

JOE REVERMAN, AICP
DIRECTOR
200 West Dixie Avenue
Elizabethtown, KY 42701
(270) 982-3264
www.elizabethtownky.org



Commission Members
Steve Rice, Chairperson
Ken Dozer, Vice Chairperson
Kasey McCrary
Maurice Young
Kyle Souleyrette

CITY OF ELIZABETHTOWN PLANNING AND DEVELOPMENT

Elizabethtown Planning Commission
Regular Meeting Agenda
May 13, 2025
6:00 p.m.
Pritchard Community Center, 404 S. Mulberry Street

1. Call to Order
2. Approval of Minutes – April 22, 2025
3. Amended Development Plan with Commercial Design Review for the Lincoln Center
Location: 1511 – 1513 North Dixie Ave
4. Amended Development Plan for BlueSky Self Storage
Location: 2927 Ring Rd
5. Continuation of Public Hearing 2025-PC-07
Residential Zoning Text Amendments
6. Public Hearing 2025-PC-10
Zoning Text Amendments related to signs
7. Public Hearing 2025-PC-11
Adoption of the Towne Mall Master Plan as an amendment to the Elizabethtown Comprehensive Plan
8. Commission Member Items
9. Adjournment



**MEETING MINUTES OF THE ELIZABETHTOWN PLANNING COMMISSION
APRIL 22, 2025**

A meeting of the Elizabethtown Planning Commission was held on April 22, 2025 at 6:00 p.m. at the Pritchard Community Center, 404 South Mulberry Street, Elizabethtown.

Commission members present:

Steve Rice, Chairperson
Ken Dozer, Vice Chairperson
Kasey McCrary
Maurice Young
Kyle Souleyrette
Mika Tyler, City Council Representative (non-voting member)

Staff members present:

Joe Reverman, Planning Director
Aaron Hawkins, Planner II
Madeline Drake, Planner I
Commission Attorney Matt Hess

The following matters were considered:

**PLANNING COMMISSION MINUTES
APRIL 22, 2025**

APPROVAL OF MINUTES

APRIL 8, 2025, PLANNING COMMISSION REGULAR MEETING MINUTES

On a motion made by Commissioner Young, seconded by Vice Chairperson Dozer, the following resolution was adopted.

RESOLVED, that the Elizabethtown Planning Commission does hereby **APPROVE** the minutes of its meeting conducted on April 8, 2025.

The vote was as follows:

YES: Commissioners Rice, Dozer, McCrary, Young, and Souleyrette

**PLANNING COMMISSION MINUTES
APRIL 22, 2025**

CONTINUATION OF PUBLIC HEARING No. 2025-PC-06

Request: Zoning Map Amendment, R-1 to R-6 and C-3, and Conceptual Development Plan
Project Name: Yun Development
Location: 707 Saint John Road
Owner: Hanna Yun
Applicant: Hanna Yun

The Chairperson introduced the agenda item and continued the public hearing at 6:05 p.m. Matt Hess administered the oath to all those who intended to testify.

Commissioner Young, who was absent during the March 25, 2025, meeting, stated he watched the video recording of the hearing from that meeting.

Agency Testimony:

Aaron Hawkins presented the staff report and accompanying PowerPoint presentation. Mr. Hawkins stated on March 25, 2025, the Planning Commission voted to table this request to the April 22, 2025, meeting. Sufficient notice was not given to the adjoining property owner at 713 Saint John Road. During the testimony portion of the hearing, several citizens either adjacent to the site or in the near vicinity of the site had concerns about the screening of the development next to the residential properties and the design of the buildings. The architect of the development provided staff a report showing a visual of their proposed screening plan, which was added to the PowerPoint presentation. While the building design has not yet been determined, the architect did provide examples of pre-fabricated modular constructed buildings as an example of what this type of design can look like.

Mr. Hawkins reviewed the proposal stating the applicant is requesting the zone change to allow a mixed-use development comprising of a clubhouse, hotel buildings, commercial strip development, and multi-family buildings. Access will be limited to a single leg of the proposed roundabout on Saint John Road that has been preliminarily approved by KYTC.

Staff recommend approval of the zoning map amendment from R-1, Suburban Residential to R-6, High Density Residential and C-3, Regional Commercial.

Staff recommend approval of the conceptual development plan with conditions.

The Commission had no questions of staff.

Those speaking in favor of the request:

Kay Lee, 450 Mildred Place, Oradell, New Jersey, 07649
Hanna Yun, 707 Saint John Road, Elizabethtown, KY 42701
John Yun, 707 Saint John Road, Elizabethtown, KY 42701

**PLANNING COMMISSION MINUTES
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Summary of those speaking in favor:

Kay Lee discusses adding additional trees between the development and nearby residential uses. Mr. Lee also describes the type of buildings that will be constructed. Vice Chairperson Dozer stated at the previous meeting it was noted the existing trees to the northwest would remain, however, there was a discrepancy as to which property the trees are located. Mr. Lee stated the trees around the perimeter of the property will remain and they intend to add trees to provide additional screening. Mr. Hawkins stated if the existing trees are on the applicant's property they may use those trees towards the maximum screening requirement, however, during the development plan approval process the Commission may require additional buffering.

Commissioner Souleyrette asked Mr. Lee if the renderings of the buildings that were presented are what will be constructed. Mr. Lee stated the renderings are examples of what will be constructed, but design may vary.

Commissioner McCrary asked if the recent rainfall affected the property. Mr. Lee responded no.

Questions from those in attendance:

Michael Coyle, 908 Saint John Road, Elizabethtown, KY 42701

Summary of questions:

Michael Coyle asked about the difference in corporate housing compared to affordable housing. Mr. Lee stated corporate housing will be available with shorter lease terms and the development will not provide any affordable housing.

