use*

A Planned Unit Development for residences shall be permitted as a special use in conformance with Article XII of this ordinance.

5. *Prohibited Uses*

The keeping or raising of any number of livestock and poultry as defined by KRS 257.010 are prohibited. Except for livestock or poultry under 30 pounds confined entirely in the residence at all times. And up to a total of twelve (12) poultry or fowl per residence, all of which shall be in a confined space and shall not roam freely on the property. (Amended 05/08/2025 Ord. 920.44)

6. *Development Standards (R-2)*

	One Family	Two Family
Minimum lot area	9,000 sq.ft.	10,000 sq.ft.
Min. lot frontage	60 feet	70 feet
Min. lot width at bldg line	60 feet	70 feet
Minimum front yard	35 feet	35 feet
Minimum side yard (each side)	10 feet	10 feet
Minimum rear yard	20 feet	30 feet
Maximum building height:		
Principal Structure	42' or 3 stories	42' or 3 stories
Accessory Structure	25' or 2 stories*	25' or 2 stories*
Signs	See Article XI	See Article XI
Parking	See Article X	See Article X
Sidewalks	See Article VIII	See Article VIII

\*Provided that such second story is not used for separate living quarters.

**663 Low Density Multi-Family Residential District (R-3)**

This residential district provides for medium population density. The principal use of the land in this district includes single family and two-family development as well as complexes with buildings of up to six units per building, a maximum density of nine units per acre, and a maximum of two principle multi-family buildings per lot. Uses are also permitted on a conditional use or accessory basis that complements the more intense residential use that is intended in the R-3 zone.

1. *Permitted Uses*

- a. Detached single-family dwellings, provided that no more than one dwelling shall be permitted on any lot
- b. Detached two family dwellings (duplexes)
- c. Multi Family dwellings including town houses, condominiums, rooming and boarding houses; provided that each building shall contain no more than six units, with a maximum density of nine units per acre and a maximum of two principle buildings per lot.

- d. Manufactured home subdivisions consisting of Type I classification manufactured homes as defined in Article IX.

## 2. *Conditional Uses*

- a. Any use conditionally permitted in an R-1 residential district and subject to the requirements thereof as provided in Section 661(2).
- b. Mobile home park
- c. Recreational vehicle park
- d. Motels, motor hotels, and tourist homes on premises that front only on an officially designated state or federal highway.

## 3. *Accessory Uses*

Accessory uses and buildings may be permitted as customarily incidental to any of the permitted and conditional uses listed above.

## 4. *Special Use*

A Planned Unit Development for residences shall be permitted as a special use in conformance with Article XII of this Ordinance.

## 5. *Prohibited Uses*

The keeping or raising of any number of livestock and poultry as defined by KRS 257.010 are prohibited. Except for livestock or poultry under 30 pounds confined entirely in the residence at all times. And up to a total of twelve (12) poultry or fowl per residence, all of which shall be in a confined space and shall not roam freely on the property. (Amended 05/08/2025 Ord. 920.44)

## 6. *Development Standards (R-3)*

	Single Family	Multi-Family
Minimum lot area	7,500 sq. ft.	6,000 sq. ft. for the first unit, plus 1,500 sq. ft. for each additional dwelling
Min. lot frontage	50 feet	50 feet
Min. lot width at bldg. line	60 feet	70 feet/2-family 80 feet/multi-family
Minimum front yard	20 feet	20 feet
Minimum side yard (each side)	10 feet	10 feet
Minimum rear yard	10 feet	10 feet
Maximum building height	42 feet or 3 stories	42 feet or 3 stories
Signs	See Article XI	See Article XI
Parking	See Article X	See Article X
Sidewalks	See Article VIII	See Article VIII

## 664 High Density Multi-Family Residential District (R-4)

This residential district provides for high population density. The principal use of the land in this district includes all



uses in the prior residential districts as well as complexes with buildings of up to eight units per building, a maximum density of sixteen units per acre, and a maximum of four principal multi-family buildings per lot. Uses are also permitted on a conditional use or accessory basis that complement the more intense residential use that is intended in the R-4 district.

1. *Permitted Uses*

- a. All residential uses permitted in the R-3 district
- b. Multi-family dwellings including town houses, condominiums, rooming and boarding houses; provided that each building shall contain no more than eight units, with a maximum density of sixteen units per acre and a maximum of four principal buildings per lot.

2. *Conditional Uses*

All conditional uses permitted in the R-3 district.

3. *Accessory Uses*

Accessory uses and buildings may be permitted as customarily incidental to any of the permitted principal and conditional uses listed above.

4. *Special Use*

A Planned Unit Development for residences shall be permitted as a special use in conformance with Article XII of this Ordinance.

- 5. Any high-density multi-family development shall have access to adequate community facilities such as adequate water and sewer service and shall be located on an arterial or major collector road. The Commission shall have the authority to require the set aside or provision of recreation/open space as part of the development plan review process.

6. *Prohibited Uses*

The keeping or raising of any number of livestock and poultry as defined by KRS 257.010 are prohibited. Except for livestock or poultry under 30 pounds confined entirely in the residence at all times. And up to a total of twelve (12) poultry or fowl per residence, all of which shall be in a confined space and shall not roam freely on the property. (Amended 05/08/2025 Ord. 920.44)

7. *Development Standards (R-4)*

	<b>Single Family</b>	<b>Multi-Family</b>
Minimum lot area	6,000 sq ft	6,000 sq ft for first unit 1,500 sq ft for each additional dwelling unit
Minimum lot frontage	50 feet	50 feet
Minimum width at building line	60 feet	70 feet/2-family 80 feet/multi-family
Minimum front yard	20 feet	20 feet
Minimum side yard (each side)	10 feet	10 feet (except for town houses, which may have shared walls with separate lotted/deeded lots with no side yard) 10 feet shall apply to side yard of the principal building of the

		townhouse complex.*
Accessory buildings	5 feet	5 feet
Minimum rear yard	10 feet	10 feet
Maximum building height	42 feet or 3 stories	42 feet or 3 stories
Signs	See Article XI	See Article XI
Parking	See Article X	See Article X
Sidewalks	See Article VIII	See Article VIII

Note: If no standard is listed for multi-family, the single-family standard applies to all lots in this district.

\*(Amendment 920.27C, 12/14/2023)

## 670 Business Districts

Accommodate existing and future business development in such locations and with such regulations so as to provide availability and accessibility for the success of business operations, to encourage the development of new business at appropriate locations and to preserve and protect existing and future development of non- business uses of access points, service roads, parking and loading areas, screening, and other regulations.

## 671 Central Business District (B-1)

The Central Business District is intended for the conduct of retail business and for personal and business service for the city and its trade area. It is the most intensely developed district and contains stores and services for all areas of the city, requiring a high degree of internal interaction that demands close proximity and freedom of movement by pedestrians within the District.

### 1. Permitted Uses

Any consumer and personal service establishment such as follows:

- a. Art or antique shops, paint and wallpaper stores, department stores, variety or dime stores, dry goods and apparel stores, hotels (of less than 50 rooms for occupancy), including motels, short term residential rentals, and motor hotels, (Amendment 920.27C, 12/14/2023), office buildings, poolrooms, printing shops, jewelry stores, mail-order houses, radio and television studios, health center, pawnbrokers, walk-in restaurants (not including drive in or "drive-thru" restaurants), Pharmacies including drive through pharmacies, nonquota retail alcoholic drink establishment, microbrewery (as referenced in Ordinance 410.2), day care facility Type I or Type II, places of entertainment or amusement, including, but not limited to karaoke, arcade games, games of skill, racebooks and sportsbooks, (Amendment 920.27C, 12/14/2023), other business or service and warehouse;
- b. Dry cleaning establishments are permitted, provided that establishments meet all fire code requirements; have installed venting which assures dispersion of all obnoxious fumes and odors at least twenty-five (25) feet above the street level or five (5) feet above the roof level of the highest adjoining building, whichever is the higher; use only nonflammable solvents as specified by the Underwriters' Laboratory, Incorporated, receive and disburse merchandise for processing on the premises; and provide at least two (2) off-street parking spaces for customers.
- c. Any office or office building. Banks, including the drive-in type; other financial establishments. Billiard parlors, pool halls, commercial studios, including art, photographic, music, dancing, radio, and television studios. Hotels, including motels and motor hotels. Any other use decided upon by the planning commission which falls in the same category.

In no case, shall the following uses be permitted within the Central Business District:

- a. New or used car sales, farm implement sales, trailer sales, drive-in theaters, drive-in restaurants, marijuana dispensaries (medical or otherwise) (Amendment 920.27C, 12/14/2023), or any other similar uses which the Board of Adjustment determines to be detrimental to the district as a pedestrian-oriented retail consumer-service district.
- b. The keeping or raising of any number of livestock and poultry as defined by KRS 257.010 are prohibited. Except for livestock or poultry under 30 pounds confined entirely in the residence at all times. And up to a total of twelve (12) poultry or fowl per residence, all of which shall be in a confined space and shall not roam freely on the property. (Amended 05/08/2025 Ord. 920.44)

## 2. *Conditional Uses*

The following uses are special exceptions and require written approval of the Board of Adjustment:

Churches and other places of worship; parish houses; public libraries; passive recreation and/or public parks, service stations, [~~municipal county, state and federal buildings, public utilities;~~] (Amendment 920.27C, 12/14/2023), funeral homes; hospitals and clinics for human care, philanthropic institutions and clubs including a club of which the chief activity is customarily carried on as a business; use of upper floors as residential dwellings by the owner of the business on the lower floors, the owner of the building, or as rental property.

The Board of Adjustment may attach certain conditions to its approval which it feels are necessary to preserve and protect the character of the district in which the proposed use would locate.

## 3. *Accessory Uses*

Any accessory use or building customarily incidental to the above permitted uses is permitted.

## 4. *Required Conditions*

All permitted and Conditional Uses within the Central Business District shall be conducted wholly within an enclosed building except for off-street parking and loading facilities provided for under Article X of this Ordinance.

## 5. *Development Standards (B-1)*

Minimum lot area	none
Minimum yard requirements	none
Maximum building height	36 feet or 3 stories
Signs	See Article XI
Parking	See Article X
Sidewalks	See Article VIII

## 672 Neighborhood Business District (B-2)

The purpose of the Neighborhood Business District is to provide retail stores and personal service outlets to meet the need of the people in adjacent or nearby residential areas for convenient services. These districts are closely related to residential districts but they are also commercial areas that generate activities that can be disruptive in residential areas unless they are properly regulated. The intent of these regulations is to make the B-2 district as compatible as possible with associated residential districts while permitting commercial activity.

### 1. *Permitted Uses*

Any convenience-type retail business or service establishment such as follows:

Groceries, delicatessens, meat markets, fruit and vegetable stores, candy stores, bakery stores, gift shops, florists, drug stores, shoe repair shops, hardware store, barber and beauty shops, clothing shops, hotels (of less than 50 rooms for occupancy), including motels, short term residential rentals, and motor hotels, nonquota retail alcoholic drink establishments, microbrewery (as referenced in Ordinance 410.2), day care facility Type I or Type II, Pawnbrokers, (Amendment 920.27C, 12/14/2023) garages for minor motor vehicle repair within an enclosed building, walk-in restaurants, (including tearooms, soda fountains, ice cream parlors; not including drive-in restaurants) self-service laundries, filling stations, places of amusement and assembly, car washes and antique shops, hospitals, pharmacies, drive-through pharmacy, nursing homes, medical clinics, urgent care, in-patient treatment centers, out-patient treatment centers, (Amendment 920.27C, 12/14/2023) business and professional offices, including drive-in banks. Any other retail business or service establishment which is determined by the Planning Commission [Board of Adjustment] (Amendment 920.27C, 12/14/2023) to be of the same general character as the above-mentioned uses.

## 2. *Conditional Uses*

- a. Churches and other places of worship; parish houses; public libraries; schools offering general education courses, public parks, and ~~[non-commercial public]~~ (Amendment 920.27C, 12/14/2023) recreational facilities; public utilities; funeral homes; cemeteries; ~~[nursing homes, hospitals and clinics for human care]~~ (Amendment 920.27C, 12/14/2023), philanthropic institutions and clubs, including a club of which the chief activity is customarily carried on as a business; mobile home park; mobile home subdivision; recreational vehicle park.

The Board of Adjustment may attach certain conditions to its approval which it feels are necessary to preserve and protect the character of the district in which the proposed use would locate.

## 3. *Accessory Uses*

Any accessory use or building customarily incidental to the above permitted uses is permitted, including dwelling units occupying the same building as the principal commercial use and being for use by the owner and/or operator of the permitted commercial use.

## 4. *Prohibited Uses*

Marijuana Dispensary (medical or otherwise). (Amendment 920.27C, 12/14/2023)

## 5. *Required Conditions*

- a. Screening: Where a side lot line is shared with an adjoining residential lot, a well-maintained compact hedge, a solid fence or similar solid screening device at least six (6) feet in height shall be installed to screen the business use from the adjoining lot in the residential district. The screen shall begin at the front building line and extend along the common side lot line to the rear property line.
- b. Access to Highways and Streets: In all commercial zones, points of access to highways and streets shall be controlled by the Planning Commission and by Article VIII, Section 820 of this ordinance. Before any building permit for any structure in a B-1 district may be issued the prospective builder or operator of the proposed B-1 activity shall submit a sketch of the layout and design of the proposed structure and/or use and its access points to the highway and/or street to the Planning commission. The Planning Commission may require that when two or more consumer commercial establishments adjoin along one side of any street or highway that they share access points to the street. When more than four consumer commercial establishments adjoin along any highway or street, a road parallel to the highway or street may be built, at the expense of all adjoining consumer commercial establishments, to provide service to all consumer commercial establishments on the same side of the street or highway. This road shall have access to the highway or street at no more than two points for every four consumer commercial establishments. The provisions of Article

VIII of this Ordinance shall also apply in a B-1 district. Parking and off-street loading requirements are provided in Article X of this Ordinance.

- c. All businesses, services, or processing shall be conducted wholly within a completely enclosed building except in filling stations.
- d. All products processed shall be sold primarily on the premises.
- e. Processes and equipment employed in goods processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, gas fumes, noise, vibration, refuse matter, or water-carried waste.

6. *Development Standards (B-2)*

Minimum lot area	none
Minimum lot frontage	100 feet
Minimum front yard	25 feet, or one-half of the street right-of-way, whichever is greater
Minimum side yard	If adjacent to residential district must comply with adjacent district's requirements or 8' minimum
Minimum rear yard	20 feet
Maximum building height	30 feet or 2.5 stories
Signs	See Article XI
Parking	See Article X
Sidewalks	See Article VIII

**673 Highway Business District (B-3)**

The B-3 District is for the conduct of retail sales and personal business oriented to vehicles and vehicular travel primarily on major streets, roads and arterials. Characteristically, the District is centered about major road intersections and along arterial routes. Travel within the District is mainly by way of private automobile.

1. *Permitted Uses*

- a. Any uses in the Neighborhood Business District (B-2).
- b. The following uses are also permitted within the Highway Business District:

New or used car sales, farm implement sales, trailer, mobile, or manufactured home sales, drive-in theaters, drive-in restaurants; motels, breweries, wineries, craft rectifiers and/or distilleries producing under a Class B license in KRS 243.120, marijuana/cannabinoid dispensaries, (Amendment 920.27C, 12/14/2023) or any other similar uses generally requiring large amounts of parking or catering to automobile traffic.

2. *Conditional Uses*

The following uses are special exceptions and require written approval of the Board of Adjustment:

Churches and other places of worship, public libraries, public parks, and commercial public recreational facilities; public utilities; funeral homes; cemeteries; roadside stands and clubs, including a club of which the chief activity is customarily carried on as a business; dwelling units occupying the same building as the principal commercial use and being for the use of the owner and/or operator of the permitted commercial use; mobile home park; mobile home subdivision; recreational vehicle park.

The Board of Adjustment may attach certain conditions to its approval which it feels are necessary to preserve and protect the character of the district in which the proposed use would locate.

### 3. *Accessory Uses*

Any accessory use or building customarily incidental to the above permitted uses is permitted.

### 4. *Special Use*

A Planned Unit Development for highway business shall be permitted as a special use in conformance with Article XII of this Ordinance.

### 5. *Prohibited Uses*

The keeping or raising of any number of livestock and poultry as defined by KRS 257.010 are prohibited. Except for livestock or poultry under 30 pounds confined entirely in the residence at all times. And up to a total of twelve (12) poultry or fowl per residence, all of which shall be in a confined space and shall not roam freely on the property. (Amended 05/08/2025 Ord. 920.44)

### 6. *Required Conditions*

Same as the required conditions for the B-1 District.

### 7. *Development Standards (B-3)*

Minimum lot area	none
Minimum lot frontage	100 feet
Minimum front yard	25 feet, or one-half of the street right-of-way, whichever is greater
Minimum side yard	if adjacent to residential district, must comply with adjacent district's requirements; or minimum of 8 feet
Minimum rear yard if adjacent to	same as side yard
Maximum building height	36 feet or 3 stories
Signs	See Article XI
Parking	See Article X
Sidewalks	See Article VIII

## 680 Industrial Districts

### 681 Light Industrial District (I-1)

The Light Industrial District is primarily intended for production and assembly plants and industrial operations or services that are conducted in such a manner that noise, odor, dust, glare and vibration produced is essentially contained within the premises.

