

ORDINANCE NO. 23-2016

**AN ORDINANCE OF THE CITY OF ELIZABETHTOWN, KENTUCKY
AMENDING THE TEXT OF THE ELIZABETHTOWN ZONING ORDINANCE**

Whereas, the Elizabethtown Planning Commission held a public hearing on November 22, 2016 in compliance with KRS 100 to consider amendments to the Zoning Ordinance (Ordinance No. 06-2008, adopted June 16, 2008); and

Whereas, the Elizabethtown Planning Commission has made a recommendation to amend the Zoning Ordinance to include: add permitted uses in the C-4 and C-5 zones, reduce the minimum street frontage requirements for corner lots, exempt temporary structures from filing a development plan, revise requirements for pre-application conferences on industrial projects, revise language for parking waivers, revise signage sizes for booth signs and industrial use directional signs, clarify size limitation requirements for accessory structures and front yard encroachments for porches.

BE IT ORDAINED by the City of Elizabethtown, Kentucky, that from and after the passage, approval and publication of this Ordinance that the text of the Elizabethtown Zoning Ordinance be amended as per Attachment A and that the amendments to the Elizabethtown Zoning Ordinance be published in summary form as prepared by the City Attorney and attached to this Ordinance as Attachment B.

BE IT FURTHER ORDAINED that the Mayor of the City of Elizabethtown and/or her designate be and she is hereby authorized and directed to take all steps necessary to perfect this Ordinance.

READ THE FIRST TIME, this 5th day of December, 2016.

READ, ADOPTED AND APPROVED, this 19th day of December, 2016.

EDNA B. BERGER, MAYOR

ATTESTED TO:

MARY CHAUDOIN, CITY CLERK

ORDINANCE NO. 23-2016
ATTACHMENT A

**PUBLIC HEARING 2016-PC-08
ZONING TEXT AMENDMENTS**

CHAPTER 2

C-4 General Services Commercial

2.8.10.1 Principal Uses

Commercial Uses:

1. Event or convention center.
- ~~16-17.~~ Farm equipment and agricultural supply sales.

C-5 Downtown Mixed Use

2.8.11.1 Principal Uses

Commercial Uses:

29. Pet Crematorium.
- ~~29-30.~~ Residential Storage Facility

Special Provisions *(would be applicable in all zoning districts)*

The minimum frontage for corner lots may be reduced to the minimum lot frontage criteria when access is restricted along the street frontage of the lot.

CHAPTER 3

3.1 DEVELOPMENT PLAN REQUIRED

11. EXCEPTION For temporary structures, such as tents and fireworks tents, that are erected for less than six (6) months, however, a site sketch with sufficient information to assure that vehicular and pedestrian access are properly maintained may be required by the Department to obtain the required construction permit.

3.2.1 Pre-application Conference Required

3. Industrial developments **when a building or building addition exceeds 15,000 square feet.**

CHAPTER 6

6.14 OFF STREET PARKING REQUIREMENTS

6.14.3 Waiver Not Required A property owner does not have to request a waiver from the off street parking requirements when there is a reciprocal (joint use) parking agreement on file with the Department, the properties involved in the agreement are adjacent or are part of a shopping center or other common development project and the properties involved in the agreement jointly meet the minimum off street parking requirements for all properties involved in the agreement.

CHAPTER 7

7.3 SIGNS EXEMPT FROM PERMIT

15. Booth (Flea Market & Farmers Market) Signs

7.12 SIGN TYPES

Table 7.0

OTHER SIGN TYPES							
TYPE	ALLOWED TYPES	MAXIMUM NUMBER	MAXIMUM SIGN AREA	MAXIMUM HEIGHT	LOCATION REQUIREMENTS	LIGHTING ALLOWED	ADDITIONAL REQUIREMENTS
<u>Booth (Flea Market & Farmers Market)</u>	<u>Wall-mount</u>	<u>1</u>	<u>15 s.f.</u>	<u>3'</u>	<u>Must be located directly adjacent to booth space</u>	<u>No</u>	<u>Cannot block pedestrian access.</u>
Directional, Industrial	Monument Pole	2/ent.	12 <u>50</u> s.f.	6' <u>10'</u>		Yes	May only contain directional information and corporate logo.

CHAPTER 10

10.1 ACCESSORY STRUCTURE LOCATIONAL REQUIREMENTS

4 ...accessory. The total square footage shall be an aggregate square footage of all accessory structures on the residential lot.

10.2 PORCHES, STAIRWAYS, TERRACES

...provisions of the *Zoning Ordinance*. Steps and overhangs shall be measured as part of the projection into the yard (setback). EXCEPTION: When ...

**ORDINANCE NO. 23-2016
ATTACHMENT B**

**SUMMARY OF THE ORDINANCE
AMENDING THE TEXT OF THE ELIZABETHTOWN ZONING ORDINANCE**

The City of Elizabethtown passed Ordinance No. 23-2016 on the 19th day of December, 2016. It was read for the first time on the 5th day of December, 2016. The purpose of this ordinance is to amend the text of the Elizabethtown Zoning Ordinance which contains standards for the development of property within the corporate limits of Elizabethtown. The ordinance was adopted in June 2008 (Ordinance No. 06-2008, adopted June 16, 2008) and sections have been amended after a public hearing was conducted on November 22, 2016 by the Elizabethtown Planning Commission in conformance with KRS 100. The amendments approved by Ordinance No. 23-2016 include *Chapter 2*: Added Event Center and Pet Crematorium as permitted uses in the C-4 and C-5 zones, revised language in all sections relating to minimum street frontage requirements for corner lots; *Chapter 3*: Exempted temporary structures from filing a development plan and revised the requirement for pre-application conferences on industrial projects; *Chapter 6*: Revised language for parking waivers when reciprocal parking agreements are executed; *Chapter 7*: Revised signage sizes for booth signs and industrial use directional signs; and *Chapter 10*: Clarified size limitation requirements for accessory structures and front yard encroachments for porches.

A complete copy of this ordinance can be viewed on the City's website: www.elizabethtownky.org or by contacting the City Clerk's office at 270-765-6121, ext. 202.

EDNA B. BERGER, MAYOR

ATTESTED TO:

MARY CHAUDOIN, CITY CLERK

CERTIFICATION

I, Deborah L. Shaw, hereby certify pursuant to KRS 83A.060 that I am an attorney licensed to practice law in the Commonwealth of Kentucky; that I prepared the foregoing Summary of Ordinance for the City of Elizabethtown, Kentucky; and the foregoing is a true and accurate summary of the contents of said Ordinance. Said Ordinance can be examined in its entirety at the Office of the City Clerk, City of Elizabethtown, 200 West Dixie Avenue, Elizabethtown, KY 42701.

Deborah L. Shaw