Those speaking in opposition to the request:

Michael Coyle, 908 Saint John Road, Elizabethtown, KY 42701

Dominika Wisniewska, 713 Saint John Road, Elizabethtown, KY 42701

Amy Labriola, 581 Charlemagne Boulevard, Elizabethtown, KY 42701

Summary of those speaking in opposition:

Michael Coyle stated Saint John Road from the 31W Bypass to Ring Road is residential and this development will increase traffic. Dominika Wisniewska has concerns about screening and wildlife being disrupted. Amy Labriola asked about the zone change process and if it's typical for a single property to request a zone change. Ms. Labriola also has concerns about the increase in traffic and the speed of travel along Saint John Road, and the location and size of the proposed roundabout. Mr. Reverman reviewed the location and stated the roundabout is proposed to be as large or larger than the roundabout located at the 31W Bypass and New Glendale Road intersection, which can accommodate semi tractor trailers and emergency personnel. Mr. Hawkins reviewed the zoning map amendment application process and stated most requests typically come from the owner or applicant of the property.

Those speaking neither in favor nor opposition to the request:

Joan Wolfe, 325 Reelfoot Drive, Elizabethtown, KY 42701

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Summary of those speaking neither in favor nor opposition:

Joan Wolfe stated she understands concerns presented; however, the developer will work with local agencies and several concerns will be addressed during development.

Applicant rebuttal:

Hanna Yun stated the area needs additional accommodation due to the sports park which is near this proposed development. Ms. Yun does not believe this will negatively impact the community. John Yun stated he believes the community needs the additional housing this development will provide and describes the types of buildings that will be constructed.

Questions from those in attendance:

Deana Henson, 110 Deer Grove Court, Elizabethtown, KY 42701

Summary of questions:

Deana Henson asked if the property owners will continue living at their current residence after development is completed. Ms. Yun responded no.

Aaron Hawkins introduced a letter submitted from Jim Shaw summarizing his testimony from the March 25th meeting.

Deliberation:

Commissioner Souleyrette asked if the City has given preliminary approval on potentially realigning University Drive with the proposed roundabout on Saint John Road. Mr. Reverman stated while the City may be supportive of realigning University Drive, there is no funding at this point and the recommended approval is not contingent on realignment. Commissioner McCrary asked if the only access would be from Saint John Road and shared concerns with emergency personnel getting to the site. Mr. Hawkins stated at this time there are no plans for interconnectivity with surrounding neighborhoods or the 31W Bypass and the only access will be from the one proposed off Saint John Road. Commissioner Souleyrette asked for clarification on designating this property as community facilities. Mr. Reverman stated that the community facilities designation in the Comprehensive Plan typically includes non-residential type uses, and while the proposed zoning would be more intense than typical community facilities uses, the addition of the roundabout increases safety for the area and provides a safe pedestrian crossing to access the park, library and college, and thereby justifies additional intensity.

Commissioner McCrary has concerns with the use of "community facility" and the design of the proposed roundabout. Commissioner Young has concerns with noise mitigation. Commissioner Souleyrette shared concerns with the proposed roundabout. Vice Chairperson Dozer would like to see University Drive realigned with the roundabout and does not believe the proposed development is appropriate for the area. Chairperson Rice also shares concerns with the current design of the roundabout and does not believe the proposal is appropriate for the area.

**PLANNING COMMISSION MINUTES
APRIL 22, 2025**

Hearing No. 2025-PC-06

Zoning Map Amendment for 707 Saint John Road

On a motion by Chairperson Rice, seconded by Vice Chairperson Dozer, the following resolution was adopted based on staff analysis and testimony heard today.

WHEREAS, the Elizabethtown Planning Commission (Commission) finds the proposed zoning map amendment from R-1, Suburban Residential to R-6, High Density Residential and C-3, Regional Commercial does not comply with the Envision Elizabethtown 2040 Comprehensive Plan (Plan); and

WHEREAS, the Commission finds that the proposed zoning map amendment does not comply with the Community-Wide Development Policies of the Plan since access to the site being offset from University Drive will create an unsafe situation on Saint John Rd, and since the size and scale of C-3 development will adversely affect adjacent residential properties; and

WHEREAS, the Commission finds the proposal does not comply with the Recommended Land Use Plan of the Plan which designates this property as Community Facilities for the location of public services with neighborhood commercial or higher density residential potentially being appropriate in certain areas, but that the proposed location of C-3 zoning does not provide an appropriate transition to the adjacent low-density residential uses; and

WHEREAS, the Commission finds the proposal does not comply with the Community-Wide Guidelines of the Plan since the proposed location of C-3 zoning does not provide an appropriate transition to the adjacent low-density residential uses.

RESOLVED, that the Elizabethtown Planning Commission does hereby **RECOMMEND** to the Elizabethtown City Council that the Zoning Map Amendment for 707 Saint John Road, from R-1, Suburban Residential to R-6 High Density Residential and C-3, Regional Commercial, be **DENIED**.

The vote was as follows:

YES: Commissioners Rice, Dozer, McCrary, Young, and Souleyrette

Chairperson Rice closed the public hearing at 7:25 p.m.

Chairperson Rice calls for a recess at 7:26 p.m.

Chairperson Rice called the meeting to order at 7:30 p.m.

**PLANNING COMMISSION MINUTES
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PUBLIC HEARING No. 2025-PC-08

Request: Zoning Map Amendment FDH to AGB and Waiver request
Project Name: Jenkins Sod Farm
Location: 1377 Hutcherson Lane
Owner: James and Melissa Jenkins
Applicant: James and Melissa Jenkins

The Chairperson introduced the agenda item and opened the public hearing at 7:31 p.m.