#### 1. *Permitted Uses*

Any use permitted in the Central Business District

Wholesale, storage; warehouse; animal hospital, breweries, wineries, craft rectifiers and/or distilleries producing under a Class B license per KRS 243.120, distillers and/or rectifiers operating under a Class A license per KRS 243.120, bottling house or bottling storage house per KRS 243.035, canning, barrel cooperages, storage and

warehousing for brewed and distilled spirits, (Amendment 920.27C, 12/14/2023) bottling works, cabinet making, carpenter's shop, clothing manufacture, dairy, dyeing and dry-cleaning works, fruit canning or packing, indoor agriculture processing or compliance facilities, including but not limited to cannabis processors, production, and safety compliance facilities; (Amendment 920.27C, 12/14/2023) laundry, milk distribution station, optical goods, paper boxes, pencils, printing, publication or engraving, and trucking terminals, manufacturing to include the following:

Bakery goods, candy, cosmetics, pharmaceuticals, toiletries, and food products (except meat products); pottery, using previously pulverized clay, and kilns fired only with gas or electricity; musical instruments, toys, novelties, rubber products; electric and neon signs, and other commercial advertising structures per Article XI; light sheet metal products including heating and ventilating equipment; experimental firms or testing laboratories, provided no operation shall be conducted or equipment used which would create hazards and noxious or offensive conditions; metal working shops, machine shops, railway or locomotive shops, boiler shops; emery cloth or dyestuff manufacture; flax, flour, or grain mills, forge for foundry works; lime or lime products, linoleum, oil cloth or oiled goods manufacturing; sand blasting or cutting, sawmill, sewage disposal plant; shoe blacking, soap, stone or monument works employing power-driven tools; wire or rod drawing--nut, screw or bolt manufacturing; any other use decided upon by the Planning Commission which falls in the same category.

~~[Other industrial uses not listed above shall be considered conditional uses and will require written approval of the Board of Adjustment]. (Amendment 920.27C, 12/14/2023)~~

## *2. Conditional Uses*

The following uses are special exceptions and require written approval of the Board of Adjustment;

Provided no part of a building occupied by such uses shall have any opening other than stationary windows or required fire exits within one hundred (100) feet of any R-District: Adhesive manufacture, not including the refining or recovery of products from refuse; Foundry, casting light weights non-ferrous metals, or electric foundry not causing noxious fumes or odors; Ice manufacturing and cold storage plant. Building material sales yards, lumber yards, including millwork, open yards for storage and sales of feed and/or fuel.

Any industrial, manufacturing, fabrication, processing or industrial service use which the Board of Adjustment determines would not emit obnoxious noise, odor, smoke, dust or vibration beyond the confines of its property may be conditionally permitted.

The Board may attach certain conditions to its approval which it feels are necessary to preserve and protect the character of the district in which the proposed use could locate.

## *3. Accessory Uses*

Any accessory use or building customarily incidental to the above permitted and Conditional Uses.

## *4. Prohibited Uses*

Dwelling and residence of any kind, including motels; also schools, hospitals, clinics, or nursing homes, and other institutions for human care, except where incidental to a permitted principal use; provided, that any of the aforesaid uses legally existing in the I District at the time of the adoption of this Ordinance, or any amendment thereto, shall not be defined as a non-conforming use as defined in KRS 100.253.

## *5. Special Uses*

A Planned Unit Development for light industries shall be permitted as a special use in conformance with Article XII of this Ordinance.

## *6. Required Conditions*

1. Yards: on lots adjacent to a residential district, all buildings shall be located so as to provide a minimum yard of one hundred (100) feet.
2. Loading Docks: No loading dock shall be constructed fronting on any public street or roadway.
3. Storage Facilities: No materials or supplies shall be stored or permitted to remain on any part of the property outside the buildings constructed thereon without proper screening and adequate distances from adjoining properties.
4. Waste Disposal: No waste material or refuse shall be dumped upon or permitted to remain upon any part of an industrial property outside of buildings constructed thereon. In addition, the property shall not be used by an industry whose primary business requires industrial sewage, unless the governing municipal body authorizes the use of its sewage disposal facilities or said industry constructs its own sewage disposal plant.

7. *Development Standards (I-1)*

Minimum lot area	none
Minimum lot frontage	100 feet
Minimum front yard	25 feet, or one-half of the street right-of-way, whichever is greater
Minimum side yard	25 feet minimum; 100 feet if adjacent to residential district
Minimum rear yard	30 feet, plus 5' for each additional story
Maximum building height	36 feet or 3 stories
Signs	See Article XI
Parking	See Article X
Sidewalks	See Article VIII

**682 Heavy Industrial District (1-2)**

The Heavy Industrial District is primarily intended for production and assembly plants and industrial operations or services that by virtue of the external effects of their noise, odor, dust, glare or vibration should be isolated from residential uses. Heavy industries should be located in areas with topographic features suitable for such industries and where adequate utilities and transportation are available.

1. *Permitted Uses*

- a. Any use permitted in the I-1 Light Industrial District. Except that no building, structure, or portion thereof shall be erected, constructed or used for any dwelling use.

2. *Conditional Uses*

The following uses are special exceptions and require written approval of the Board of Adjustment:

- a. Abattoirs (slaughter house); acid manufacture; acetylene gas manufacture; ammonia manufacture; asphalt manufacture, refining or storage; blast furnace, brick kiln, charcoal manufacture and pulverizing; chemical manufacture, creosote treatment and manufacture; exterminator or insect poison manufacture; fat rendering, fertilizer manufacture; flour and grain milling; gasoline storage, wholesale; junk yards; leather curing and tanning lime- manufacture; monument works; plaster of paris manufacture; quarry works; refuse dump; rock crushing; salvage storage yard; sawmill; scrap iron; storage yard; stock yards; sulfur, sulfuric acid, or derivatives manufacture; tar distillation or manufacture; terracotta manufacture; wrecking material yard; and coal washing; storage and transfer yards and facilities.

The Board may attach certain conditions to its approval which it feels are necessary to preserve and protect the



character of the district in which the proposed use would locate.

- b. Any other industrial, manufacturing, fabrication or processing uses which the Board of Adjustments determines to be non-detrimental to surrounding properties nor possess other characteristics that would be a nuisance to the residents of the City.

### 3. *Accessory Uses*

Any accessory use or building customarily incidental to the above permitted and conditional uses.

### 4. *Special Use*

A Planned Unit Development for heavy industries shall be permitted as a special use in conformance with Article XII of this ordinance.

### 5. *Required Conditions*

- a. Yards: On lots adjacent to a residential district, all buildings shall be located so as to provide a minimum side yard of one hundred (100) feet.
- b. Loading Docks: No loading dock shall be constructed fronting on any public street or roadway.
- c. Storage Facilities: No materials or supplies shall be stored or permitted to remain on any part of the property outside the buildings constructed thereon without proper screening and adequate distances from adjoining properties.
- d. Waste Disposal: No waste material or refuse shall be dumped upon or permitted to remain upon any part of an industrial property outside of buildings constructed thereon. In addition, the property shall not be used by an industry whose primary business requires industrial sewerage, unless the governing municipal body authorizes the use of its sewage disposal facilities or said industry constructs its own sewage disposal plant.
- e. Junk yards, salvage and scrap iron yards and similar uses shall be enclosed by an acceptable fence, wall or other screening not less than six (6) feet in height. The Board of Adjustment shall determine the acceptability of said screening.
- f. Extraction of minerals, stripping of soil, sand and gravel pits, (not including any processing), shall require that any power-driven or power-reproducing machinery or equipment shall not be housed or operated less than one thousand (1,000) feet from any R-District.

### 6. *Development Standards (I-2)*

Minimum lot area	none
Minimum lot frontage	100 feet
Minimum front yard	50 feet, or one-half of the street right-of-way, whichever is greater
Minimum side yard	25 feet minimum; 100 feet if adjacent to residential district
Minimum rear yard	25 feet
Maximum building height	36 feet or 3 stories
Signs	See Article XI
Parking	See Article X
Sidewalks	See Article VIII

## 690 Special Districts

### 691 Flood Plain Overlay District (FP)

The Flood Plain District is an exceptional area for which special regulations have been developed. This district is composed of lands that are subject to being flooded and the special regulations have the purpose of preventing development in the flood plain of buildings and structures that will increase flood heights and damage and preventing excessive property damage and loss of life in areas of greatest flood hazard. The Flood Plain district regulations shall be established in addition to the zoning district classification and regulations which this district overlays. The permitted and conditional uses, dimensional information, and other requirements of the underlying zone as provided in this ordinance shall apply. Where there are conflicts which may arise between the procedures and requirements set forth in this Ordinance, it is intended that the provisions set forth in the Flood Plain District shall apply.

#### 1. *Permitted Uses*

None

#### 2. *Conditional Uses*

The following uses are permitted in a Flood Plain District, subject to the restrictions, limitations and procedures set forth in this Section and in other provisions of this ordinance.

- a. Agricultural uses not involving the commercial slaughtering of animals or other operations producing obnoxious odors or noises.
- b. Open-type recreational facilities, either public or private.
- c. Outdoor advertising subject to provisions of Article XI of this ordinance.
- d. Temporary uses subject to Article VIII of this ordinance.
- e. Storage yards for agricultural and/or industrial supplies or equipment not subject to major damage by flood waters.
- f. Any other uses customarily accessory or incidental to the above uses.

#### 3. *Restrictions and Limitations in Flood Plains*

- a. The erection of any structure for residential purposes is prohibited.
- b. No use or structure shall be permitted in a Flood Plain District that restricts, impedes or diverts the natural flow of water in the area.
- c. There shall be no filling of land or excavation of land unless and until a certificate shall be issued by the City Engineer, or an equivalent official, and approved by the Planning Commission that such filling or excavation does not alter the natural flow of water.

#### 4. *Procedure for Development*

No building, structure, use or improvement shall be undertaken in a Flood Plain District without the prior approval of the Planning Commission nor without a Conditional Use Permit issued by the Board of Adjustment.

- a. A development plan shall be prepared by the applicant and submitted to the Planning commission for review and approval. Provisions of Article XIII of this Ordinance pertaining to Development Plans shall be followed.

- b. In reviewing the submitted plan of development, the Planning Commission shall be guided by the following standards:
  - i. Permitted uses shall be of the type not subject to major damage by floods as set forth in Section 690(2).
  - ii. Structures shall be placed on the lot so as to offer minimal obstruction to the flow of water.
  - iii. Structures shall be firmly anchored to prevent floating away during floods.
  - iv. Topographic data, hydrological data, engineering studies or other special studies may be necessary to determine the effects of flooding on a proposed structure or the effect on the floodway of the structure and the Planning commission may require that such studies be prepared by competent engineers or other professionals.
  - v. The granting of approval shall not be construed to imply that the action of the City Council, Planning Commission or any of their offices or agencies is a representation, guarantee or warranty of any kind of the practicality or safety of any structure or plan proposed and shall create no liability upon or a cause of action against such public bodies, officers or employees for any damage that may result pursuant thereto.
- c. The Board of Adjustment shall secure a written recommendation from the Planning Commission setting necessary standards and conditions for the proper operation of the proposed use or structure before issuing the Conditional Use Permit.

## **692 Historic Overlay District (H-1)**

The purpose of this H-1 zone is to give protection to certain areas or individual structures and premises designated as having substantial historic or architectural significance and to encourage uses that will lead to their continuance, conservation, and improvement in a manner appropriate to the preservation of the areas' historic heritage.

### *1. Application of H-1 District*

The H-1 district regulations shall be established in addition to the zoning district classification and regulations which this district overlays. The permitted and conditional uses, dimensional information, and other requirements of the underlying zone as provided in this ordinance shall apply. Where there are conflicts which may arise between the procedures and requirements set forth in this Ordinance, it is intended that the provisions set forth in the Historic District shall apply.

### *2. Procedure for Development*

No building or structure within the H-1 district shall be razed, altered, or reconstructed, and no building lot in said district shall be altered or improved, and no new construction shall occur within such district, unless and until a Certificate of Appropriateness shall first have been issued by the Architectural Review Board (ARB). No building permit demolition, permit and/or other permit required by other provisions may be issued unless and until the ARB provides the Zoning Enforcement Officer with a signed approved Certificate of Appropriateness.

Evidence of such approval shall be a Certificate of Appropriateness signed by the Chairman of the ARB stating that the exterior architectural features of the proposed construction, reconstruction, alteration, restoration, or use for which application has been made are approved by the Architectural Review Board, or the building proposed to be razed is structurally unsound beyond economic repair or of insufficient historical or architectural significance. See Article XIV for detail regarding the formation of the H-1 District, and the duties, responsibilities and procedures required of the Architectural Review Board.

## **ARTICLE VII APPLICATION OF REGULATIONS**

### **700 Application of Regulations**

All existing and future structures and uses of premises within the City of Stanford, shall conform with all applicable provisions of the Zoning Ordinance. Each zoning district is established to permit only those uses specifically listed as permitted uses or accessory uses, except as provided under the nonconforming or conditional use provisions, and is intended for the protection of those uses. No other uses are permitted except as specifically permitted elsewhere in this ordinance.

### **710 Special Provisions for Agricultural Areas**

For the purposes of this ordinance, land which is used solely for agricultural, farming, dairying, stock raising or similar purposes, shall have no regulations imposed as to building permits, height, yard, location or court requirements for agricultural buildings except that:

1. Setback lines and/or buffer zones shall be required for the protection of existing and proposed streets and highways. In connection therewith, all requirements of the Commonwealth of Kentucky Department of Transportation, Bureau of Highways Regulations as regarding distance, sight and drainage shall be complied with; and
2. All buildings or structures in a designated floodway or floodplain, or which tend to increase flood heights or obstruct the flow of flood waters may be fully regulated.

### **720 Subdivision of Agricultural Land**

Landowners or developers desiring to subdivide agricultural land for any non-agricultural use must meet the following requirements:

1. Obtain a zoning change to the appropriate zoning district unless the intended use is suitable in the agriculture district.
2. Conform with the Subdivision Regulations, including design and processing requirements.
3. Conform with the dimension requirements and other special requirements as may be imposed by the Commission.

### **730 Coordination with Subdivision Regulations**

In all cases, where the ownership of the land is divided for the purpose of eventual development of all kinds (residential, commercial, industrial), the provisions of the Subdivision Regulations of Stanford and amendments thereto shall apply in addition to the provision of the Zoning Ordinance.

### **740 Certificate of Land Use Restrictions**

Whenever a legislative body approves a Zoning Map amendment, whenever the Planning Commission approves a development plan or subdivision plat, and whenever the Board of Adjustment approves a variance or conditional use permit, a Certificate of Land Use Restriction as detailed on the following page shall be filed with the County Clerk (per KRS 100.3683).

## ARTICLE VIII SUPPLEMENTAL DISTRICT REGULATIONS

### 800 Applicability

Except as hereinafter specified, the provisions of this Article shall apply to all districts.

The provisions of this Ordinance affect every building and use of land or building. No land, building, structure, or premises shall hereinafter be used and no building or part thereof, or other structure, be located, erected, moved, reconstructed, extended, enlarged, altered, or demolished, except in conformity with these regulations. No excavation, cut or fill of earth or debris shall be undertaken unless a permit is issued in conformance with the provisions of this Ordinance.

### 810 Yard Regulations

1. Any part of any yard, open space, off-street parking or loading space required in connection with any building to comply with these regulations shall not be included as part of any yard, open space, or parking or loading space for any other building unless approved as a variance by the Board of Adjustment.
2. A yard or lot existing at the time of adoption of this Ordinance, or created subsequently, shall not be reduced in dimension or area below the minimum requirements set forth in these regulations.
3. Front yards for corner and/or through lots shall be of the depth required by this Ordinance for the district in which the lots are located. The side or rear yard adjacent to the other street shall be of the depth required by this Ordinance for front yards in the district in which the lot adjacent to the corner and/or through lot is located.
4. Front yards and side yards for corner lots shall be measured from the street right-of-way line. This provision shall not be construed as requiring the dedication of any property to the public.
5. Steps, terraces, decks, carports, fire escapes, balconies, open porches, and other unenclosed architectural features may extend into required yard space not more than nine (9) feet, provided that no such projection shall be less than five (5) feet from a side lot line. Enclosing such projection into yard space is prohibited.
6. In any required front yard or side yard for corner lots, no fences or walls shall be permitted which materially impede vision across or into such yard above thirty (30) inches in height. Fences, walls and hedges are permitted in or along the edge of a yard except as provided above. In Planned Unit Developments or other developments requiring development plan review, the Planning Commission may permit fences, walls and hedges above thirty (30) inches in height in the front yard provided that no obstruction of street intersections occurs.

### 811 Setback Lines, Exceptions

Front yard setback lines may be varied where the average depth of principal buildings on adjoining properties is less or greater than the depth prescribed elsewhere in this Ordinance. In such case, the front yard in question shall not be less than the average depth of existing front yards on the two (2) lots immediately adjoining the lot in question.

### 812 Sidewalks Required

Sidewalks shall be required on both sides of the street in all areas of the city of Stanford and shall be constructed as per construction specifications found in the Stanford Subdivision Regulations. Such sidewalks shall be located within the street right-of-way and shall consist of a continuous concrete walking surface. All driveway entrances shall be concrete and shall be constructed as per construction specifications found in the Stanford Subdivision Regulations.

Any unbuilt lots of record shall conform to these sidewalk requirements unless such lots have had such requirements specifically waived and have recorded lots of record with the waiver.

All corner lots shall provide handicapped access points to allow grade crossing of the adjoining streets.

All lots shall be developed in such a manner as to provide for proper drainage of surface water to prevent the drainage of such water onto adjacent properties or required sidewalks.

It shall be the responsibility of the owner of the property in front of which any new or existing sidewalk passes to maintain such sidewalks in good condition and free of obstructions.