Agency Testimony:

Aaron Hawkins presented the staff report and accompanying PowerPoint presentation. He oriented the Commission on the location of the property and identified nearby zoning classifications and uses. This request for a change of zoning is needed for the purpose of converting a barn into a dwelling unit/event space, which is not permitted in the FDH zone. The site plan shows access to the sod farm from existing points off Hutcherson Lane. Water is available to the site. Stormwater will be handled at the development plan stage. Staff recommend approval of the zoning map amendment request from FDH to AGB.

The property is currently using an onsite septic system. With the change of zoning from FDH to AGB, this property must comply with the Subdivision Regulations and connect to the city's wastewater collection system. Section 4.3.3 of the Subdivision Regulations may release a property owner of that requirement if the property complies with the eight requirements. The property meets all requirements except for Condition 1, which states public sewer is a greater distance than 2,000 feet from the site. The closest sewer line to the site is in the Magnolia Farms Subdivision approximately 600 feet away. Topography constraints prevent this site from connecting into that sewer line, therefore, a waiver request of Section 4.4.3, Sanitary Sewer Collection System, Condition 1, is being requested. Staff recommend approval of the waiver request with conditions.

Commissioner McCrary asked if there were any circumstances that would require the property to connect to the city's sewer system. Mr. Hawkins responded yes should they propose more construction onsite that would place a strain on the septic system currently in place.

Those speaking in favor of the request:

Mike Billings, 315 South Mulberry Street, Elizabethtown, KY 42701
Albert March, 159 Grace Peak Road, Elizabethtown, KY 42701

Summary of those speaking in favor:

Mike Billings stated the FDH zone does not allow for construction, and he believes the AGB zoning designation makes sense for the property. Albert March stated he has lived at this current location for more than 17 years and the property owners are considerate of their neighbors, and he is not opposed to the zone change request.

Those speaking in opposition to the request:

No one spoke in opposition to the request.

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Questions of those in attendance:

Corey Truax, 91 Berkshire Avenue, Elizabethtown, KY 42701

Beth Kagey, 1109 Lobo Drive, Elizabethtown, KY 42701

Summary of questions:

Corey Truax asked if there are currently any proposals for development on the property. Mr. Hawkins stated there are currently no development proposals and the zone change request was due to the barn changing use. Beth Kagey asked if there are any future plans for a waterpark on the property. Chairperson Rice stated this request is due to a change in use with the barn that is located on the property and there was no mention of a waterpark in the request.

Hearing No. 2025-PC-08

Zoning Map Amendment for 1377 Hutcherson Lane

On a motion by Vice Chairperson Dozer, seconded by Commissioner Souleyrette, the following resolution was adopted based on staff analysis and testimony heard today.

WHEREAS, the Elizabethtown Planning Commission (Commission) finds the proposed zoning map amendment from FDH, Future Development Holding to AGB, Agri-Business complies with the Envision Elizabethtown 2040 Comprehensive Plan; and

WHEREAS, the Commission finds that the proposal complies with the community wide development policies of the Plan, that access to the property will come from the existing access points off Hutcherson Lane (a state highway), that the size and scale of an agricultural tourism development would be compatible to the nearby agricultural and residential developments along Hutcherson Lane, that water is available in the area and can be extended to this property, that water supply and pressure are adequate for the proposed development; and

WHEREAS, the Commission finds the proposal complies with the Recommended Land Use Plan, that the Recommended Land Use Map designates this property as Suburban Residential. The proposed development is an agricultural use and rural in nature, therefore is in compliance with the Recommended Land Use Map; and

WHEREAS, the Commission finds the proposal complies with the Community-Wide Guidelines of the Plan, that the requested zoning map amendment to an agricultural zoning classification would allow the property to function as it currently functions and has public services (water) nearby, that the size and scale of an agricultural tourism development would be compatible to the nearby agricultural and residential developments along Hutcherson Lane, that this development is appropriate along a rural corridor and will transition to the residential properties to the south, north, east and west, that access to the property will come from the existing access points off Hutcherson Lane (a state highway), that water is available in the area and can be extended to this property; and

WHEREAS, the Commission finds the proposal complies with the Sub Area Guidelines and Targeted Planning Areas of the Outer Ring Road West Sub Area 2 of the Plan, that the proposed use is an Agri-Business use, that development is appropriate along a rural corridor and will transition to the residential

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properties to the south, north, east and west, that Access to the property will come from the existing access points off Hutcherson Lane (a state highway).

Now, therefore be it **RESOLVED** that the Elizabethtown Planning Commission does hereby **RECOMMEND** to the Elizabethtown City Council that the Zoning Map Amendment from FDH to AGB for property located at 1377 Hutcherson Lane, be **APPROVED**, with the following waiver:

Waiver of section 4.4.3 (1) Sanitary Sewer Collection System of the Elizabethtown Subdivision Regulations, to allow onsite septic when sewer is available within 2000 feet from the site, with the following condition:

1. If a future subdivision or development occurs that puts a strain on the existing onsite septic system, the property owner shall be required to bring the city's public sewer collection system to this property.

The vote was as follows:

YES: Commissioners Rice, Dozer, McCrary, Young, and Souleyrette

Chairperson Rice closed the hearing at 8:03 p.m.

**PLANNING COMMISSION MINUTES
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PUBLIC HEARING No. 2025-PC-09

Request: Zoning Map Amendment R-6 to C-1 with Development Plan
Project Name: Clarity Solutions Office Building
Location: 110 East Memorial Drive
Owner: BBD Investments, LLC
Applicant: BBD Investments, LLC

The Chairperson introduced the agenda item and opened the public hearing at 8:04 p.m.

Agency Testimony:

Madeline Drake presented the staff report and accompanying PowerPoint presentation. She oriented the Commission on the location of the property and identified nearby zoning classifications and uses. The request is to allow the conversion of a single-family residential structure into an office use. Staff recommend approval of the zone change request from R-6 to C-1.

The development plan shows the removal of a site entrance and foundation for a previously demolished accessory structure and the addition of six parking spaces which will be shared through an access and parking agreement. A 60 sqft addition is being proposed on the east side of the building. Access will come from the single shared access point off East Memorial drive. Utilities are available onsite. Stormwater will be directed to the rear of the property towards the lake. Staff recommend approval of the development plan with conditions.

The Commission had no questions of staff.

Those speaking in favor of the request:

Mike Billings, 315 South Mulberry Street, Elizabethtown, KY 42701

Summary of those speaking in favor of the request:

Mike Billings stated he was present to answer any questions. The Commission had no questions of Mr. Billings.

Those speaking in opposition to the request:

No one spoke in opposition to the request.

Hearing No. 2025-PC-09

Zoning Map Amendment for 110 East Memorial Drive

On a motion by Commissioner Souleyrette, seconded by Vice Chairperson Dozer, the following resolution was adopted based on staff analysis and testimony heard today.

WHEREAS, the Elizabethtown Planning Commission (Commission) finds the proposed zoning map amendment from R-6, High-Density Residential, to C-1, Neighborhood Office complies with the Envision Elizabethtown 2040 Comprehensive Plan; and

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WHEREAS, the Commission finds that the proposal complies with the community wide development policies of the Plan, that the size and scale of a neighborhood office is compatible with the surrounding multi-family residential and neighborhood office structures, that the property was zoned C-1 until 2023, that access to the project will be provided by one existing shared access point off East Memorial Drive, that water and sanitary sewer are available to the property, and that water supply and pressure are adequate for the proposed commercial use; and

WHEREAS, the Commission finds the proposal complies with the Recommended Land Use Plan, that the Recommended Land Use Plan designates this property as High-Density Residential, that neighborhood office development is compatible with, and supports, adjacent and nearby high-density residential and commercial developments, that multiple properties on East Memorial Drive are also zoned C-1, that a neighborhood office would provide an appropriate transition of uses from adjacent uses and developments; and

WHEREAS, the Commission finds the proposal complies with the Community-Wide Guidelines of the Plan, that the requested zoning map amendment to a commercial zoning classification would allow appropriate development of an existing city lot that has public services (water, sewer, gas) nearby, that the size and scale of a neighborhood office development would be compatible with nearby commercial developments and nearby residential developments, that this development provides a transition from the regional commercial uses along North Dixie Avenue and the high-density residential developments to the east, that development of the lot would utilize the existing street network which provides adequate and appropriate connectivity, that a sidewalk will be required to be constructed along the East Memorial Drive frontage of both lots with a walkway connection to the office, that water and sewer are available on the property with sufficient capacity; and

WHEREAS, the Commission finds the proposal complies with the Sub Area Guidelines of Sub Area 2 of the Plan and the Targeted Planning Area Guidelines of Sub Area 2, Targeted Planning Area E.

Now, therefore be it **RESOLVED** that the Elizabethtown Planning Commission does hereby **RECOMMEND** to the Elizabethtown City Council that the Zoning Map Amendment from R-6 to C-1, for property located at 110 East Memorial Dr, be **APPROVED**.

The vote was as follows:

YES: Commissioners Rice, Dozer, McCrary, Young

Development Plan for 110 East Memorial Drive

On a motion by Commissioner McCrary, seconded by Young, the following resolution was adopted based on staff analysis and testimony heard today.

RESOLVED, that the Elizabethtown Planning Commission does hereby **APPROVE** the Development Plan for 110 East Memorial Street, with the following condition:

1. A Deed of Easement be recorded to dedicate 5 ft sidewalk, as shown on the development plan, to the City of Elizabethtown as a Dedicated Sidewalk Easement.

The Chairperson closed the hearing at 8:14 p.m.

**PLANNING COMMISSION MINUTES
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Director's Report:

The Chairperson introduced the agenda item. Mr. Reverman reviewed developments that have been submitted to the office for review but won't need Commission approval. Chairperson Rice noted he would like staff to look into the screening around the storage units at the former Movie Palace. Mr. Reverman also discussed the upcoming agenda items and meeting schedule.

Commission Member Items:

The Chairperson introduced the agenda item. Commissioner McCrary requested staff provide more information regarding public hearings and developments that will need recommendation or approval by the Commission.

Adjournment:

There being no further items to discuss, Commissioner Souleyrette made a motion to adjourn with a second by Commissioner McCrary. The Chairperson declared the meeting adjourned at 8:23 p.m.