## **820 Lot Access Requirements**

Every lot upon which a building is erected for use shall either be adjacent to or have direct and permanent access to a public street. Access to buildings in a Planned Unit Development shall be approved by the Planning Commission.

The following restrictions regarding lot access control shall apply inclusively:

1. Lots with less than 100 feet of frontage on a public street shall have no more than one (1) point of access to the public street. Lots with more than 100 feet but less than 400 feet shall have no more than two (2) points of access to the public street. Lots with more than 400 feet of frontage shall have no more than two (2) points of access for each 400 feet of frontage.
2. The location of access drives for lots with 400 or more feet of frontage shall be approved by the Planning Commission.
3. Access points to arterial streets serving all zoning districts shall be located no more frequently than once every eighth to quarter mile. Topography and traffic volumes shall determine the exact location of such access points. Heavy arterial traffic volumes demand greater access spacing. Along any arterial street where subdivided land and its minor streets are not sufficiently developed to permit acceptably spaced access points, the Planning Commission may approve the platting of temporary access points which shall be extended to the approved permanent access points in a given time frame. Such requirements shall be listed as special conditions on the recorded final plat and on the Certificate of Land Use Restrictions. Access points shall also meet federal and state standards where applicable.
4. No point of access shall be allowed within twenty (20) feet of the intersection of the right-of-way lines of intersecting streets.
5. No curbs on public streets or public rights-of-way shall be cut, removed, or altered, nor shall any curb or pavement be constructed within the right-of-way without written approval of the Administrative/ Enforcement Official.
6. An access drive shall not exceed twenty (20) feet in width for one-way and/or one-lane ingress or egress. Two-way and/or two-lane access drives shall not exceed thirty-five (35) feet in width.
7. Access drives to all principal buildings and to all lots in all zones shall be surfaced with an acceptable impervious material to provide a durable and dust-free surface.

## **821 Vacated Street or Alley**

Whenever a street, alley, or other public way is vacated by official action as provided by law, all regulations of the adjoining zoning district shall be extended automatically to include the rights-of-way and vacated public way. If such public way adjoins more than one zoning district, the zoning of each district shall be extended to the centerline of the vacated way unless such vacated way is reverted in its entirety to a given piece of property in a single zone. In such case, the regulations of the district in which the property is located shall include such public ways or rights-of-way.

## **830 Accessory Buildings**

No accessory buildings shall be permitted in any front yard. Such accessory buildings are permitted in side or rear yards only and must comply with the dimension and area regulations of the zoning district which it is located. On any

corner or through lot adjoining on the side or in the rear another lot which is in a residential district, accessory buildings shall conform to the side yard requirements for the residential district.

No buildings in the rear of a main or principal building on the same lot shall be used for residential or other principal purposes unless it conforms to all requirements of this Ordinance.

### **831 Swimming Pools**

All private in-ground and above-ground pools except as noted below must be completely enclosed, including a gate, with a minimum of a four (4) foot fence so as to prevent unauthorized or accidental access by children.

Above-ground pools greater than four (4) feet in height with a retractable or removable ladder and all pools smaller than 100 square feet and 18" in depth or less and not containing any recirculating equipment shall be exempt from this requirement.

The Enforcement Officer shall have the authority to waive this requirement in light of extenuating circumstances regarding a particular piece of property such as natural barriers preventing access and location on large fenced lots.

All public swimming pools must meet all applicable state regulations regarding fencing.

### **832 Conversion of Dwellings**

The conversion of any building into a dwelling or the conversion of any dwelling so as to accommodate an increased number of dwelling units or families shall be permitted only within a district within which a new building for similar occupancy would be permitted and only when the resulting occupancy will comply with area, dimension, yard, parking, and other requirements governing new construction in such district.

### **840 Lot for Every Building**

Every principal building shall be located on a separate lot, except as permitted in multi-family residential districts and except as permitted in a Planned Unit Development. Only one principal building may be erected on a single lot unless the requirements of this Ordinance are met as though it were on an individual lot.

### **850 Exceptions to Height Limitations**

The height limitations of this Ordinance shall not apply to church spires, belfries, cupolas, and domes not intended for human occupancy; monuments, water towers, observation towers, transmission towers, windmills, chimneys, smokestacks, derricks, conveyors, flagpoles, masts and aerials; provided, however, that a conditional use permit is obtained for the exception from the Board of Adjustment.

### **860 Subdivision or Consolidation of Lots**

In all cases where the ownership of land is divided or consolidated for the purpose of eventual development of lots, whether residential, commercial, or industrial, the provisions of the Stanford Subdivision Regulations shall apply in addition to the provisions of this Ordinance.

### **870 Visibility at Intersections**

There shall be no obstruction which will materially impede vision between a height of two and one-half (2 1/2) feet and twelve (12) feet above the center line grades of the intersecting streets or railroads in the area bounded by the right-of-way lines of the streets or railroads and a straight line joining points along said right-of-way lines twenty (20) feet from the point of intersection.

The above provisions do not apply to the Central Business District or to any location requiring a retaining wall. The Board may either reduce or increase the requirements of this section in the interest of public safety upon finding that special conditions exist.

## **880 Water Supply and Sewage Disposal**

No building or dwelling can be constructed without water supply and sewage disposal facilities which have been approved by the appropriate utility, where applicable, or by the County Health department. Wherever water and sewer mains are accessible, buildings shall be connected to such mains. In every case, individual water supply and sewage disposal must meet the requirements set by the City's water and sewer department superintendent and/or the County Health department. A certificate showing approval of proposed and/or completed water and sewerage facilities must accompany applications for building permits and certificates of occupancy.

## **890 Excavation and Regrading**

The excavation of natural materials or filling of land shall be permitted without a conditional use permit only to the degree necessary to permit construction of buildings, streets, or accessory uses for which a building permit has been granted. Materials used for fill shall be natural materials only, such as sand, gravel or dirt, and shall not consist of rubbish, refuse, garbage or decomposable animal or vegetable materials. Any excavation or filling which is not clearly necessary and incidental to an approved construction project shall require a conditional use permit. Regrading shall be undertaken at a time which is customary to the overall construction timetable of similar projects.

## **891 Temporary Building or Temporary Use**

Temporary permits not to exceed six (6) months and renewable for additional six (6) months periods for a maximum of eighteen (18) months may be issued by the Administrative/Enforcement Officer for site construction purposes. Non-renewable temporary permits not to exceed sixty (60) days may be issued by the Administrative/Enforcement Officer for carnivals, circuses, tent revival meetings and similar special event activities. Temporary events by local schools, churches and civic clubs of short duration shall not require a permit.

Before issuing a temporary permit, the Administrative/Enforcement Officer shall find that the site is adequate for the proposed activity and that the proposed use, including related parking and traffic, is not detrimental to the surrounding area.

The Board of Adjustment may permit temporary conditional uses for a period not to exceed six (6) months for structures and/or uses referred to above provided that the requirements for site adequacy, parking, and traffic are met in addition to the Board's conditions.

## **892 Minimum District Size**

No land district created under the provisions of this Ordinance shall be less than two (2) acres in size.



## ARTICLE IX MANUFACTURED AND MOBILE HOMES

### 900 Intent

It is the intent of this Article to encourage provision of alternative, modest housing in general residential areas by permitting the use of certain manufactured homes and certified mobile homes, as defined herein, in all districts in which similar dwellings constructed on site are permitted, subject to the requirements set forth herein to assure acceptable similarity in exterior appearance between such manufactured homes and dwellings that have been or might be constructed under these and other lawful regulations on adjacent or nearby lots in the same district.

It is further the intent of this Article is to guide the establishment of mobile home parks, mobile home subdivisions and recreational vehicle parks in areas providing a residential setting and convenient to major arterials, and to provide maximum compatibility between the adjacent uses and the mobile home park or subdivision.

### 910 Certified Mobile Homes Permitted

Certified mobile homes shall be allowed only as provided in Article VI and in this Article, with the following exceptions:

1. In an A-1 district, certified mobile homes used as dwelling units by farm owners, members of the farm owner's immediate family or full-time employees of the farm owner, provided that prior approval of the sanitary waste disposal system is granted by the Lincoln County Health Department, and provided that the "setback" requirements of the zoning district can be met. Placement of more than two certified mobile homes as permitted herein shall require application and approval of the Stanford Planning Commission. Provided further, in no event shall the certified mobile home and dwelling unit density exceed one (1) certified mobile home and one (1) dwelling unit per five (5) acres.
2. Certified mobile homes used as temporary offices of construction companies on or near a construction site.
3. All certified mobile homes used as dwellings are to be placed on fixed permanent foundations with the wheels or mobile parts removed, and they are to be considered as real estate in accordance with Kentucky Revised Statutes 132.750.

### 920 Classification of Manufactured/Certified Mobile Homes

Manufactured and certified mobile homes shall be classified by type as to acceptable compatibility or similarity in appearance with site constructed residences:

#### *1. Type I Manufactured Homes*

Type I Manufactured Homes shall:

- a. have more than nine hundred and fifty (950) square feet of occupied space in a double or larger multi-section unit;
- b. be placed on a permanent foundation;
- c. utilize a permanent perimeter enclosure in accordance with approved installation standards, as specified in Section 940(1);
- d. be anchored to the ground, in accordance with the One and Two Family Dwelling Code and to the manufacturer's specifications;
- e. have wheels, axles and hitch mechanisms removed;

- f. have utilities connected, in accordance with the One and Two Family Dwelling Code and manufacturer's specifications;
- g. have siding material of a type customarily used on site-constructed residences. The list of approved siding materials shall be adopted and revised by Planning Commission action only; and
- h. have roofing style and materials of a type customarily used on site-constructed residences. The list of approved roofing materials shall be adopted and revised by Planning Commission action only.

## 2. *Type II Manufactured Homes*

Type II Manufactured Homes shall:

- a. have more than three hundred and twenty (320) square feet of occupied space in a single, double, expando, or multi-section unit (including those with add-a-room units);
- b. be placed onto a support system, in accordance with approved Installation Standards, as specified in Section 940(1);
- c. be enclosed with foundation siding/skirting, in accordance with approved Installation Standards, as specified in Section 940(2);
- d. be anchored to the ground, in accordance with manufacturer's specifications or the ANSI/NFPA 501A Installation Standards;
- e. have utilities connected in accordance with manufacturer's specifications or the ANSI/NFPA 501A Installation Standards;
- f. have siding material of a type customarily used on site-constructed residences; and
- g. have roofing material of a type customarily used on site-constructed residences.

## 3. *Type III Manufactured Homes*

Type III Manufactured Homes shall:

- a. have more than three hundred and twenty (320) square feet of occupied space in a single, double, expando, or multi-section unit (including those with add-a-room units);
- b. be constructed after the 1976 Federal Mobile Home Construction and Safety Act went into effect;
- c. be placed onto a support system, in accordance with approved Installation Standards, as specified in Section 940(1);
- d. be enclosed with foundation siding/skirting, in accordance with approved Installation Standards, as specified in Section 940(2);
- e. be anchored to the ground, in accordance with manufacturer's specifications or the ANSI/NFPA 501 A Installation Standards; and
- f. have utilities connected, in accordance with manufacturer's specifications or the ANSI/NFPA 501 A Installation Standards.

## 4. *Certified Mobile Homes*

For purposes of determining appropriateness for placement, certified mobile homes shall:

- a. have more than three hundred and twenty (320) square feet of occupied space;
- b. be placed onto support system, in accordance with approved Installation Standards, as specified in Section 940(1)); and
- c. be built prior to the 1976 Federal Mobile Home Construction and Safety Act and be upgraded to be able to receive a "B" seal certifying that the unit has been inspected and in compliance with standards set forth in the HUD Code.

#### 5. *Nonconforming Manufactured or Mobile Homes*

Any existing manufactured or mobile home in any district within the City of Stanford which does not conform with this Article at the time of passage of this ordinance shall be classified as a nonconforming use, per Section 530 of this ordinance, and shall be allowed to remain in the existing location as long as the mobile home is occupied by the present residents. Should the present owner or residents decide to move, the right of maintaining the manufactured or mobile home in a manner not in conformance with this Article shall terminate and the owner or renter shall be required to bring the lot and its use into compliance with this Article and all other applicable sections of this ordinance. Except that mobile homes located in an approved mobile home park will comply with Section 980 of the Ordinance.

### 930 Schedule of Uses

Manufactured or certified mobile homes are permitted for permanent residences as follows:

#### TYPE I MH    TYPE II MH    TYPE III MH    CERTIFIED MOBILE HOME

A-1	P	C	C	C
R-1	X	X	X	X
R-2	C	X	X	X
R-3	C	C	X	X
B-1	X	X	X	X
B-2	X	X	X	X
B-3	C*	C*	X	X
I-1	C*	C*	X	X
I-2	C*	C*	X	X
F	X	X	X	X

P - Permitted

C - Conditional

X - Not Permitted

C\* Conditional - BZA can permit them for offices or security purposes only.

### 940 Manufactured/Certified Mobile Home Installation Requirements

#### 1. Installation Standards

##### a. Permanent Perimeter Enclosure

Those manufactured homes designated in the Zoning Ordinance as requiring a permanent perimeter enclosure must be set onto an excavated area, with foundations, footings and crawl space or basement walls constructed in accordance with the terms of the One and Two Family Dwelling Code. The space between the floor joists of the home and the excavated underfloor grade shall be completely enclosed with the permanent perimeter enclosure (except for required openings).

b. Foundation Siding/Skirting (for temporary structures)

All manufactured or certified mobile homes without a permanent perimeter enclosure shall have an approved foundation siding/skirting enclosing the entire perimeter of the home. Foundation siding/skirting and back-up framing shall be weather-resistant, non-combustible or self-extinguishing materials, which blend with the exterior siding of the home. Below grade level and for a minimum distance of six (6) inches above finish grade, the materials shall be unaffected by decay or oxidation.

The siding shall be installed in accordance with manufacturer's recommendations or approved equal standards.

The siding shall be ventilated by openings, which shall have a net area of not less than one and one-half (1 1/2) square feet for each twenty-five (25) linear feet of exterior perimeter. The openings shall be covered with corrosion resistant wire mesh not larger than one half (1/2) inch in any dimension. The underfloor area shall be provided with an eighteen (18) inch by twenty-four (24) inch minimum size access crawl hole, which shall not be blocked by pipes, ducts, or other construction interfering with the accessibility of the underfloor space, or other approved access mechanism.

2. Support System

a. Type I Manufactured Homes:

All HUD-Code TYPE I Manufactured Home load-bearing foundations shall be installed in conformance with the regulations in the One and Two Family Dwelling Code and with the manufacturer's installation specifications.

b. Type II and III Manufactured Homes And Certified Mobile Homes:

All HUD-Code TYPE II and III Manufactured Homes and all Certified Mobile Homes not placed on a permanent foundation, shall be installed on a support system in conformance with the manufacturer's installation specifications or with the Support Systems regulations in the ANSI/NFPA 501A 1977 Installation Standards.

3. Improvement Location Permits

a. Requirements

Prior to the location, relocation or establishment of any manufactured or certified mobile home, the homeowner or authorized representative shall secure from the planning commission's designated administrator an Improvement Location Permit, which states that the building and its location conform with the Comprehensive Plan. Each application for an Improvement Location Permit shall be accompanied by:

- i. those plot plans as required for all dwelling units, but which at a minimum include elevations or photographs of all sides of the home, exterior dimensions, roof materials, foundation siding or permanent perimeter enclosure treatment, foundation siding or perimeter retaining wall treatment, foundation construction and materials, exterior finishes & the like (see the Manufactured Home Data Sheet at the end of this ordinance);
- ii. health department approval for any sewage disposal or water supply, where applicable;
- iii. P.U.D. or subdivision permit approval, where applicable;
- iv. a copy of the approved instructions, which will be used for installation purposes, where applicable;
- v. such other information, as may be required by the Planning Commission's designated administrator for proper enforcement of this ordinance; and

- vi. an agreement signed by the homeowner or authorized representative pledging compliance with the terms set by the plan commission in the Improvement Location Permit.

b. Issuance of Permit

After receipt of the information required for an Improvement Location Permit, the Planning Commission's designated administrator shall review the standards set in this ordinance. If the applicant has met all required standards, then within three (3) working days the Improvement Location Permit shall be issued by the designated administrator.

c. Additional Action Necessary

If after receipt of the information required for an Improvement Location Permit, the Planning Commission's designated administrator finds that the applicant has not fully met the standards set in the ordinance, and the changes or additional actions needed are deemed by the designated administrator to be relatively minor or simple, within three (3) working days a conditional approval can be issued, with the stated conditions which must be met prior to occupancy spelled out, and the reasons for change clearly stated in writing. If the applicant agrees in writing to the further conditions, the effect being an amendment to the application to conform to the requirements, approval is given, and the applicant proceeds. If the applicant does not agree, the application is denied, with reasons stated in writing.

d. Denial of Permit

If any of the major elements are clearly out of line with the standards, within three (3) working days issuance of the Improvement Location Permit will be denied, with a written statement specifying the reasons for the denial.