Prepared by:

Janet Rodgers, Administrative Secretary
Planning & Development

Attachment & Exhibits
DVD of the meeting available for review

ADOPTED AND APPROVED

_____ day of _____, 2025

Steve Rice, Chairperson
Elizabethtown Planning Commission



Amended Development Plan with Commercial Design Review

Lincoln Center
1511 – 1513 North Dixie Avenue



Staff Report

Elizabethtown Planning Commission

May 13, 2025

REQUEST

Development Plan and
Commercial Design Review

APPLICANT

WCM Land, LLC

OWNER

WCM Land, LLC

PROPERTY INFORMATION

Address: 1513 North Dixie Ave

Size: 6.6 Acres

Current Zoning: C-3, Regional Commercial

Current Use: Lincoln Center

Proposed Use: Lincoln Center (Phase 2)



SUMMARY

The original buildings (buildings 1 and 2) on site were constructed in 2020 after receiving Commission approval in 2019. The applicant received a building permit for buildings 3 and 4 in the summer of 2024 based on the approved 2019 development plan. In the fall of 2024 the applicant requested to modify buildings 3 and 4 to allow drive thru windows. Because that is substantial enough of a change that would require Commission approval, they submitted an amended development plan showing one drive thru window for each building. The amended development plan shows the reconfiguration of parking and the vehicular use area to allow for the installation of the drive thru lanes. The sizes of each building will be the same as they were on the original development plan. This updated plan shows the completion of the access road that connects with East Nalls Road. This access road will have a sidewalk constructed on the north side of the access road. The 5' gravel walking trail that connects to Freeman Lake Park and patio area (community facility requirements of a shopping center) are still shown on the updated plan. Access will come from one existing point on North Dixie Avenue and one proposed point off East Nalls Road. There is an interconnection with the adjacent vacant parcel and the former Les Pinkham auto dealership, both to the south and under common ownership, that could provide access for either an additional phase or a separate development. Stormwater will continue to be piped to the detention basin on site. Water quality measures were required with the previous development plan approval and will continue to be in place. Water and sewer are existing and available on site. A landscape plan that meets the requirements of the Zoning Ordinance is included with this submittal.

BACKGROUND

This property has never been platted. The original building on site was constructed in 1985 as the Irwin & Miller Inc. office, and was later amended in 1995 to add a two bay addition. In July of 2019, the Planning Commission approved a development plan with commercial design review for phase 1 of the Lincoln Center.

The approved development plan showed phase 2 to be constructed at a later date, and a permit was pulled in March 2024 for phase 2 based off the approved development plan in 2019. In September of 2024, the applicant requested to modify both buildings in phase 2 to add drive thru windows, which was a substantial enough change to require Commission approval. An amended Development Plan was submitted to show the drive thru lanes and windows and vehicular use area modifications to accommodate the drive thru windows.

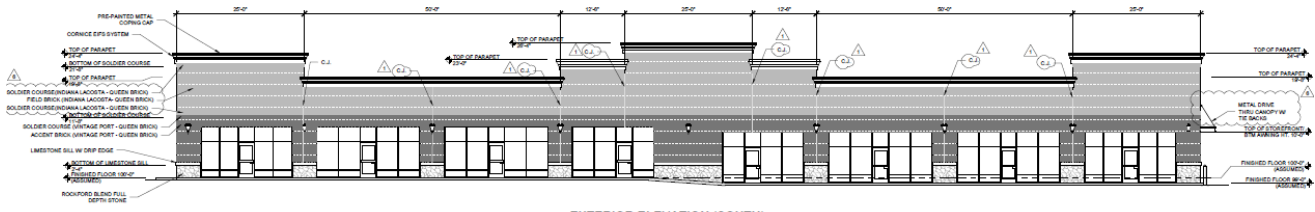
RECOMMENDATION

Approval of the Commercial Design Review and the Development Plan, with no conditions.

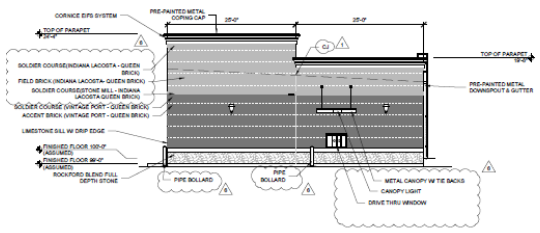
COMMERCIAL DESIGN REVIEW ANALYSIS

These buildings are proposed to match the existing buildings on site in both appearance, materials, and use. The only modification from the buildings that were approved in 2019 is the utilization of split faced CMU on the rear of building 3 (facing north) and the addition of a drive thru window on both buildings 3 and 4. Split faced CMU is a permitted predominant material, so no waiver is needed. The remaining facades of building 3 and all facades of building 4 will match what was approved for buildings 1 and 2 (brick and stone).

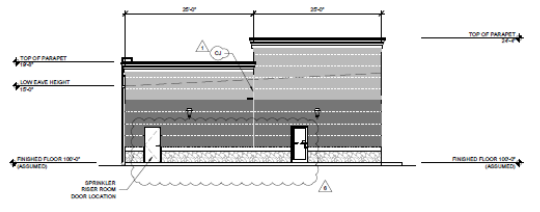
The commercial design review requirements say that sites should be designed with adequate entrances to both the site and the building, minimal parking between the building and the street(s), additional landscaping other than what's required in the landscaping section of the zoning ordinance, and screened storage areas/dumpsters with the same material as the predominant material of the building. This development plan shows one customer entrance per unit on the front façade of each building, two site entrances off North Dixie Avenue and East Nalls Road with a pedestrian connection from the public sidewalk on North Dixie Avenue and East Nalls Road. Parking is appropriately placed between the buildings and to the rear of the buildings (from the North Dixie Avenue perspective). The dumpsters will be screened to match the appearance of the buildings. A 6' wide sidewalk is required along any façade with a customer entrance, and the development plan shows an 8' sidewalk along the front of each building with striped pedestrian connections across the parking lot in multiple areas. A landscape plan that meets the requirements of the Zoning Ordinance is shown.