4. Certificate of Occupancy (optional)

a. Occupancy Requirement

Prior to the occupancy of any manufactured or certified mobile home, the homeowner or authorized representative shall secure from the Planning Commission's designated administrator a Certificate of Occupancy, stating that the building and its use comply with all provisions of the ordinance applicable to the building or the use in the district in which it is to be located.

b. Issuance of Certificate

After submission of an application for a Certificate of Occupancy, the Planning Commission's designated administrator shall inspect the property and make such referrals to other local officials for technical determinations, as he deems appropriate, for conformance with conditions of the Improvement Location Permit and the standards set in this ordinance. If the applicant has conformed with all of the required conditions and standards, a Certificate of Occupancy shall be issued within three (3) working days.

c. Temporary Certificate

If after submission of the application for Certificate of Occupancy and the examination by the Planning Commission's designated administrator, it is found that the applicant has not fully met the required conditions and standards, a temporary Certificate of Occupancy, along with a written statement of necessary modifications, may be issued for a period not to exceed two (2) months, pending completion of the modifications.

d. Denial of Certificate

If any of the major conditions or standards have not been complied with, the Certificate of Occupancy is denied, with a written statement specifying the reasons for the denial.

## 5. Failure to Obtain Required Permits

Failure to obtain either an Improvement Location Permit or a Certificate of Occupancy shall be violation of this ordinance and punishable under the provisions of this ordinance.

## 950 Temporary Use of Manufactured or Certified Mobile Homes

### 1. Circumstances for Permit Issuance

Subject to conditions, fees, and standards otherwise required by this Ordinance, a temporary use permit may be issued:

- a. to an applicant in the process of building a conventional dwelling to locate a manufactured or certified mobile home on a building lot during the course of construction of the dwelling; such permit shall not be issued until after a building permit for the dwelling has been issued and further provided that such permit does not allow for occupancy of the manufactured or mobile home beyond use of the same as a temporary office and/or storage; and
- b. to an applicant to use a manufactured or certified mobile home as a caretaker's quarters or construction office at a job site; and

### 2. Length of Permit

A temporary use permit may be issued, at the discretion of the Planning Commission's designated administrator, for a period not to exceed one (1) year. The temporary permit may be renewed for additional six (6) month periods upon showing of good cause, and with permission to do so.

### 3. Permit Expiration

At the time the temporary permit expires, the manufactured or certified mobile home and all appurtenances shall be removed from the property within sixty (60) days.

### 4. Utility Requirements

Manufactured or certified mobile homes used for temporary uses shall have an approved water supply, sewage disposal system, and utility connections, where appropriate, and at the discretion of the Planning Commission's designated administrator.

### 5. Permit Fee

A temporary use permit shall be issued by the Planning Commission's designated administrator. The fee shall be ten dollars (\$10.00) and is in addition to all other required permits for utilities and sewage disposal systems.

## 960 Penalty for Violation

### 1. Failure to Comply

Each day of non-compliance with the provisions of this ordinance constitutes a separate and distinct ordinance violation. Judgment of up to five hundred dollars (\$500) per day may be entered for a violation of this ordinance.

### 2. Subject to Removal

A home, sited upon property in violation of this ordinance, shall be subject to removal from such property; however, the homeowner must be given a reasonable opportunity to bring the property into compliance before action for removal can be taken. If action finally is taken by the appropriate authority to bring into compliance,

the expenses involved may be made a lien against the property.

3. Removal Method

The Planning Commission's designated administrator may institute a suit in an appropriate court for injunctive relief to cause such violation to be prevented, abated or removed.

## **970 Manufactured Home Definitions**

1. Add-a-Room Unit

A unit of manufactured housing, not designed as a part of the original structure, which may have less occupied space than a manufactured housing section.

2. Anchoring System

An approved system of straps, cables, turnbuckles, chains, ties, or other approved materials used to secure a manufactured or certified mobile home.

3. ANSI/NFPA 501A Standard for Installation of Manufactured/Certified Mobile Homes

Model national standards (including all authorized successor documents) for installation of manufactured and certified mobile homes, as adopted and copyrighted by the National Fire Protection Association and the Manufactured Housing Institute.

4. Approved

Acceptable to the appropriate authority having jurisdiction, by reason of investigation, accepted principles, or tests by nationally recognized organizations.

5. Expando Unit

An expandable manufactured housing unit.

6. Foundation Siding/Skirting

A type of wainscoting constructed of fire and weather resistant materials, such as aluminum, particle board, treated pressed wood or other approved materials, enclosing the entire undercarriage of the manufactured or certified mobile home.

7. Manufactured Home

A dwelling unit fabricated in an off-site manufacturing facility for installation or assembly at the building site, bearing a seal certifying that it is built in compliance with the Federal Manufactured Housing Construction and Safety Standards Code. The three types of manufactured homes (TYPE I, TYPE II, AND TYPE III) are defined as meeting all of the appropriate requirements of this chapter.

8. Manufactured Home Subdivision

A parcel of land platted for subdivision according to all requirements of the comprehensive plan and Zoning Ordinance designed or intended for lots to be conveyed by deed to individual owners for residential occupancy primarily by manufactured homes.

9. Manufactured Housing Construction and Safety Standards Code

Title VI of the 1974 Housing and Community Development Act (42 U.S.C 5401 et sequential), as amended (previously known as the Federal Mobile Home Construction and Safety Act), rules and regulations adopted

thereunder (including information supplied by the home manufacturer), which has been stamped and approved by a Design Approval Primary Inspection Agency, an agent of the U.S. Department of Housing and Urban Development pursuant to HUD rules.

10. Manufactured or Mobile Home Community (Park)

A parcel of land on which two (2) or more manufactured or certified mobile homes are occupied as residences. No lot shall be occupied by more than one manufactured or mobile home unless it complies with all requirements for a manufactured or mobile home park. All manufactured or mobile home parks shall consist of a minimum of three (3) acres.

11. Mobile Home

A transportable structure larger than three hundred and twenty (320) square feet, designed to be used as a year-round residential dwelling, and built prior to the enactment of the Federal Mobile Home Construction and Safety Act of 1974, which became effective for all mobile home construction June 15, 1976. (For criteria for certified mobile homes see Section 920(4).)

12. Occupied Space

The total area of earth horizontally covered by the structure, excluding accessory structures, such as, but not limited to, garages, patios and porches.

13. One and Two Family Dwelling Code

The nationally-recognized model building code prepared by the Council of American Building Officials.

14. Permanent Perimeter Enclosure

A permanent perimeter structural system completely enclosing the space between the floor joists of the home and the ground.

15. Permanent Foundation

Any structural system for transposing loads from a structure to the earth at a depth below the established frost line without exceeding the safe bearing capacity of the supporting soil.

16. Recreational Vehicle

A portable vehicular structure not built to the Federal Manufactured Housing Construction and Safety Standards Code (or the obsolete ANSI 119.1 Mobile Home Design and Construction Standard) designed for travel, recreational camping or vacation purposes, either having its own motor power or mounted onto or drawn by another vehicle, and including but not limited to travel and camping trailers, truck campers, and motor homes.

17. Section

A unit of a manufactured home at least ten (10) body feet in width and thirty (30) body feet in length.

18. Special Exception Permit or Conditional Use Permit

A device for permitting a use within a district other than a principally permitted use.

19. Support System

A pad or a combination of footings, piers, caps, plates, and shims, which, when properly installed, support the manufactured or certified mobile home.



## 980 Mobile Home Subdivision/Park and Recreational Vehicle Park

### 1. Mobile Home Subdivisions

#### a. Definition

A mobile home subdivision is a subdivision used exclusively for placement of certified mobile homes for residential use along with other expressly permitted uses as permitted herein. To qualify as a mobile home subdivision, neither the subdivision developer nor his heirs, successors or assigns shall be permitted to rent subdivision lots. Lots in a mobile home subdivision shall be available for sale to the general public. Nothing herein shall prohibit the purchaser of an individual lot from placing a certified mobile home upon the lot purchased from the subdivision developer and renting the subdivision lot and certified mobile home thereon.

#### b. Procedures For Subdividing

The procedure for subdividing land for mobile home subdivisions shall be the same as those for subdividing land for conventional dwellings. The Stanford Subdivision Regulations shall be the minimum standards, requirements and procedures governing the filing, designing, utilities, facilities and other improvements or physical complements of mobile home subdivisions.

#### c. Minimum Mobile Home Subdivision Requirements (not withstanding any other provisions of this ordinance)

The site and proportions of lots in any mobile home subdivision shall conform to the zoning of the property in effect at the time of the final plat submission with the following exceptions. No lot in a mobile home subdivision shall contain less than 20,000 square feet of land where public sewers are not available, or if outside the city limits and on public sewers, lots must meet the minimum square footage requirements of the R-1 zone. All lots within the city limits on public sewers must meet the requirements of the zone in which they are located.

All lots shall front on a public street and have a minimum width at the building line of 75 feet.

No more than one (1) certified mobile home within the subdivision shall be situated on any one single subdivided lot.

Corner lots shall be laid out so as to provide at least minimum front yard requirements along both street frontages. Access to corner lots shall be at a distance of at least 50 feet from the intersection of the right-of-ways.

The minimum setback line from the street right-of-way and all yard requirements shall conform with the zone in which the mobile home subdivision is located or as required by local Subdivision Regulations.

### 2. Mobile Home Parks

#### a. Definition

A mobile home park is a residential area in which mobile home lots are rented for use as sites for manufactured and/or certified mobile homes for residential use along with other uses permitted herein. Ownership of all land in a mobile home park shall be maintained by the developer, his heirs, successors or assigns. No lots shall be severed and sold from the mobile home park. A mobile home park shall consist of a minimum of three (3) acres.

#### b. Basic requirements

- i. Mobile home parks shall comply with the regulations of the Kentucky Mobile Home and Recreational Vehicle Park Law, as set forth in Chapter 219 of the Kentucky Revised Statutes.

- ii. All mobile home parks shall abut upon an arterial or collector thoroughfare.
- iii. No mobile home park shall be located on less than five (5) acres of land where public sewers are not available or less than three (3) acres of land where public sewers are available.
- iv. No person shall operate a park without having first obtained a permit, as provided for in KRS 219.310 to 219.410.
- v. An application for a permit to construct a mobile home park shall be submitted to the Planning and Zoning Commission and shall contain the same information as that submitted to the Kentucky State Bureau for Health Services. In addition, the following information shall be presented to the Commission.

A vicinity map showing the proposed location of the park in relation to major streets or highways.

A detailed description of the method proposed for disposal of storm drainage and/or drainage detention.

Proof of receipt of KRS 219 Mobile Home Park Permit.

c. Construction Plan Submission

Following tentative approval from the Commission and the Bureau for Health Services, the applicant shall submit a complete plan, drawn to scale, submitted in triplicate, of the proposed park or alteration, showing the following:

- i. A site plan showing all existing facilities and proposed facilities, as follows:

The area and dimensions of the tract of land to be developed.

The number, location and size of all lots for certified mobile homes.

A detailed drawing of the foundation for the placement of certified mobile homes within the mobile home subdivision.

The location and width of roadways, driveways and walkways; the number, location and size of all off-street automobile parking spaces.

The location of parking, street lighting and electrical systems; detail drawings of water supply if sources other than approved public water supply system; detail drawings of sewage disposal facilities if other than a public sewage disposal system is to be used; the location and size of all existing or proposed water and sewer lines, vents and riser pipes.

A separate floor plan of all buildings and other improvements either existing or proposed.

Size and location of public areas to be provided within the park.

d. Location and General Layout

All certified mobile homes shall be located at least 50 feet from any park boundary line abutting a public street or highway, and at least 20 feet from other park property boundary lines.

e. Utility Systems

- i. Responsibilities of Permit Holder:

The person to whom a permit is issued for a mobile home park shall operate the park in compliance with this ordinance and KRS 219, and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair, and in a clean and sanitary condition.

The park management shall notify park occupants of all applicable provisions of this ordinance and KRS 219, and inform them of their duties and responsibilities under this ordinance.

ii. Supplementary Provisions and Regulations:

The Commission may impose such other conditions as it deems necessary to ensure that the mobile home park will not adversely affect the public health, safety or general welfare.

The developer in designing the park and the Commission in reviewing the park proposal shall give special attention to ensuring that the park is compatible with and planned land use and with circulation patterns of adjoining properties.

Off-street parking shall be provided according to the following requirements:

Two (2) spaces for each mobile home lot.

One (1) space for each full-time park employee

One (1) space for each 400 square feet of gross floor area for any structure used for office, recreational or cultural activities

One (1) space for each 4 mobile home lots for use by guests

Two (2) parking spaces required for each certified mobile home should be located on the mobile home lot; all other required spaces should be located in bays convenient to facilities

Adequate anchorage facilities must be provided for each certified mobile home. Each certified mobile home must be equipped with tie-downs which must be used.

iii. Existing Parks

Any mobile home park presently holding a valid construction or operating permit on the effective date of this ordinance which does not fully meet the design and construction requirements of this ordinance may continue to operate so long as the facilities in the park are capable of being maintained in a safe and sanitary manner and no public health nuisance is allowed to exist.

3. Recreational Vehicle Parks

a. Definition

Recreational vehicle parks are designed to accommodate recreational vehicles for short periods of time, ranging from one (1) night to several weeks.

b. Basic Requirements

i. Size:

The minimum size of a recreational vehicle park shall be not less than five (5) acres.

ii. Density:

Minimum lot area per recreational vehicle space shall be not less than 2,500 square feet except that 20% of the lots may be as small as 1,200 square feet in area, but these may be used by tent campers only.

c. Zoning

Recreational vehicle parks may be permitted as conditional use in A-1 and R-3 districts provided they meet the following criteria, and provided further that they are approved by the Commission:

- i. That the proposed park will contribute to the welfare and convenience of the traveling public seeking this type of accommodations.
- ii. That the park will not be detrimental to the health, safety or general welfare of persons who live in the adjacent areas.
- iii. That the park will comply with all city, county, state or federal regulations. Documentation of such compliance shall be required of applicants for recreational vehicle park construction permits.
- iv. That the park will comply with all adopted plans (prepared by or for governmental agencies) for the neighborhood or community.

d. Existing Recreational Vehicle Parks

Any recreational vehicle park presently holding a valid construction or operating permit on the effective date of this ordinance which does not fully meet the design and construction requirements of this ordinance may continue to operate so long as the facilities in the park are capable of being maintained in a safe and sanitary manner and no public health nuisance is allowed to exist.

## 990 Transient Recreational Vehicles

~~Transient recreational vehicles may be parked on any lot in a residential district for a maximum of ten (10) days without a permit. If the recreational vehicle will be in the residential district for more than ten (10) days, a permit must be obtained from the Administrative/Enforcement Officer for a maximum of 30 additional days. There shall be no permanent attachment to water, sewer, gas, electric, or phone by any such recreational vehicle. All sewage must be disposed of in an appropriate manner. (Amended 05/08/2025 Ord No. 920.45)~~

1. Transient Recreational Vehicles shall not be used for the purpose of a residence (permanent or temporary) or otherwise occupied or inhabited without the issuance of a permit from the Administrative/Enforcement Officer. The recreational vehicle must be parked fully within the boundaries of an individual lot with permission from the property owner. The application for a permit to inhabit or occupy must be obtained by the owner/occupier of the recreational vehicle and with the permission of the lot owner. There shall be no permanent or temporary attachment of the Recreational Vehicle to the lot, water, sewer, gas, electric, or phone by any such means. Such Recreational Vehicle must be fully self-contained.
2. Each permit shall identify the Recreational Vehicle to be parked by VIN# and/or License Plate, the name of the lot owner, the street address of the lot where the recreational vehicle is/will be parked, the names of all individuals who will occupy or inhabit the recreational vehicle, the dates in which the permit is requested to be valid.
3. Permits shall be issued as follows: an initial ten (10) day permit will be issued upon application compliance with Planning Regulations, there shall be no fee for the issuance of this permit. Prior to the expiration of the ten (10) day permit or upon its expiration, the owner/occupant of the recreational vehicle and the lot owner may request a permit for an additional twenty (20) continuous days from the Administrative/Enforcement Officer, the fee for the additional twenty (20) day permit shall be ONE HUNDRED DOLLARS (\$100.00).
4. A lot owner and recreational vehicle owner/occupier may apply for up to three (3)- ten (10) day permits if the twenty (20) day permit is not used, however, the permits shall not be issued to create consecutive terms allotting a ten (10) day probationary period prior to another ten (10) day permit being issued. Under no circumstances shall a lot owner or recreational vehicle owner/occupant be permitted to inhabit or occupy a recreational vehicle for

longer than the maximum permitted thirty (30) total days during one calendar year within the jurisdiction regardless of a change of location or recreational vehicle. No individual lot owner nor recreational vehicle owner/occupant shall be permitted to host, inhabit, or occupy a recreational vehicle for a period greater than thirty (30) days during one calendar year within the jurisdiction.

5. A lot owner or recreational vehicle owner may apply for a permit to inhabit or occupy a recreational vehicle during a new construction process which may exceed the maximum allotted thirty (30) day limit, but the permit must be issued in conjunction with a construction permit and shall not exceed the time limit for completion of the construction. This permit shall only apply to an owner-occupant or contractor-occupant listed on the construction permit.
6. A lot owner or recreational vehicle owner may apply for a hardship permit to inhabit or occupy a recreational vehicle during a federal, state, or local declared state of emergency in effect for the City of Stanford or when other circumstances exist such as loss of a home due to a natural disaster although a state of emergency may have not applied. The term of such permit shall be issued in the discretion of the Administrative/Enforcement Officer. Hardship permits shall be reviewed at least every six (6) months, and otherwise at the Administrative/Enforcement Officer's discretion, and may be revoked at any time.
7. The Administrative/Enforcement Officer shall have the right to revoke any permit issued, at any time, if there are violations of this or any other ordinance.
8. A recreational vehicle that is not inhabited or occupied may be stored on a residential lot so long as it is stored completely within the boundaries of an individual lot, not permanently or temporarily attached to the lot, water, sewer, gas, electric, or phone by any such means, subject to other zoning regulations. Notwithstanding the above, a recreational vehicle may be temporarily connected to electricity and water for purposes of battery charging and routine maintenance.
9. Fines and penalties.
  - a. Failure to obtain a permit shall result in a ONE HUNDRED DOLLAR (\$100.00) PER DAY FINE. Violations of this ordinance shall result in a ONE HUNDRED DOLLAR (\$100.00) PER DAY FINE.
  - b. Each day of a violation shall be construed as a new violation. The Lot owner shall be responsible for the penalty, which may be enforced by lien on the real property on which the occupied recreational vehicle is located.  
(Amended 05/08/2025 Ord No. 920.45)

## ARTICLE X OFF-STREET PARKING AND LOADING

### 1000 Existing Parking Spaces

Existing off-street parking provided for any building or use at the time of adoption of this Ordinance shall not thereafter be reduced if such reduction results in parking area less than that required by this Ordinance. Any existing building or use not provided with conforming parking space shall be provided with off-street parking space in conformance with this Ordinance at the time of any structural alteration of the building or expansion of the use.