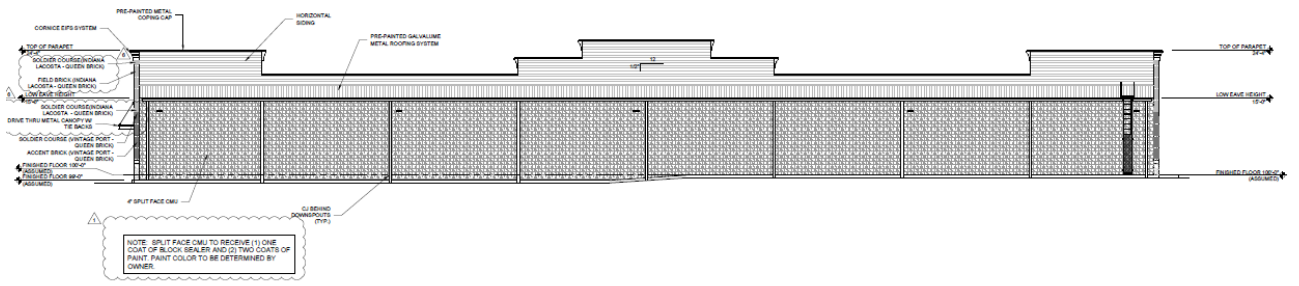
01 EXTERIOR ELEVATION (SOUTH)
SCALE: 1/8" = 1'-0"



02 EXTERIOR ELEVATION (EAST)
SCALE: 1/8" = 1'-0"



03 EXTERIOR ELEVATION (WEST)
SCALE: 1/8" = 1'-0"



04 EXTERIOR ELEVATION (NORTH)
SCALE: 1/8" = 1'-0"

These drawings and associated information shall be subject to copyright (other than) copyright in these documents. These documents are unclassified.

Figure 3: Building 3 Elevations

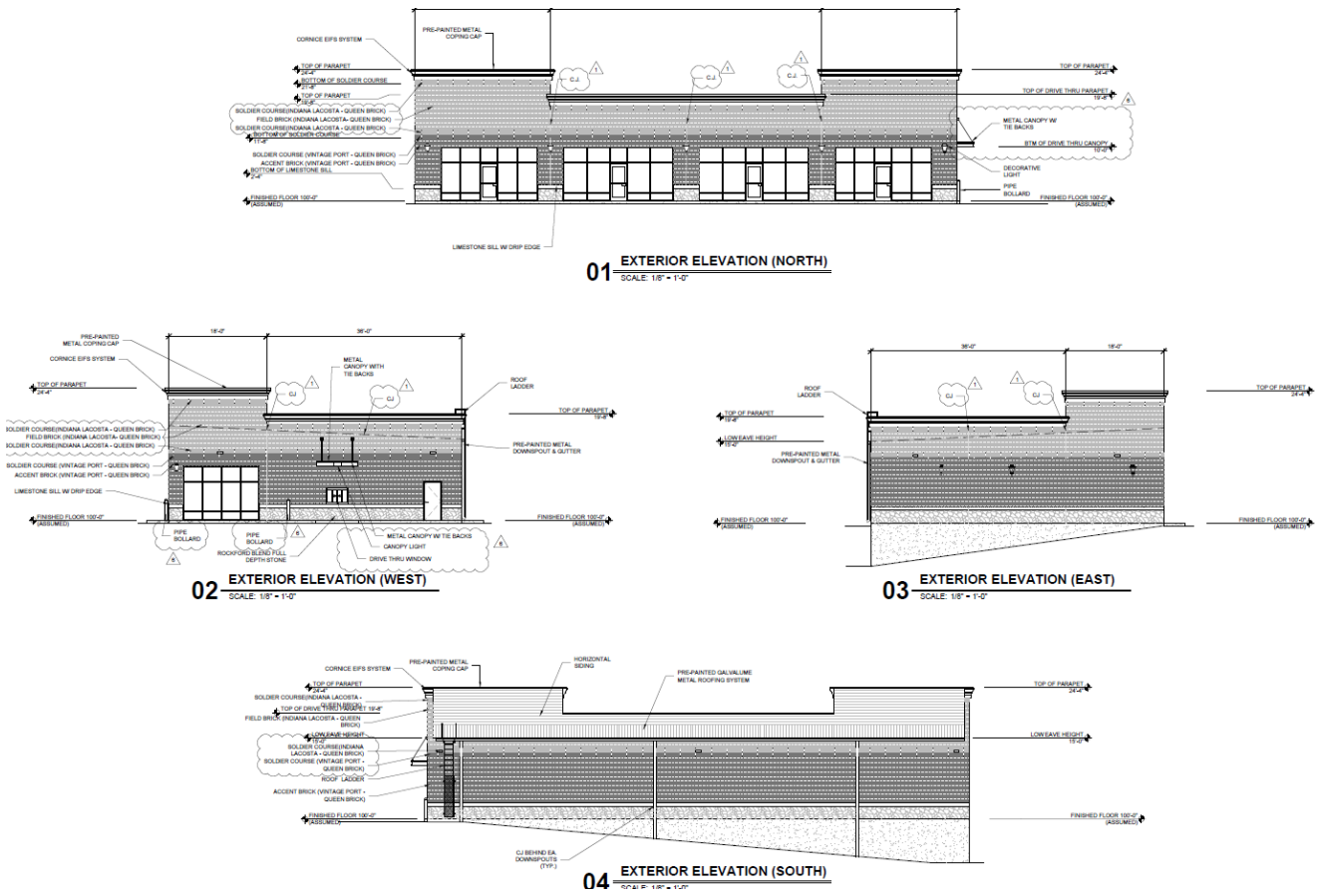


Figure 4: Building 4 Elevations

COMMERCIAL DESIGN REVIEW RECOMMENDATION

Staff recommends approval of the Commercial Design Guideline Review of The Lincoln Center, Phase 2 with no conditions.