### 1010 Required Off-Street Parking Spaces

No building shall be erected, substantially altered, nor any new use of the land initiated without sufficient off-street parking space on the premises so that no additional automobile parking on any street will result from the normal activity. If the off-street parking capacity is exceeded and street parking is generated more often than six times during a six-month period, this shall be considered as resulting from normal activity, and additional off-street parking shall be provided. The Board of Adjustment shall interpret the amount of parking space required for any building or use, assisted by the following standards, whenever the Administrative/ Enforcement Officer is unable to apply the following standards literally or determines a parking space deficiency according to the standard above. In either case, he shall apply to the Board for an original interpretation.

### 1020 Parking Space Dimensions and Setbacks

A parking space shall have minimum rectangular dimensions as follows:

<u>Type of Parking</u>	<u>Width (feet)</u>	<u>Length (feet)</u>
Ninety degree	9	19
Parallel	9	23
Sixty degree	10	19
Forty-five degree	12	19

All dimensions shall be exclusive of driveways, aisles, and other circulation areas. No part of any parking area for more than ten (10) vehicles shall be closer than twenty (20) feet to any dwelling unit, school, hospital, or other institution for human care on an adjacent lot unless separated by an acceptably design screen. No parking area may be located in the front yard area of any single family residence. In no case shall any part of a parking area be closer than four (4) feet to any established street or alley right-of-way.

### 1030 Off-Street Parking Standards

The following standards comprise the minimum off-street parking requirements for the several common types of building and uses listed:

1. Dwellings:

- a. Two (2) off-street parking spaces per single family dwelling unit.
- b. Three (3) off-street parking spaces per dwelling unit for multiple family dwellings.  
(Amended 03/30/1995, Ordinance 920.32)

2. Indoor Retail Businesses: One parking space for each 250 square feet of commercial floor area plus one space for every vehicle operated by the business.

3. Industrial Plants: One parking space for every two employees at maximum employment on a single shift plus one space for every vehicle operated by the plant.
4. Places for public assembly, institutions, and recreational facilities: One parking space for every five person based on maximum capacity.
5. Additional parking standards: The Board of Adjustment may alter the standards listed above when necessary to conform with Section 1010 and shall use similar criteria of floor area, employment, or capacity to interpret standards for buildings and uses not specifically listed above.
6. There shall be no on-street parking on any street less than 26 feet wide or in non designated parking areas.  
(Amended 03/30/1995, Ordinance 920.32)

#### **1040 Off-Street Loading and Unloading Space Regulations for Trucks**

All buildings and uses which generate regular trucking traffic shall be provided with sufficient off-street loading and unloading space on the premises so that they will generate no loading or unloading activity on their required parking spaces or on any street. The Board of Adjustment shall interpret the amount of loading and unloading space required for any building or use whenever the Administrative/Enforcement Officer is unable to apply this standard literally and applies to the Board for an original interpretation. A loading space shall have minimum dimensions of not less than twelve (12) feet in width, fifty (50) feet in length, exclusive of driveways, aisles, and other circulation areas, and a height of clearance of not less than fifteen (15) feet.

One off-street loading space shall be provided and maintained on the same lot for every principle use requiring delivery of goods. One such loading space shall be required for a principle use of up to 5,000 square feet; one additional loading space shall be required for each additional 10,000 square feet or fraction thereof.

#### **1050 Additional Parking, Loading, and Unloading Regulations**

1. Arrangement of required off-street parking space:

Off-street parking space requirements for any apartments, dormitories, or any similar attached dwelling uses shall be located not more than three hundred (300) feet from the principle use they serve and may be detached therefrom. Off-street parking space requirements for any commercial, industrial, or institutional uses shall be located not more than seven hundred (700) feet from the principle use they serve and may be detached therefrom. Such required parking spaces may be consolidated into a large parking area serving other buildings and uses if approved by the Board of Adjustment. The Administrative/Enforcement Officer shall apply to the Board for an original interpretation when building permits are requested in such cases.

The Board may not authorize the total amount of parking space required for all buildings and uses to be diminished except as follows. If a consolidated parking area serves buildings or uses which do not generate automobile parking at the same times (i.e.: churches and stores), total parking space may be diminished to the maximum required by those buildings and uses which do generate the parking of automobiles at the same time.

2. Proof of availability:

The Board of Adjustment may require a plat, deed, and any other proof necessary to show that required parking space, if located off the premises it serves, is controlled by and available to the applicant for a building permit.

3. Surfacing of parking, loading, unloading and vehicular access areas:

All areas utilized for parking, loading, unloading and/or the access thereto, including all driveways, aisles, and other circulation areas, shall be surfaced with an acceptable impervious material to provide a durable and dust-free surface. This requirement shall be enforced in all zones.

4. Drainage for parking, loading, unloading and vehicular access areas:

All parking and loading areas shall provide for proper drainage of surface water to prevent the drainage of such water onto adjacent properties or walkways.

5. Maintenance of parking, loading, unloading and vehicular access areas:

The owner of property used for parking and/or loading shall maintain such area in good condition without holes and free of all dust, trash and other debris.

6. Lighting of parking, loading, unloading and vehicular access areas:

Any parking area which is intended to be used during non-daylight hours shall be properly illuminated to avoid accidents. Any lighting devices used to illuminate a parking area shall be placed or directed so as to permit the beams or illumination to be directed or beamed away from a public street, highway, sidewalk, or adjacent premises so as to minimize glare or reflection that may constitute a traffic hazard or nuisance.

7. Screening and/or landscaping of parking, loading, unloading and vehicular access areas:

Whenever a parking area is located in or adjacent to a residential district, it shall be effectively screened on all sides which adjoin or face any property used for residential purposes by an acceptably designed wall, fence, or planting screen. Such fence, wall, or planting screen shall not be less than four (4) feet nor more than six (6) feet in height and shall be maintained in good condition. The space between such fence, wall, or planting screen and the lot line of the adjoining property in any residential district shall be landscaped with grass, shrubs, or evergreen ground cover, and maintained in good condition. In the event that the terrain or other natural features are such that the erection of such fence, wall, or planting screen will not serve its intended purpose, then no such fence, wall or planting screen shall be required.

8. Access and Aisle Requirements:

All parking areas shall be designed in such a manner that any vehicle entering or exiting from or onto a public or private street shall be traveling in a forward motion. Access driveways for parking areas or loading spaces shall be located in such a way that any vehicle entering or exiting such lot shall be clearly visible for a reasonable distance to any pedestrian or motorist approaching the access from a public or private street.

The exits and entrances to the parking area shall be clearly marked. The minimum width of aisles providing interior vehicular circulation to individual parking spaces shall be as specified below. Only one-way traffic shall be permitted in aisles serving single-row parking spaces at any angle other than ninety degrees.

<u>Parking Angle</u>	<u>Aisle width /feet</u>
parallel	12
30 degree	12
45 degree	13
60 degree	18
90 degree	24
two-way	24

Parking areas having more than one aisle or driveway shall have directional signs or markings in each aisle or driveway.

9. Striping Requirements:

All parking areas with a capacity of over twelve (12) vehicles shall be striped with double lines six (6) inches both sides of center between stalls to facilitate movement into and out of parking stalls.



10. Wheel Blocks:

Whenever a parking lot extends to the property line, wheel blocks or other suitable devices shall be installed to prevent any part of a parked vehicle from extending beyond the property line.

11. Sidewalks Maintained:

Under no circumstances shall any parking, loading, or unloading space requirement infringe upon the required pedestrian sidewalk area. It shall be the responsibility of the owner of the parking or loading area to maintain the sidewalks in good condition and free of obstructions.

**1060 City Ordinances**

Nothing in this Article shall be construed to be in conflict with any other city ordinances regarding the parking of vehicles on city streets.

## ARTICLE XI SIGNS AND BILLBOARDS

### 1100 Intent

The purpose of this Article is to promote and protect the public health, welfare, and safety by regulating existing and proposed outdoor advertising, outdoor advertising signs, and outdoor signs of all types. It is intended to protect property values, create a more attractive economic and business climate, enhance and protect the physical appearance of the community, and preserve the scenic and natural beauty of designated areas. It is further intended to reduce sign and advertising distraction and obstructions that may contribute to traffic accidents, reduce hazards that may be caused by signs overhanging or projecting over public rights-of-way, provide more open space, and curb the deterioration of the natural environment and enhance community development.

### 1110 General Sign Regulations

#### 1. Billboards

For the purpose of this ordinance, billboards shall be defined as a freestanding sign advertising a business, commodity, service, activity, or entertainment not taking place on the premises upon which the billboard is located. No new billboards shall be permitted in any zone in the city limits of Stanford. All existing billboards which are destroyed or damaged to greater than 50 percent of their construction/structural/material value, or which are not maintained in good condition on a continuous basis, shall be given written notice to comply with this Ordinance in legally reasonable time frame the time frame specified in the written notice. (The advertising space's market value should not be considered as or in the signs value analysis.) (Amended 08/07/97 Ord. 920.37)

#### 2. Signs

All signs shall be permanent and fixed in place as provided in the ordinance and/or as specifically identified as permissible.

##### a. Setbacks

All signs, unless otherwise specified in this ordinance, shall be set back from the established right-of-way of any road or highway at least as far as [three quarters] 2/3 two thirds of the required front yard depth for the principal building in the zone in which it is located, or min. 10 feet whichever is greater. Signs on lots which buildings are built to lot lines, may apply for signage permits under paragraph C of this section: Projecting Signs. (Amended 08/07/97 Ord. 920.37)

##### b. Real Estate Signs

No sign or billboard, other than real estate signs advertising the sale, rental or leasing of the premises, shall be permitted in any residential zone except as provided in Section 1120. Said real estate signs shall not exceed six (6) square feet in area and shall be displayed at least ten (10) feet from all lot lines.

##### c. Projecting Signs

No new projecting sign shall be erected or maintained from the front or face of any building for a distance greater than [two feet] (4) feet, including those projecting from the face of any theater, hotel, or motel marquee. No sign shall be placed on the roof of any building. Awnings shall be construed as part of the building to which they are attached and a sign may be mounted flush thereto. Existing projecting signs designated as historically significant by the ARB may be restored and maintained as required by conditions set forth by the ARB for said specific sign.

~~Adjustments and/or deviations from these standards may be sought and considered through and by the Board of Adjustments, in association with a Certificate of Appropriateness by the ARB in districts where the ARB has review jurisdiction. The Board of Adjustments shall and may consider dimensional variances duly requested and strict compliance with this ordinance would prohibit proper signage and similar signage to a property in a similar district due to restrictive existing conditions not the result of actions of the applicant. (Amended 08/07/97 Ord. 920.37)~~

d. ~~Banners and Pennants~~

~~No sign or part thereof shall contain or consist of ribbons, streamers, spinners, or other similar moving devices. Such devices, as well as strings of lights, shall not be used for the purpose of advertising or attracting attention when not part of the sign.~~

~~The use of banners and pennants for advertising specific sales shall be permitted in commercial districts as temporary permitted signs and shall not exceed 90 days. The Zoning Enforcement Officer shall be notified prior to placement of such banners and pennants. A maximum of two banners per commercial enterprise shall be permitted at one time.~~

~~At least 90 days shall lapse between permitted use of such temporary signs. Such temporary banners and pennants shall not be posted or displayed in such a manner as to obstruct vision or interfere with traffic flow in any manner. Minimum setback requirements shall apply.~~

e. ~~Window Signs~~

~~No sign or signage of any classification shall be installed, erected, or attached in any form, shape, or manner to a fire escape or any door or window giving access to any fire escape nor shall any sign be erected or maintained in the window of a building, visible from any public or private street or highway, shall occupy more than twenty (20) percent of any window surface. (Amended 08/07/97 Ord. 920.37)~~

f. ~~Wall Signs~~

~~No building wall shall be used for display of advertising except that pertaining to the use carried on within such building. Regulated sizes and number of signs permitted for a single business or property shall apply to the use of walls painted or utilized to display signage. (Amended 08/07/97 Ord. 920.37)~~

3. ~~Illuminated Signs~~

~~Any illuminated sign or lighting device shall employ only light emitting a constant intensity and no sign shall be illuminated by or contain flashing, intermittent, rotating, or moving light or lights. In no event shall an illuminated sign or lighting device be placed or directed so as to permit the beams or illumination to be directed or beamed upon a public street, highway, sidewalk, or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance nor shall any sign be erected or maintained which would involve lighting or motion resembling traffic or directional signals or warnings or display words such as "stop" or "danger".~~

~~All wiring, fittings, and materials used in construction, connection, and operation of the electrically illuminated signs shall be in accordance with the provisions of the National Electric Code or the local electric code in effect.~~

4. ~~Temporary Signs~~

~~All temporary signs must be set back a minimum of 25 feet from the centerline on the adjacent road or 10 feet from the right of way of the road whichever is a greater distance from the edge of the pavement and 10 feet from any adjoining property. Political and yard sale signs shall not exceed 16 square feet in size and must abide by all regulations regarding visibility at intersections in Section 870 of this Ordinance. Political signs shall be posted no earlier than 45 days prior to the election and shall be removed no later than 14 days following the date of the election. Yard sale signs may be posted no earlier than 7 days prior to the start of the yard sale and must be~~

removed no later than 2 days following the final day of the yard sale. Under no circumstances shall political or yard sale signs be posted on utility poles. All violations of these requirements will be penalized as per Section 360 of this Zoning Ordinance. Provisions regarding the regulation of other temporary signs apply as required in other sections of this Article.

## **~~5. Government Signs~~**

~~Any official informational or directional sign or historic marker erected by a governmental agency is permitted in all zones and does not require a location or building permit.~~

## **~~6. Sign Area~~**

~~The surface area of a sign shall be computed as including the entire area within a regular geometric form or combinations of regular geometric forms comprising all of the display area of the sign and including all of the elements of the matter displayed. Frames and structural members not being advertising matter shall not be included in computation of surface area.~~

## **~~7. Lack of Conflict~~**

~~In no way shall the provisions of this Article be taken to be in conflict with and state or federal regulations regarding obstructions or the placement of structures in state or federal rights of way. In all cases, the most restrictive provision will apply.~~

## **~~1120 Residential Districts~~**

~~Signs are permitted in residential districts only in accordance with the following provisions:~~

- ~~1. Signs pertaining to the lease or sale of a building or land may be erected temporarily as provided in Section 1110(2) of this Ordinance.~~
- ~~2. Temporary signs, for one year, may be erected to advertise a new subdivision of five (5) or more lots, provided that the sign is no larger than sixty (60) square feet in area, is not internally illuminated, advertises only the subdivision in which it is located and is erected only at a dedicated street entrance. Permanent signs for the same purpose and with the same other restrictions are additionally limited to a size no greater than sixty (60) square feet in area and not more than 15 feet in height.~~
- ~~3. One non illuminated sign may be erected in conjunction with the construction of a building to identify the owner, architect, engineer, contractor and others instrumental in the construction of the building provided that such sign is not more than 48 square feet in area, no more than fifteen (15) feet above the ground, and is removed within thirty (30) days of receiving the Certificate of Occupancy.~~
- ~~4. One identifying sign of not more than 32 square feet, per side if double sided, in area may be erected for churches and/or other places of worship, libraries, schools, parks, hospitals for human care, social clubs, societies, and other public facilities of a similar nature. Such sign shall be solely for the purpose of displaying the name of the institution and its activities or services and shall be located on the premises of such institution. It may be illuminated but shall not be flashing. Such sign shall be erected not less than ten (10) feet from the established right of way line of any street or highway provided such sign does not obstruct traffic visibility at street or highway intersections. Such signs may be double sided but may not be separated as two individual signs for the same business. (Amended 08/07/97 Ord. 920.37)~~
- ~~5. Directional signs, not exceeding two (2) square feet in area shall be permitted only on major thoroughfare approaches to institutions listed in (4) above. No such signs shall be permitted on minor residential streets.~~
- ~~6. One (1) indirectly lighted name plate sign for a dwelling group of four (4) or more dwellings not exceeding [twelve (12)] twenty four (24) square feet in area. Such signs may indicate only the names of the buildings or of the occupant of the buildings. Setbacks must conform with minimum standards of 1110 General Sign~~

Regulations. (Amended 08/07/97 Ord. 920.37)

7. ~~Accessory uses for home occupations as specified in the definitions of this Ordinance and in Section 661 shall permit one (1) non-illuminated name plate/sign not over four (4) square feet in area mounted flat against the outside wall of the main or accessory building.~~
8. ~~Freestanding signs shall not exceed a height of [twenty five (25)] twenty (20) feet. (Amended 08/07/97 Ord. 920.37)~~
9. ~~Signage designating or identifying the entrance to a specific development/park/subdivision/residential/ industrial, etc. may erect entrance markers/gates with signage limited to (2) signs of 32 square feet each. (One sign on either side of the entrance). If more than one entrance to said area is developed each side qualifies for minimum signage, noted herein. (Amended 08/07/97 Ord. 920.37)~~
10. ~~[The use of residence by professions for maintaining offices in their home for professional license; architects, attorneys, doctors, engineers, should be permitted. The use of one (1) two (2) sided free standing sign, limited to 44 sq. ft. per side. Signage of this type is limited to such minimum standard set back and other regulations of Section 1110. (Amended 08/07/97 Ord. 920.37)] There shall not be caused to be erected on any property within the City of Stanford, in a residential zone, of any type, including but not limited to lots zoned commercial/residential, any plasma or L.E.D. (Light Emitting Diodes) signs; signs capable of being: stroboscopic, scrolling, or flashing; or any sign composed of multiple individual bulbs capable of conveying scrolling, stroboscopic, flashing, or a single stationary message. (Amended 01/05/2016, Ord. 152.207) Nor shall any sign be permitted in the City of Stanford Historic District unless properly permitted and with prior approval from the City of Stanford Architectural Review Board. No sign shall be permitted without first seeking all proper permits with the appropriate state and city agencies. All signs must be approved by the City of Stanford, Planning and Zoning. Prior to presentation for approval by the City of Stanford, Planning and Zoning, all signs sought to be erected within the Historic District and/or Historic Zones of the City of Stanford, shall be first brought before the City Architectural Review Board for their approval.~~

Under no circumstances shall there be caused to directed on any signage, whether it be from the interior of the sign, or towards the sign from the exterior any colored lights.  
(Amended 01/05/2017, Ord 152.212) (Amended 01/08/2017, Ord 152.213 Historic Roadways)

## **1130 Business Districts**

In all business districts, each business shall be permitted to have permanent outside signs. Signs permitted under this section shall be limited to those as described below:

1. ~~Each business shall be entitled to have one sign which is mounted flush against a building. The depth of such a sign from a face to the building shall not exceed two (2) feet. The area of such a flush mount sign shall be limited to a total surface area equivalent to 1 1/2 square feet of sign area for each lineal foot of building width occupied by such enterprise. In the event that the area shall exceed 50 square feet, then an additional application must be made and approved by the Stanford Planning Commission.~~

Awnings shall be construed as part of the building to which they are attached and a sign may be mounted flush thereto:

2. ~~Additionally, one (1) free-standing sign structure shall be permitted for each buildable commercial lot in a B-3 zone. Such freestanding signs shall not exceed three (3) square feet for each lineal foot of lot frontage with a maximum of 300 square feet for any single sign, 150 square feet per side if double sided. All such freestanding signs shall be set back a minimum of twenty five (25) feet from the front property line. (Amended 08/07/97 Ord. 920.37)~~

~~The dimensions of any two-faced or multi-sided sign must be determined by measuring the surface area on one side of the sign and shall not exceed the requirements as set forth above. Free-standing signs shall not exceed a height of 35 feet in B-3 Districts. (Amended 08/07/97 Ord. 920.37)~~

All freestanding signs designed to face into a residential district shall be located fifty (50) feet or more from the residential district, or residential lot line. (Amended 08/07/97 Ord. 920.37)

3. ~~Neighborhood business developed in the B-2 zone as a Planned Unit Development may have one free-standing identification sign set back at least twenty-five (25) feet from the front property line and presenting only the name of the shopping center, the businesses located therein, and the hours of business. Each such sign shall not exceed 72 square feet in area and not exceed a height of six (6) feet. There shall not be caused to be erected on any property within the City of Stanford, in a residential zone, of any type, including but not limited to lots zoned commercial/residential, any plasma or L.E.D. (Light Emitting Diodes) signs; signs capable of being: stroboscopic, scrolling, or flashing; or any sign composed of multiple individual bulbs capable of conveying scrolling, stroboscopic, flashing or a single stationary message. Nor shall any sign be backlit or lighted from an external source unless properly permitted. No sign shall be permitted without first seeking all proper permits with the appropriate state and city agencies. All signs must be approved by the City of Stanford, Planning and Zoning.~~ (Amended 01/05/2017, Ord. 152.208)
4. Real estate signs advertising the sale, rental or leasing of the premises, shall be permitted in any business zone provided that such signs shall not exceed twelve (12) square feet in area and shall be displayed at least ten (10) feet from all lot lines.
5. ~~In a B-1/Historic overlay zone, free-standing signage shall be permitted via low rise monumental type signage. New signage shall not exceed six (6) feet high and 48 square feet per side. Maximum allowable signage is one (1) two (2) sided monument free-standing sign and one (1) wall mounted, or window sign flat against the building not to exceed 24 square feet.~~ (Amended 08/07/97 Ord. 920.37)

#### 1140 Industrial Districts

1. All signs permitted in business districts are also permitted in I-1 and I-2 Districts and subject to the requirements thereof.
2. One (1) sign structure for identification and direction purposes to an industrial district or an industrial park may be erected at the primary access point provided that such signs are no larger than 150 square feet in area. Within this maximum of 150 square feet, this sign may display names of all businesses located in the zone or park.
3. Free standing sign structures shall not exceed a height of [35 feet] thirty (30) feet. (Amended 08/07/97 Ord. 920.37)

#### 1150 Maintenance

1. Should any sign be or become unsafe or be in danger of falling, the owner thereof or the person maintaining the same, shall upon receipt of written notice from the Administrative Official, proceed at once to put such a sign in a safe and secure condition, or remove the sign within the time frame specified in the written notice.
2. In Historic overlay any existing pole signage or other non-compliance signage damaged or modified, and/or replaced shall comply with Article XI: 1130, item 5 for new monument type signage, and other relative requirements of this sign ordinance. No existing non-compliance signage may (not ?) be modified or replaced without compliance with the appropriate regulations of this article. (Amended 08/07/97 Ord. 920.37)

#### 1160 Violations

In any case any sign shall be installed, erected, constructed, or maintained in violation of any of the terms of this Ordinance, the Administrative/Enforcement Officer shall notify in writing the owner or lessee thereof to alter such sign so as to comply with this ordinance. Failure to comply with any of the provisions of this Article shall be deemed a violation, and shall be punishable under Section 360 of this Ordinance.

## **ARTICLE XI SIGN REGULATIONS**

### **11.1 Intent**

This article provides content neutral sign standards that allow legitimate signage for agricultural, residential, professional office, business, and industrial activities while promoting signs that:

- A. Reduce intrusions and protect property values;
- B. Minimize undue distractions to the motoring public;
- C. Protect the tourist industry by promoting a pleasing community image; and
- D. Enhance and strengthen economic stability.

### **11.2 Scope**

These provisions apply to the display, construction, erection, alteration, location, and maintenance of all new and existing signs within the City of Stanford, Kentucky.

### **11.3 Exempt Signs**

The following signs are exempt from the provisions of this Article and are, therefore, exempt from the requirement to get a sign permit:

- A. Signs not visible beyond the boundaries of the property upon which they are located.
- B. Government signs that are placed by government officers in the performance of their professional or elected or appointed duties.
- C. Temporary or permanent signs erected by public utility companies or construction companies in the performance of their professional duties.
- D. Vehicle signage when painted directly on a vehicle or attached magnetically.
- E. Temporary signage of sixteen (16) square feet or smaller placed on or after April 1st and removed by June 4th, of the same year. Temporary signage of sixteen (16) square feet or smaller placed on or after September 15th and removed on or before November 30th, of the same year.
- F. Temporary signs for a new business for up to 30 consecutive days from the first day of business. Exempt signage shall only be displayed on the property where the new business is located.
- G. Signage placed by realtors in the performance of their professional duties.
- H. Window signage.

### **11.4 Permit Requirements**

- A. No sign regulated by this ordinance (except those specifically exempted in Section 11.4.1, below) shall be displayed, erected, relocated, or altered unless all necessary permits have been issued by the Code Enforcement Officer of the City of Stanford, Kentucky. Applicants shall submit an application form to the Code Enforcement Officer before any permit may be issued.
- B. Property owner shall obtain a Certificate of Appropriateness from the Architectural Review Board (ARB) for signage proposed within the Historic District Overlay (HDO). Applications shall be available in the Code Enforcement Officer's Office, City Hall, Stanford, Kentucky.
- C. Signs shall only be erected or constructed in compliance with the approved permit.
- D. Applicants shall obtain a building permit for the footer of freestanding and monument signs. Final inspections for building permits require a minimum notice of 24 hours to the city's building inspector and/or state electrical inspector.
- E. Signs permitted as an accessory to a legal, nonconforming use shall be subject to the regulations of the zone in which the nonconforming use is located.

### **11.4.1 Signs Exempt from Permit Requirements**

The following signs shall not require a permit:

- A. Incidental signs.
- B. Historic markers.
- C. Change or copy on any sign where the framework or other structural elements are not altered.

### **11.5 Nonconforming Signs**

A legal, nonconforming sign may continue in existence as long as it is properly maintained in good condition.

These provisions shall not prevent the repair or restoration to a safe condition of any sign, but a nonconforming sign shall not be:

- A. Changed to another nonconforming sign except where only the face or copy is changed;
- B. Structurally altered so as to increase the degree of nonconformity of the sign;
- C. Expanded or enlarged;
- D. Reestablished after its removal; or
- E. Moved to a new location on the building or lot.

### **11.6 Illegal Signs**

All illegal signs shall be subject to immediate enforcement action by the Code Enforcement Officer, as outlined in the City of Stanford's Nuisance and Zoning Ordinances and amendments.

All illegal signs may be removed by the Code Enforcement Officer, and will be stored for thirty (30) days. Signs may be picked up at City Hall Monday through Friday, 8:00am to 4:30pm. If not claimed within thirty (30) days, the signs will be disposed of by the Code Enforcement Officer.

### **11.7 General Requirements**

All signs in all zones shall meet the following requirements:

- A. Illuminated signs shall be located in a fashion which prevents all direct rays of light from shining beyond the property lines of the lot on which the sign is located.
- B. No light, sign, or other advertising device shall be designed or erected to imitate or resemble any official traffic sign, signal, or device or use any words, phrases, symbols, or characters implying the existence of danger, or the need to stop or maneuver the vehicle.
- C. No sign shall be attached to or painted on the surface of any tree, utility pole, street light or street sign.
- D. Projecting signs shall have at least seven feet (7') of clearance above a road or sidewalk.
- E. Neon or other lighted tubing signs shall not be permitted except where such lighting is used behind solid lettering to produce a "halo" effect, or where it is used indirectly. Neon lighting shall not be used to outline buildings, structures, or ornamental features.
- F. No sign, except for governmental signs, shall be located within the sight triangle of any intersection.
- G. No sign shall be placed in or project into the public or private street right-of-way, except as specifically permitted, herein.
- H. Freestanding, monument and projecting face sign area shall be computed as follows:
  - a. Double-faced signs shall have only one face counted in calculating the area.
  - b. Signs with more than two faces shall have the area calculated by summing the area of all sign faces and dividing by two (2).
  - c. The area enclosing the perimeter of each cabinet shall be calculated to determine the area.
  - d. The perimeter of the measurable area shall not include embellishments (e.g. pole covers, framing, or decorative roofing) provided there is no written copy on such embellishments.
  - e. Maximum height shall be measured from the finished grade at the center of the sign and shall include the sign's base.



- I. Every sign, including those for which a permit is not required, shall be maintained in good condition at all times.

### **11.8 Prohibited Signs in All Zones**

The following signs and/or sign features shall be prohibited in all zones:

- A. Mobile signs;
- B. Roof signs that extend higher than the top of the roof;
- C. Rotating or moving signs;
- D. Abandoned signs;
- E. Streamers, pennants, and tag signs or similar signs or devices except when attached to a permitted temporary sign.
- F. Any sign which emits any noise or odor;
- G. Freestanding signs which overhang any part of a building;
- H. Flashing or blinking signs;
- I. Billboards with an electronic message display system.
- J. Signs in a public right-of-way; and
- K. Handbills.
- L. Signs advertising alcohol sales within one-hundred feet (100') of any school or church.
- M. No new billboards are to be erected. All existing billboards shall be maintained in like new condition.

### **11.9 Signs Requiring a Conditional Use Permit in All Zones**

- A. Signs painted directly on a building.
- B. Only the Board of Zoning Adjustments shall have the authority to approve sign variances or conditional use permits for signs unless the request is made to the Planning Commission in conjunction with a Development Plan. Applications for sign variances or conditional use permits shall be governed by the Zoning Ordinance provisions for variances and conditional use permits.

### **11.10 Signs Permitted by Specific Zone**

Any sign not specifically permitted shall be prohibited.

#### **11.10.1 Agricultural Zone (A-1)**

- A. **Residence** – One wall sign not exceeding one (1) square foot in area.
  - a. Every parcel shall be entitled to one sign not exceeding 36 square inches in area to be placed in any of the following locations:
    1. On the front of every building, residence or structure;
    2. On each side of an authorized U. S. Postal Service mailbox; and
    3. On one post which measures no more than 48 inches in height and four (4) inches in width.
- B. **Farm**
  - a. Two signs per entrance if incorporated into a fence or wall feature, or one freestanding sign per entrance. Signs shall not exceed 32 square feet in area each.
  - b. Incidental signs – which shall not exceed two (2) square feet in area nor require sign permits.
- C. **Buildings Used for Religious or Educational Activities**
  - a. One freestanding sign not exceeding 32 square feet in area and eight (8) feet in height.
  - b. One bulletin board, not exceeding 12 square feet in area and eight (8) feet in height.
  - c. One small sign per building not exceeding 32 square feet in area.
  - d. Incidental signs – which shall not exceed two (2) square feet in area and do not require sign permits.
- D. **All Other Conditional Uses**
  - a. One freestanding sign for any other permitted or conditional use not noted, herein; signage shall not

exceed 32 square feet in area and eight feet in height.

#### **11.10.2 Single Family Residential Zone (R-1)**

- A. Residence** – One nameplate wall sign not exceeding one (1) square foot in area.
  - a. One wall sign not exceeding one (1) square foot in area.
    - 1. Every parcel shall be entitled to one sign not exceeding 36 square inches in area to be placed in any of the following locations:
      - 1. On the front of every building, residence or structure;
      - 2. On each side of an authorized U. S. Postal Service mailbox; and four (4) inches in width.
      - 3. On one post which measures no more than 48 inches in height and four (4) inches in width.
- B. Home Occupation** – One wall sign not exceeding six (6) square feet in area.
- C. Subdivision** – One freestanding sign per entrance into the subdivision not to exceed 32 square feet in area and eight (8) feet in height.
- D. Buildings Used for Religious or Educational Activities**
  - a. One freestanding sign that shall not exceed 32 square feet in area and eight (8) feet in height;
  - b. One wall sign that shall not exceed 12 square feet in area;
  - c. One bulletin board that shall not exceed 12 square feet in area and eight (8) feet in height; and
  - d. Incidental signs which shall not exceed two (2) square feet in area nor require sign permits.
- E. All Other Conditional Uses**
  - a. One freestanding sign that shall not exceed 32 square feet in area and eight (8) feet in height;
  - b. One wall sign that shall not exceed 12 square feet in area; and
  - c. Incidental signs which shall not exceed two (2) square feet in area nor require sign permits.

#### **11.10.3 Two Family, Low Density and High Density Residential Zones (R-2, R-3, R-4)**

- A. Single Family Residence** – All single-family homes within these zones shall comply with the signage regulations for single family residential zones regulated under paragraph 11.10.2 above.
- B. Multi-Family Residence** – Multi-family residential buildings and conditional uses may have:
  - a. One freestanding sign that shall not exceed 32 square feet in area and eight (8) feet in height and shall have a front yard setback of 20 feet;
  - b. One wall sign that shall not exceed 12 square feet in area; and
  - c. Incidental signs which shall not exceed two (2) square feet in area nor require sign permits.
- C. Buildings Used for Religious or Educational Activities**
  - a. One freestanding sign that shall not exceed 32 square feet in area and eight (8) feet in height;
  - b. One wall sign per building that shall not exceed 12 square feet in area;
  - c. One bulletin board that shall not exceed 12 square feet in area and eight (8) feet in height; and
  - d. Incidental signs – which shall not exceed two (2) square feet in area nor require sign permits.

#### **11.10.4 Standard Signage Permitted in all Professional, Commercial and Industrial Zones (B-1, B-2, B-3, I-1, and I-2)**

- A.** One freestanding or monument sign per street frontage with a maximum of two (2) signs per lot.
  - a. Freestanding signs shall not exceed 75 square feet in area, 25 feet in height, and shall have a minimum setback of 10 feet. When street frontage permits two (2) signs, the two freestanding signs may be combined into one (1) freestanding sign that shall not exceed 110 square feet in area. For buildings with more than one occupying business this freestanding sign may list all businesses within the building.
  - b. Monument signs shall not exceed 60 square feet in area, eight (8) feet in height, and shall have a minimum setback of 10 feet.
- B.** One wall sign, canopy sign or awning sign per street frontage with a maximum of two (2) signs per building. The maximum allowed area for all signage in this category is 32 square feet or 15 percent of the wall area to which the sign, canopy or awning is attached, whichever is greater. Awnings shall have at least seven (7) feet of clearance when fully extended. When a building contains two or more separate businesses,

these requirements shall be applied separately to the wall area of the portion of the building occupied by the individual business.