DEVELOPMENT PLAN REVIEW

The development plan and landscape plan were filed as part of the requirements for commercial design review. These plans have been reviewed by all appropriate departments and jurisdictions and are in compliance.

DEVELOPMENT PLAN REVIEW RECOMMENDATION

Staff recommends approval of the development plan and landscape plan with no conditions.



Amended Development Plan

BlueSky Self Storage
2927 Ring Road



Staff Report

Elizabethtown Planning Commission

May 13, 2025

REQUEST

Development Plan and
Commercial Design Review of Blue Sky Self Storage
Waiver of 154.134(A)(1) – Materials and Colors
Waiver of 154.134(B)(2) – Facades and Exterior Walls
Waiver of 154.134(D)(2) – Roofs

APPLICANT

NSA Storage

OWNER

NSA Storage

PROPERTY INFORMATION

Address: 2927 Ring Road

Size: 7.305 Acres

Current Zoning: C-3, Regional Commercial

Current Use: Residential Storage

Proposed Use: Residential Storage



SUMMARY

This residential storage facility has been in business since 1993. At the time of construction, residential storage facilities were not required to go through Commercial Design Review. The Zoning Ordinance has since been amended to require Commercial Design Review for residential storage facilities, and any new buildings on this site are required to receive commission approval. The previous owner of the facility installed 6 storage buildings without receiving either commission approval or a permit. The new buildings have a combined 9,600 square feet of total floor area. Access will continue to come from the existing point off Ring Road via an internal drive lane. The adjacent property owner (Residence Inn) has received commission approval for a preliminary plat showing this drive lane being converted to a public rights-of-way. Stormwater collection will not change on this site with no new impervious surface proposed. Water and sewer are existing and available on site. A landscape plan for screening purposes has been submitted with the development plan.

BACKGROUND

Since late summer of 2023, staff has been working with the former owner(s) of Blue Sky Self Storage regarding some storage containers being placed on site without either an amended development plan or a building permit. Per Section 154.132(A)(7), residential storage facilities are required to go through the commercial design guideline review process. The storage facility has been in business since 1993, so the original structures do not comply with the standards of 154.130. However, any new buildings/structures on this development shall be required to go through the review process. These buildings do not comply with the standards of 154.130, so they were required to submit an amended development plan and either bring the buildings into compliance or ask for waivers of the commercial design guideline review standards using an

adequate screening plan as justification. Since late 2024, this development has transitioned to a new owner, and staff has worked with the owner on an amended development plan and landscape screening plan.

RECOMMENDATION

Denial of the Commercial Design Review and requested Waivers, and approval of the Development Plan, with conditions.

COMMERCIAL DESIGN REVIEW ANALYSIS

These buildings are metal sided buildings. All but two of the buildings are 100' in length or greater, which kicks in the requirement for projections and roofline variations. None of the buildings contain an approved material as listed by the Zoning Ordinance or façade projections or roofline variations. These buildings have already been installed, with the applicant asking for a waiver of requirements of Section 154.130. As justification for the waiver(s), the applicant is providing a screening plan that utilizes both a 5' wood fence and two rows of evergreen shrubs/hardwood trees to conceal the development from Ring Road and the access road. From the Ring Road viewpoint, you can see the top of the units closest to Ring Road. The remaining units are not visible from Ring Road.

The commercial design review requirements say that sites should be designed with adequate entrances to both the site and the building, minimal parking between the building and the street(s), additional landscaping other than what's required in the landscaping section of the zoning ordinance, and screened storage areas/dumpsters with the same material as the predominant material of the building. This site is not shown to incorporate any changes from the last approved development plan with regards to site design. The only change shown is a reconfiguration of the parking spaces by the office and the addition of the storage buildings in question.