- C. One wall sign per tenant or lessee not exceeding two (2) square feet in area.
- D. One attraction board either attached to the wall or attached to the permitted freestanding sign not to exceed 32 square feet in area and eight (8) feet in height.
- E. One menu board for every property that includes a drive-thru lane, walk-up window or drive-up curbside. Menu boards shall not exceed 55 square feet in area and shall have a maximum height of eight (8) feet.
- F. Temporary signs – Shall include banners, streamers, tethered balloons, and inflatable signs and objects. One temporary sign per street frontage shall be allowed subject to the following conditions:
  - a. Shall not exceed 50 square feet per sign where non-rigid materials are used.
  - b. Shall not exceed 32 square feet per sign where rigid materials, such as wallboard or plywood, are used.
  - c. Shall comply with the applicable regulations for the zone in which they are located.
  - d. Shall not remain in place for a period of more than 14 continuous days.
  - e. Shall not be displayed for more than a total of eight (8) times in any calendar year.
  - f. Shall not be placed within the public right-of-way or the sight triangle at intersections.
- G. One Marquee Per Theatre.
  - a. A marquee shall not exceed 32 square feet in area, shall not project more than eight (8) feet from the building face to which it is attached, and shall have a minimum clearance of eight (8) feet.
- H. Incidental Signs – which shall not exceed two (2) square feet in area nor require sign permits.
- I. Buildings Used for Religious or Educational Activities
  - a. In addition to signage permitted, above, one bulletin board, not exceeding 32 square feet in area and eight (8) feet in height.
  - b. Signs with electronic message display systems shall be prohibited in the P-1 (Professional Office), B-1 (Neighborhood Business) and B-2 (Downtown Business) districts. Electronic message display systems may be incorporated into one freestanding or wall sign for each property located within the B-3, B-4, I-1, and I-2 zones.

#### **11.10.5 Additional Signage Permitted in Specific Commercial and Industrial Zones**

- A. **Central Business Zone (B-1)** – In addition to the signage permitted in 11.10.4 above, the following signs shall be permitted:
  - a. Permanent sidewalk sign – Where a building is located adjacent to the public right-of-way, one non-illuminated, freestanding sign may be permanently placed on the public sidewalk with the following restrictions:
    - 1. Sign shall not exceed five and one-half (5.5) square feet in area.
    - 2. The edge of the sign shall not exceed beyond the curb line.
    - 3. The maximum dimensions of the support frame shall not exceed eight (8) square feet in area (maximum 48 inches wide or 36 inches high).
    - 4. The bottom of such support shall be seven (7) feet above the sidewalk and the vertical support shall be 24 inches from the curb.
  - b. Portable sign – One shall be permitted for each business entrance subject to the following restrictions:
    - 1. Maximum surface area of the sign shall be six (6) square feet per face, maximum height of the sign shall be three (3) feet, and the maximum width of the sign shall be two (2) feet.
    - 2. A minimum 36 inches wide pedestrian travel-way shall be maintained on the sidewalk. Signs may be designed with a changeable face and shall be removed from the public sidewalk when the business is closed.
- B. **Highway Business District (B-3)** – In addition to the signage permitted in 11.10.6, the following signs shall be permitted:
  - a. Shopping Center Malls larger than 100,000 square feet may have one freestanding sign per street frontage with a maximum of 250 square feet per sign face and a maximum height of 250 square feet per sign face and a maximum height of 30 feet. All other shopping malls may have one freestanding sign per street frontage with a maximum of 75 square feet per sign face and a maximum height of 25 feet.
- C. **General Business, Light Industrial, and Heavy Industrial Zones (I-1, I-2)** In addition to the signage

permitted in 11.10.4, the following signs shall be permitted:

- a. Shopping Center Malls larger than 100,000 square feet may have one freestanding sign per street frontage with a maximum of 250 square feet per sign face and a maximum height of 250 square feet per sign face and a maximum height of 30 feet. All other shopping malls may have one freestanding sign per street frontage with a maximum of 75 square feet per sign face and a maximum height of 25 feet.

### **11.11 Maintenance Standards**

Every sign, including those signs for which a permit is not required, shall be maintained in good condition.

### **11.12 Penalties for Violation**

Any violation of the provisions of this Ordinance is hereby defined as a nuisance, and such violation shall thence be pursued by the Code Enforcement Officer and penalized pursuant to the City of Stanford's Nuisance Ordinance and any amendments, thereto.

### **11.13 Substitution Clause**

The owner of any sign which is otherwise allowed by this chapter may substitute noncommercial speech in lieu of any other commercial speech or noncommercial speech. This substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech or favoring of any particular noncommercial speech. This provision prevails over any more specific provision to the contrary.

### **11.14 Definitions**

The definitions contained in this section shall be applied in the interpretation of all sections within Article XI, except where the context clearly requires otherwise. Words used in the present tense shall include the future tense, singular number shall include the plural, and plural the singular.

1. **Abandoned Sign:** Signage that has been neglected and fallen into disrepair.
2. **Attraction Board:** Copy is changed manually or electronically on a regular basis.
3. **Awning Sign:** Applied directly to the surface of an awning; defined as a shelter supported entirely on a wall and made of non-rigid material supported by a frame.
4. **Banner Sign:** Made of non-rigid material with no enclosing framework.
5. **Billboard:** Signage intended for lease to a variety of businesses, organizations, and/or individuals. In such case, the sign itself is the income generator and the primary commercial use of the property.
6. **Bulletin Board:** Allows the manual or electronic change of copy and is used to notify the public of noncommercial events or occurrences such as church services, political rallies, civic meetings, or similar events.
7. **Canopy Sign:** Applied directly to the surface of a canopy; defined as a permanently roofed shelter covering a sidewalk, driveway, or similar area.
8. **Double-faced Sign:** Two (2) faces either set parallel or up to a 45-degree angle. Any two faces set at an angle greater than 45 degrees shall be considered two (2) separate signs.
9. **Electronic Message Display System:** Copy which uses rotating reflective discs, direct illumination, rotating veins, light emitting diodes (LEDs), liquid crystal diodes (LCDs), or other digital devices and is changed by a central computer.
10. **Farm:** A tract of at least 10 contiguous acres used for the production of agricultural or horticultural crops. Agricultural and horticultural crops shall be defined as, but not limited to, livestock, livestock products, poultry, poultry products, grain, hay, pastures, soybeans, tobacco, timber, orchard fruits, vegetables, flowers, ornamental plants, vineyards, and wineries.
11. **Flashing or Blinking:** Intermittent or sequential illuminations for the purpose of attracting attention to the sign.
12. **Freestanding Sign:** Attached to the ground by columns, poles, braces, or other means and not attached to any building.

13. **Government Sign:** Temporary or permanent, erected by government employees or officers in performance of their elected or professional duties.
14. **Handbill:** Printed or written material, circular, leaflet, pamphlet, or booklet designed for distribution on vehicles or other property, excluding postal distribution, which advertises merchandise, commodities or services.
15. **Illegal Sign:** Does not meet the requirements of this zoning ordinance and has not been identified as a legal, nonconforming sign.
16. **Illuminated Sign:** Emits or reflects artificial light from any source, whether directly illuminated, indirectly illuminated or internally illuminated.
17. **Incidental Sign:** Not exceeding two (2) square feet in area.
18. **Marquee Sign:** Used in conjunction with a theatre, is attached to the building, and project from the building.
19. **Menu Board:** Freestanding signs placed at properties where there is a drive-thru lane, walk-up window, or drive-up curbside.
20. **Mobile Sign:** Affixed to a frame having wheels or capable of being moved. Removal of wheels or temporary securing of a sign of this type shall not prevent it from being classified as a mobile sign, including signage placed in a truck bed, or a trailer pulled behind a vehicle.
21. **Monument Sign:** Attached to a permanent foundation or decorative base and not attached to or dependent for support from any building, pole, post, or other upright.
22. **Nonconforming Sign:** Legally erected but does not comply with the current regulations for the zone in which it is located.
23. **Non-illuminated Sign:** Does not emit or reflect artificial light from any source.
24. **Portable Sign:** Small sign, easily transported by hand, placed outside during business hours and brought into the business after hours, usually tent style or A-frame.
25. **Projecting Sign:** Attached to a building, extends more than 24 inches.
26. **Roof Sign:** Projects above the cornice of a flat roof or the ridgeline of a gabled or hipped roof.
27. **Rotating or Moving Sign:** Any portion of which moves by mechanical means or the wind; does not refer to changing copy with an electronic message display system.
28. **Sign:** Any copy, including material used to differentiate the copy from the background, which is applied to a surface as a means of identifying, advertising, announcing, or illustrating products, services, and/or events.
29. **Sign Clearance:** The vertical distance between the lowest point of any sign and the grade at the base of the sign.
30. **Sign Copy:** Any word, figure, number, symbol, or emblem affixed to a sign.
31. **Sign Height:** The vertical distance between the highest point of the sign, including the frame and any embellishments, to the bottom of the base of the sign.
32. **Sign Setback:** The horizontal distance between any street right-of-way and a sign. The measurement shall be taken at the closest point between the right-of-way and any part of the sign.
33. **Sign Surface:** That part of the sign on which the message is displayed.
34. **Square Foot:** A unit of area equal to one foot, by one foot, square.
35. **Street Frontage:** Property line that lies adjacent to street right-of-way.
36. **Temporary Sign:** A banner, pennant, poster, or advertising display constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood, or other like material and that appears to be intended to be displayed for a limited period of time.
37. **Vehicle Signage:** Signage painted directly on a vehicle or attached magnetically.
38. **Wall Sign:** Attached directly to a building; includes mansards, canopies, awnings, and signs attached to a roof which do not project above the roofline.
39. **Window Display:** Merchandise or other objects placed inside a building to be viewed from outside the building.
40. **Window Sign:** Attached to or located within three (3) feet of the interior of a window and which can be seen through the window from the exterior of the structure.

#### 11.15 Severability

Each section and each provision of each section of this ordinance are severable, and if any provision, section, paragraph, sentence, or part thereof, or the application thereof to any person, licensee, class, or group is held by a

court of law to be unconstitutional or invalid for any reason, such holding shall not affect or impair the remainder of this ordinance, it being the legislative intent to ordain and enact each provision, section, paragraph, sentence, and part thereof separately and independently of the rest.

## **ARTICLE XII PLANNED UNIT DEVELOPMENTS**

### **1200 General**

A Planned Unit Development project, which may depart from the literal conformance with the regulations for individual-lot development, may be permitted in those districts where it is designated as a special use under the district regulations. All Planned Unit Development projects shall be subject to the following regulations.

### **1210 Procedure**

When a Planned Unit Development project is proposed, the procedure and standards for major subdivision approval as set forth in the Subdivision Regulations shall be followed in their entirety. A preliminary plat and final plat, both approved by the Planning Commission shall be required for every Planned Unit Development project. The Planning Commission may establish a schedule of reasonable fees to be charged for plat review. The project shall be developed according to the approved final plat. Building permits and certificates of occupancy shall be required for each building.

### **1220 Uses**

The uses of premises in a Planned Unit Development project shall conform with the permitted uses of the district in which it is located when it is permitted as a special use. If a Planned Unit Development project is proposed which includes mixed uses or other uses that are not permitted in the district where it is proposed or uses not permitted in any district, the project may be permitted only after an overlay to the City Zoning Map designating the proposed location as a Planned Unit Development district is approved by the Planning Commission. The overlay district may be permitted only after the conditional approval of the preliminary plat and shall be valid only for that project as approved.

### **1230 Standards**

In any Planned Unit Development project, although it is permissible to depart from literal conformance with the individual-lot dimension and area regulations, there shall be no diminution of the total equivalent lot area, parking area, and loading and unloading area requirements that would be necessary for the equivalent amount of individual-lot development. The Planning Commission may allow reductions in these requirements however, upon proof by the developer that efficiencies of large-scale development may permit such reductions without destroying the intent of this Ordinance.

### **1240 Special Conditions**

The Planning Commission shall attach reasonable special conditions to insure that there shall be not departure from the intent of this Ordinance. The Planned Unit Development project shall conform with all such conditions. Because a Planned Unit Development project is inherently more complex than individual-lot development and because each such project must be tailored to the topography and neighboring uses, the standards for such projects must be flexible.

The following standards define the typical special conditions the Planning Commission shall attach in addition to the standards for lot, parking, and loading and unloading area defined in Section 1230 above. The Planning Commission may also attach any other reasonable special conditions.

1. It is desirable that access points to all arterial streets shall be located no more frequently than once every eighth to a quarter of a mile. The Planning Commission may approve the platting of temporary access points.
2. Wherever there is an abrupt change in uses - i.e., residential to commercial - it is desirable that a buffer area of open space or protective planting be placed between them which will protect each use from the undesirable effects of the other.
3. Parking and other public areas used at night shall be adequately lighted, and private areas shall be adequately

protected from such lighting and any other lighting from public areas. Public streets may also require protection from excessive glare of lighted areas.

4. It is desirable that all Planned Unit Development projects be constructed promptly after approval of the final plat. Construction shall be initiated within one year after approval of the final plat, and shall be completed in a reasonable length of time. Failure to initiate construction within one year shall void the permit.



## **ARTICLE XIII DEVELOPMENT PLANS**

### **1300 General**

This section sets forth the content and procedure for submission, review, and approval of all development plans called for by the Planning Commission. The Commission shall require the submission of a development plan for all zone changes; provided that the Commission may allow preliminary and final subdivision plats to be submitted in lieu of the development plan as appropriate. The Commission may also, at its discretion or at the discretion of the Enforcement Officer, require the submission and approval of a preliminary and/or a final development plan for all proposed developments. Such decisions shall be based upon findings that there are existing or potential substantial flood, drainage, traffic, topographic, or other similar problems relating to the development of the subject property that could have an adverse effect on existing or future development of the subject property in the vicinity. A determination not to require a development plan will require the submission by the Enforcement Officer of a statement to the effect that the proposed development would not adversely affect existing development in the vicinity of the proposed project.

### **1310 Preliminary Development Plans Required**

Preliminary development plans shall be submitted as determined by the Enforcement Officer and/or the Commission shall contain all information required by Section 1330 below. A public hearing on a map amendment shall not be held until the required preliminary development plan has been submitted to the Commission. If the preliminary development plan is disapproved or if the Commission fails to approve or disapprove the plan and the map amendment is subsequently approved by the City Council, the Commission shall approve a development plan for the subject property which shall be the final development plan.

### **1320 Final Development Plans Required**

Final Development Plans required herein shall be submitted within two (2) years of the approval of the Preliminary Development Plans and the Commission shall approve a final development plan for the subject property with such conditions as are found necessary to comply with the provisions of this Ordinance, if any, within ninety (90) days after the applicant has submitted a complete Final Development Plan.

### **1330 Contents of Preliminary Development Plan**

- a. Vicinity sketch;
- b. Topography with contour interval of five (5) feet or less;
- c. Location, arrangement, and approximate dimensions of existing and proposed driveways, streets, sidewalks, parking areas, and layout of spaces, points of ingress and egress, and other vehicular and pedestrian rights-of-way;
- d. Screening, landscaping, buffering, recreational, and other open space areas;
- e. Approximate size, location, height, floor area, building area, arrangement and proposed use of existing buildings and signs;
- f. Proposed design of storm drainage areas and facilities;
- g. Proposed and existing easements.

### **1340 Contents of Final Development Plan**

- a. Vicinity sketch;

- b. Topography with contour interval of two (2) feet or less;
- c. Boundary features such as bearings and dimensions of all property lines;
- d. Size, location, height, floor area, building area, and arrangement of proposed and existing buildings and signs;
- e. Screening, landscaping, buffering, recreational and other open space areas showing dimensions of and materials of fences, planting, buffer and other open areas;
- f. Location, arrangement, and dimensions of existing and proposed driveways, streets and street cross section drawings, sidewalks, parking areas including a number of off-street parking spaces, points of ingress-egress, off-street loading areas and other vehicular and pedestrian rights-of-way;
- g. Utilities information on existing and proposed water, gas, electric, telephone, and sewer lines, including location of easements, size of lines and location of appurtenances;
- h. Location, dimension, and design details for proposed storm drainage areas and facilities;
- i. Location and dimensions of other existing or proposed easements;
- j. Statistical summary of above items.

#### **1350 Approval of Development Plan Before Building Permit**

When the Planning Commission has required a Development Plan to be submitted no building permit shall be issued until the final development plan is approved by the Commission and a copy of said plan is certified by the Chairman and Secretary of the Commission. The approval of the final development plan shall limit and control the issuance of all building and occupancy permits, and restrict the construction, location and use of all land and structures to the conditions set forth in the plan.

#### **1360 Amendments to Development Plan**

Amendments to approved development plans can be made only by official Planning Commission action.

## **ARTICLE XIV ARCHITECTURAL REVIEW BOARD**

### **1400 Intent**

The intent of this Article is to establish a board to review development proposals and to provide design controls in designated historic areas in the city of Stanford. The actions of the Architectural Review Board (ARB) will aid in the prevention of intrusions of undesirable design characteristics, in the protection of desirable and unique physical features, in the protection and stabilization of property values, and in the prevention of blighting caused by insensitive redevelopment in designated areas.

### **1410 Membership**

The Architectural Review Board shall consist of five (5) citizen members. Three (3) of the members shall be appointed by the Mayor of Stanford and two (2) members shall be appointed by the Planning Commission. At least two members shall be property or business owners within the Historic Overlay District. At least one member shall be a registered architect or someone with a professional interest in the renovation and/or preservation of old buildings. Members shall be appointed for terms of three years, except that the term of office of members first appointed shall be staggered so that one each serves a one, two, and three year term. Vacancies on the ARB shall be filled within sixty days by the appropriate appointing agency. If the city or Planning Commission fails to act within that time, the ARB may propose an appropriate person to fill the vacancy. When a vacancy occurs other than through expiration of the term of office, it shall be filled for the remainder of the term. Members may be reimbursed for any necessary authorized expenses.

### **1420 Powers and Duties**

The ARB shall make recommendations to the Stanford Planning Commission and City Council on all matters relating to the preservation, conservation, and enhancement of structures, premises, and areas of substantial historic or architectural significance and in matters relating to the establishment of historic districts and regulations to be enforced thereunder. The ARB may inspect and recommend designation of such structures, premises, and areas in Stanford which it considers to have substantial historic or architectural significance.

The ARB shall review and decide Certificates of Appropriateness as discussed in Section 692 of this Ordinance and in this Article.

### **1430 Organization of ARB**

The Architectural Review Board shall adopt bylaws and rules for the conduct of its duties, establish a fee schedule, elect a chairman and a secretary annually, and shall keep minutes and records of all meetings and actions of the Board. A quorum shall consist of three members. All meetings and records of the ARB shall be open to the public. Recommendations and decisions of the ARB shall be made by a majority vote of those members present. The City Council and/or Planning Commission may provide staff and/or financial assistance to the ARB. The ARB may from time to time utilize the services of experts in the fields of architecture, history, engineering, and similar fields to advise and direct the Board in its actions, and such experts may serve as ex-officio members of the Board.

### **1440 Meetings**

Meetings shall be held at regularly scheduled times, or at the call of the Chairman with seven (7) days notice to all members. All members shall also be notified at least seven (7) day prior to any regularly scheduled meeting of any building, alteration or demolition permits requested within a designated Historic Overlay Zoning District which shall require their review. The Zoning Enforcement Officer shall provide the members with copies of any relevant background information with notice of the meeting to allow ample time for review.

### **1450 Establishment of Historic Districts**

The procedure for the establishment of an Historic Overlay Zoning District shall be as follows.

#### **1451 Initial District Establishment**

The Stanford Planning Commission shall establish the initial Historic Overlay District (H-1) to encompass the historic downtown core (Main Street) bounded approximately by Hustonville Road (the intersection of U.S. 150 and KY 78) to the west, U.S. 27 to the east, the CSX rail line to the north, and St. Asaph Creek to the south. The exact boundaries are depicted on the City Zoning Map.

#### **1452 Application to Establish or Expand Historic District**

An application to expand or establish a Historic Overlay District for an area or an individual property may be filed by the Commission, by the city of Stanford, or by the individual property owner. Such application shall be filed with the Zoning Enforcement Officer for action by the Architectural Review Board in such form and accompanied by such information as is required of any zone change per this Ordinance.

#### **1453 Review of Application to Establish or Expand Historic District by the ARB**

Upon the filing of the application for the expansion or the establishment of an Historic Overlay District, the ARB shall study and review the application. The ARB shall hold a public hearing pursuant to the publication and notice of adjacent property owner's requirements of Article XV of this Ordinance. Such public hearing shall be held within sixty (60) days of the filing of a complete application. The ARB shall then have sixty (60) days after the public hearing to vote to recommend approval or denial of the application and to forward such recommendation, in writing, along with the reasons for its recommendations to the Planning Commission.

#### **1454 Review of Application to Establish or Expand Historic District by Planning Commission**

Before voting to approve or disapprove the expansion or establishment of an Historic Overlay District, the Planning Commission shall review the record of the public hearing held by the ARB and shall review the ARB's recommendations and statement of reasons for its recommendation. If the Planning Commission determines that additional information is required prior to making its recommendation to the City Council, the Planning Commission shall also hold a public hearing pursuant to all publication and notification of adjacent property owner's requirements of Article XV and KRS 100.211 - 100.213. Such public hearing shall be held within sixty (60) days of the receipt of the ARB's written recommendation. The Planning Commission shall then have sixty (60) days after the public hearing to vote to recommend approval or denial of the application and to forward such recommendation, in writing, along with its findings of fact to the City Council for final action.

#### **1455 Action by City Council on Application to Establish or Expand Historic District**

The Stanford City Council shall act upon an application for the establishment of an Historic Overlay District after it has received written recommendation from the Planning Commission. It shall take a majority of the City Council to override the recommendation of the Planning Commission.

#### **1460 Review of Plans**

The Architectural Review Board shall review pertinent permit applications by complying with the following procedures.

#### **1461 Required Information for Review**

All plans, elevations, and other information necessary to determine the appropriateness of the features to be acted upon, together with a copy of the application for the building, alteration, or demolition permits shall be made available to the Board through the offices of the Zoning Enforcement Officer. The Board, shall require the submission of all or any of the following items relevant to the proposed project application: architectural plans, landscaping plans, plans for off-street parking, plans for proposed signs, elevations of all proposed structures or proposed additions to structures, photographs, elevations, perspective drawings showing the proposed structure(s) and all existing structures that are located within one hundred (100) feet or are

substantially related to it visually or by reason of function, traffic generation or other characteristics. The application shall not be considered complete until such time that the requested information is received and deemed adequate by the ARB or the Zoning Enforcement Officer.

#### **1462 Allowable Criteria for Review**

In its review of the material submitted for the application, the ARB, shall consider, among other things, the general architectural design and exterior surface treatment, including arrangement, texture, material, and color of the building or structure in question and the relation of such factors to similar features of buildings or structures in the immediate area of the building or structure in question. The Board shall not consider detailed design, interior arrangement, or building features not in public view; nor shall it make requirements except for the purpose of preventing development obviously incongruous to the old historic aspects of the surroundings. Existing non-conforming structures or facades cannot be used to undermine the historic intent of this ordinance or to establish a point of reference for lesser inappropriate standards.

#### **1463 Review Time Frame**

The Board shall vote to approve all or part of an application or disapprove the application within sixty (60) days after the application, which is filed for with the Zoning Enforcement Officer, is deemed complete.

#### **1470 Action on Proposed Plans**

The time frame and appeals procedures for decisions made by the Architectural Review Board shall be as follows.

##### **1471 Approval**

Upon approval of the plans, the ARB shall transmit a report, in writing, to the Enforcement Officer stating the basis upon which such approval was made and declaring its intent to issue a Certificate of Appropriateness to the applicant. The Board shall also give notice by way of publication of its decision, including the location of the subject property, the date of its action, the date a Certificate of Appropriateness would be issued, and the course of appeals for any resident of Stanford. Notice shall be given by one publication in the local paper of greatest circulation in Lincoln County in the issue immediately following the date of the action of the ARB. If no written appeal is received, the Certificate of Appropriateness shall be issued five working days after the date of publication. Such Certificate shall be signed by the Chairman of the ARB.

##### **1472 Disapproval**

In the case of disapproval, the Board shall state the reasons therefor in a written statement to the applicant, with a copy to the Zoning Enforcement Officer, and may advise the applicant and make recommendations thereto in regard to appropriateness of design, arrangement, texture, materials, color, and the like of the property and structure(s) involved. Any application which is disapproved may not be brought before the Architectural Review Board until at least twelve (12) months have lapsed.

##### **1473 Failure to take Action**

If the ARB shall fail to take final action upon any case within sixty (60) days from the date the application for the permit is deemed complete, except where mutual agreement has been made for an extension of the time limit, the application for permit shall be considered approved and the Planning Commission shall cause a Certificate of Appropriateness to be issued.

##### **1474 Appeal of ARB Decisions**

In the event the ARB disapproves an application for a permit in the Historic Overlay District, an applicant shall have thirty (30) days from the date of the Board's action to appeal the decision to the Planning Commission. Should no appeal be filed with the Commission within thirty (30) days, any further review shall be treated as a new application and shall be reviewed as provided in Section 1450 of this Article.

In the event the ARB approves an application for a permit in the Historic Overlay District, any resident of Stanford shall have five (5) working days from the date such decision is published in which to file an appeal of the decision to the Planning Commission.

Upon receipt of an appeal of the ARB's decision, the Planning Commission shall hold a public hearing on the permit application within sixty (60) days of the date the appeal is filed. Appropriate notice shall be given as per KRS 424. The Commission may only hear evidence relating to criteria set forth in Section 1450 of this Article. The Commission shall vote to approve or disapprove the ARB's decision within sixty (60) days of the public hearing.

#### **1475 Appeals of Planning Commission Decisions**

Any person or entity claiming to be injured or aggrieved by any decision of the Planning Commission to approve, deny, or postpone action on an appeal of the ARB's decision may further appeal to the Lincoln County Circuit Court within thirty (30) days of the decision pursuant to KRS 100.347.

#### **1480 Enforcement of This Article**

The procedures related to enforcing an approved Certificate of Appropriateness, of complying with additional local regulations and the penalties for violating this Article are detailed as follows.

#### **1481 Approved Certificate of Appropriateness**

Upon receipt of the signed approved Certificate of Appropriateness, the Zoning Enforcement Officer shall issue the requested permit in accordance with the Certificate provided that it meets all other requirements of the law. The Zoning Enforcement Officer shall enforce all provisions of the Certificate and any conditions thereof and shall inspect the property at regular intervals to ensure strict compliance.

#### **1482 Compliance with Other Codes, Statutes, and Regulations**

In order to prevent purposeful neglect of structures within the H-1 zone, all properties shall comply with all local Building, Property Maintenance, Nuisance and other applicable codes, statutes and Regulations.

#### **1483 Penalty**

Violation of the provisions of these Historic Overlay District Regulations shall constitute a ~~[misdemeanor which shall be subject to the]~~ civil fines and penalties set forth in this Ordinance. (Amended 11-2-2017, Ord. 2017-1123)

## **ARTICLE XV AMENDMENTS**

### **1500 General**

Whenever the public necessity, convenience, general welfare, or good zoning practices require, the legislative body may, by ordinance, after receiving a recommendation thereon from the Planning Commission, and subject to procedures by law, amend, supplement, change or repeal the regulations, restrictions, and boundaries or classification of property.

### **1510 Application for Amendment**

A proposal for amendment to the Official Zoning Map may originate with the Planning Commission, the City Council, any other government body, the owner of the subject property, or by a person having written authorization from the owner of the subject property. A proposal for amendment to the text of this ordinance may originate with any person or governmental body. Regardless of the origin of the proposed amendment an application must be filed with the Planning Commission requesting the proposed amendment in such form and accompanied by such information as required by this ordinance and the Planning Commission. The Planning Commission shall require the prior submission of a development plan prepared in accordance with Article XIII of this Ordinance, which when approved by the Commission, shall be followed. At the time of filing an application, a non-returnable filing fee shall be paid according to the schedule of fees; however, there shall be no filing fee for an amendment requested by the City Council, the Planning Commission or any governmental agency. Upon the filing of an application for a map amendment by a governmental body, the Planning Commission shall promptly notify the owner of the subject property by registered mail or certified mail, receipt requested.

### **1520 Planning Commission Procedure**

Upon the filing of an application for an amendment to the Official Zoning Map or the text of this ordinance, the Planning Commission shall study and review the application as provided in this ordinance and the bylaws of the Planning Commission.

The Planning Commission shall then hold at least one (1) public hearing after notice as required by KRS 424 and KRS 100 and shall make findings of fact and a recommendation for approval or disapproval of the proposed amendment to the City Council. A tie vote shall be subject to further consideration by the Planning Commission for a period not to exceed thirty (30) days, at the end of which if the tie has not been broken, the application shall be forwarded to the City Council without a recommendation for approval or disapproval.

### **1530 Notice of Public Hearing**

Notice of the time, place and reason for the required public hearing shall be given by one publication in the newspaper of general circulation in the County, not earlier than twenty-one (21) days or later than seven (7) days before the public hearing in accordance with KRS 424.130 and KRS 100.211.

Any published notice shall include the street address of the property in question, or if one is not available or practicable due to the number of addresses involved, a geographic description sufficient to locate and identify the property, and the names of two (2) streets on either side of the property which intersect the street on which the property is located; and when the property in question is located at the intersection of two (2) streets, the notice shall designate the intersection by name of both streets rather than name two (2) streets on either side of the property.

When a hearing is scheduled on a proposal to amend any zoning map, the following notice shall be given in addition to any other notice required by statute, local regulation or ordinance, per KRS 100.212:

A. Notice of the 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 hearing shall be in letters at least one (1) inch in height; and

2. The sign shall be constructed of durable material and shall state the telephone number of the Planning Commission Office; and
3. It shall be the responsibility of the applicant to post the sign conspicuously on the property. The Enforcement Officer shall verify to the Planning Commission at the hearing that placement occurred pursuant to the provisions of this ordinance.

B. Notice of the hearing shall be given at least fourteen (14) days in advance of the hearing by first class mail with certification by the commission secretary or other officer of the planning commission that the notice was mailed by the zone change applicant to an owner of every parcel of property adjoining the property the classification of which is proposed to be changed. It shall be the duty of the person or persons proposing the map amendment to ensure such mailing occurs in accordance with the provisions of this ordinance and KRS 100 and to furnish to the planning commission the names and addresses of the owners of all adjoining property. Records maintained by the Property Valuation Administrator may be relied upon conclusively to determine the identity and address of said owner. In the event such property is in condominium or cooperative forms of ownership, then the person notified by mail shall be the president or chairman of the owner group which administers property commonly owned by the condominium or cooperative owners. A joint notice may be mailed to two (2) or more co-owners of an adjoining property who are listed in the Property Valuation Administrator's records as having the same address.

In addition to the public notice requirements of this section, when the planning commission or legislative body of any planning unit originates a proposal to amend the zoning map of that unit, notice of the public hearing shall be given at least thirty (30) days in advance of the hearing by first class mail to an owner of every parcel of property the classification of which is proposed to be changed. Records by the Property Valuation Administrator may be relied upon to determine the identity and address of said owner.

#### **1540 Public Hearing on Application**

After notice of the public hearing as provided for above, the Planning Commission shall hold a public hearing on the proposed amendment.

#### **1550 Recommendation of Commission for Zoning Map Amendment**

Before recommending to the City Council that an application for amendment to the Zoning Map be granted, the Planning Commission must find that the map amendment is in agreement with the communities Comprehensive Plan, or in absence of such a finding that:

1. The original zoning classification given to the property was inappropriate or improper, and that the proposed classification is proper, or
2. 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 adopted by the Planning Commission and which have substantially altered the basic character of the area.

The Planning Commission shall also have the power to hear and finally decide applications for variances or conditional use permits in conjunction with a requested zoning map amendment if the proposed development requires both a map amendment and one or more variances or conditional use permits (per KRS 100.203(5)). Recommendations regarding these permits shall be a part of the record forwarded to the City Council.

After voting to recommend that an application for amendment to the Official Zoning Map be granted or denied, the Planning Commission shall forward its findings of fact and recommendation in writing to the City Council.

#### **1560 Action by City Council on Zoning Map Amendments**

The City Council shall not act upon a proposed amendment to the Official Zoning Map until it has received the



written findings of fact and recommendation thereon from the Planning Commission. The Planning Commission recommendation relating to the proposed amendment shall become final and the map amendment shall be automatically implemented subject to the provisions of KRS 100.347, as set forth in the Planning Commission recommendations, unless within twenty-one (21) days after the final action by the planning commission:

- A. Any aggrieved person files a written request with the Planning Commission that the final decision shall be made by the appropriate legislative body; or
- B. The City Council files a notice with the Planning Commission that the City Council shall decide the map amendment.

It shall take a majority of the entire legislative body to override the recommendation of the Planning Commission and it shall take a majority of the entire legislative body to adopt a zoning map amendment whenever the Planning Commission forwards the application to the legislative body without a recommendation of approval or disapproval due to a tie vote. Unless a majority of the entire legislative body votes to override the Planning Commission's recommendation, such recommendation shall become final and effective and if a recommendation of approval was made by the Planning Commission, the ordinance of the legislative body adopting the zoning map amendment shall be deemed to have passed by operation of law.

If the legislative body chooses to decide the map amendment, the legislative body shall take final action upon a proposed zoning map amendment within ninety (90) days of the date upon which the Planning Commission takes its final action upon such proposal. The legislative body shall also notify the Enforcement Officer and the Chairman of the Planning Commission as to when the proposed map amendment will be heard by the legislative body prior to the legislative body's final action. The legislative body shall complete and file for recording with the County Clerk a Certificate of Land Use Restriction for any map amendment approved by the legislative body.

#### **1570 Recommendation of Commission for Text Amendment**

After voting to recommend that an application for amendment to the text of this ordinance be granted or denied, the Planning Commission shall forward its recommendation in writing to the City Council. In the case of a proposed amendment originating with a legislative body, the planning commission shall make its recommendation within sixty (60) days of the date of its receipt of the proposed amendment.

#### **1580 Action by City Council on Text Amendments**

The City Council shall not act upon a proposed amendment to the text of this ordinance until it shall have received the written recommendation thereon from the Planning Commission. If the proposed amendment originated with the Planning Commission, it shall take a majority of the entire City Council to override the recommendation of the Planning Commission. If the proposed amendment originated with a legislative body, it shall take an affirmative vote of the majority of the legislative body to adopt the proposed amendment. The legislative body shall take final action within ninety (90) days of the date upon which the Planning Commission takes its final action upon such proposal.

#### **1590 Special Conditions to the Granting of Zoning Changes**

As a condition to the granting of any zoning change, the Planning Commission shall require the submission of a development plan as per Article XIII which, where agreed upon, shall be followed. As a further condition to the granting of a zoning change, the planning unit may require that substantial construction be initiated within two years; provided that such zoning change shall not revert to its original designation unless there has been a public hearing.