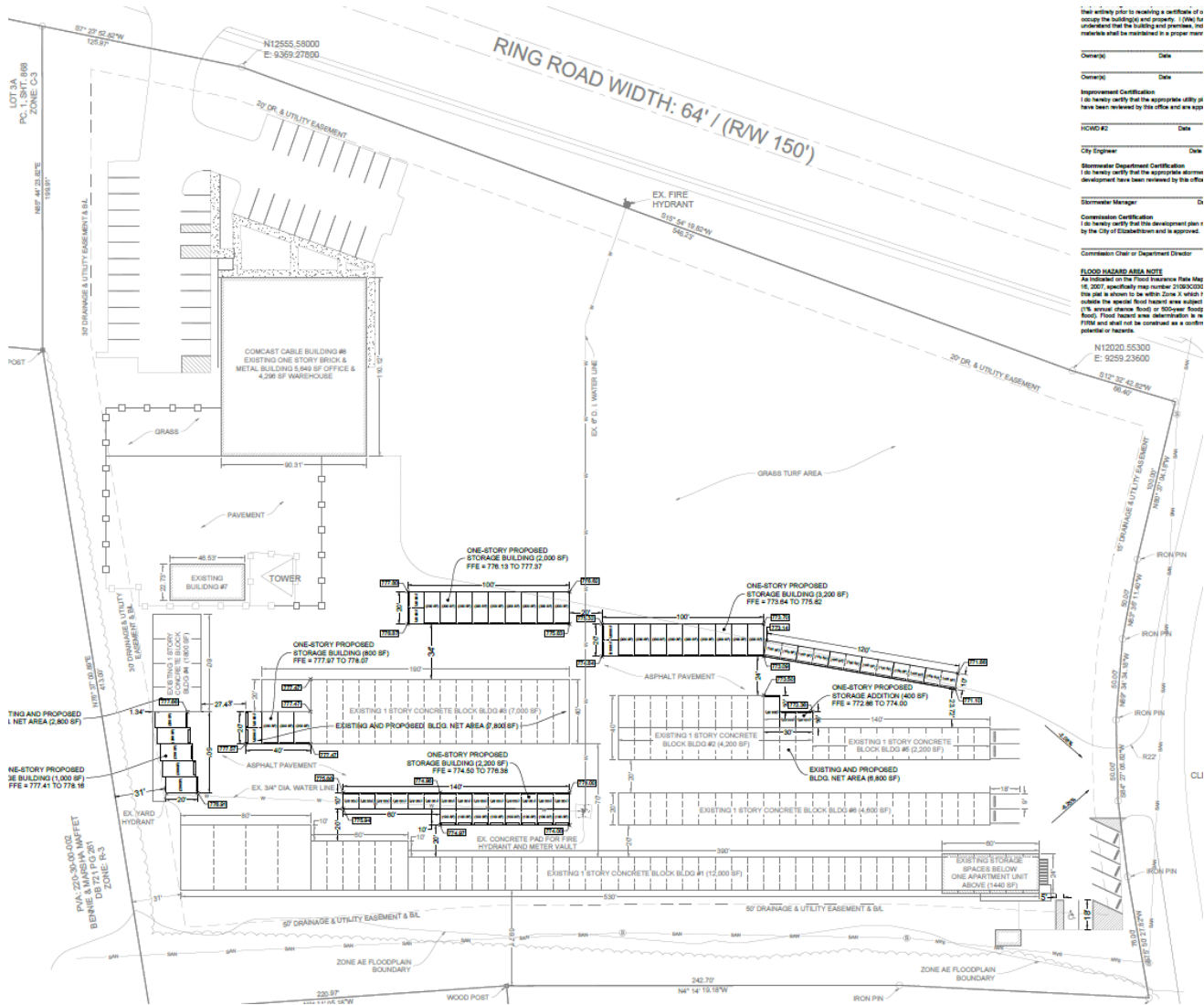


Figure 1: Proposed Development Plan

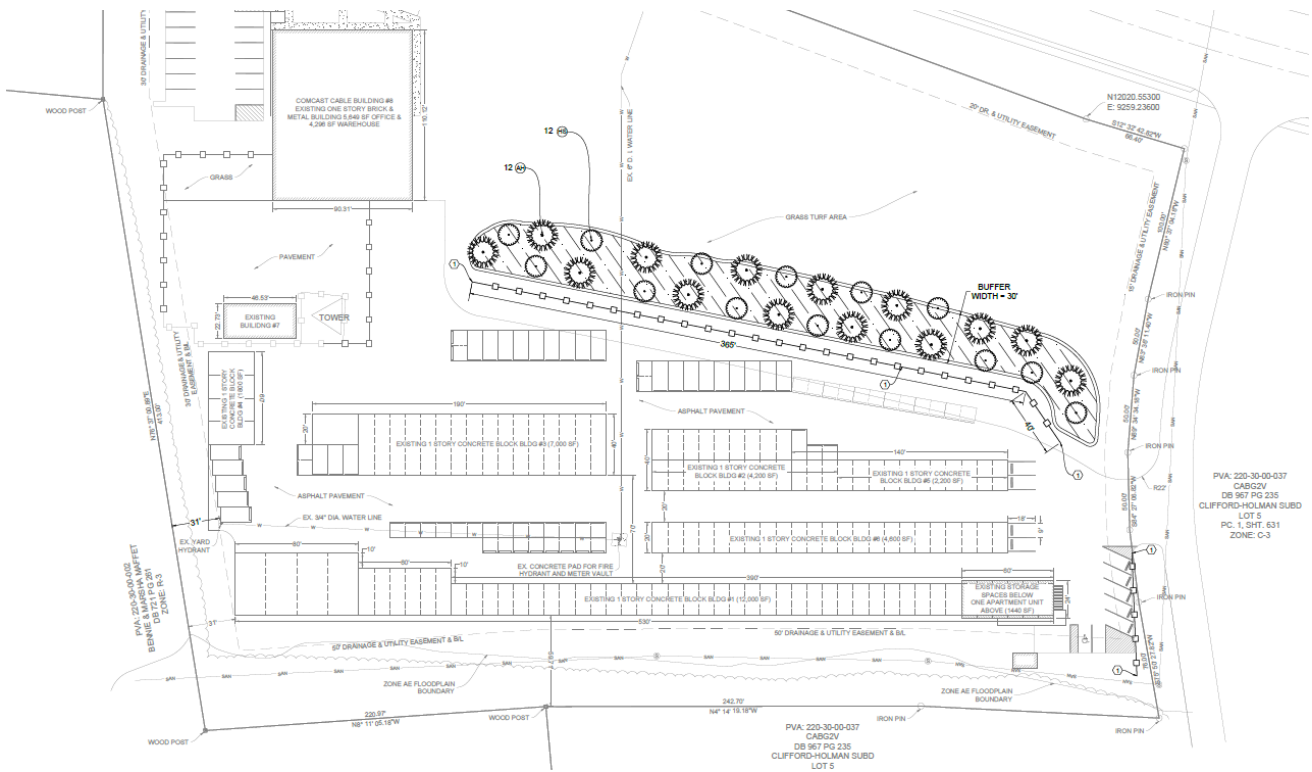


Figure 2: Proposed Landscape/Screening Plan.

COMMERCIAL DESIGN WAIVERS

As part of the waiver request, the applicant shall have the burden of proof in showing that there will be no adverse impact upon the neighborhood or general area by the granting of the waiver. In granting a waiver, the Commission shall consider the following:

1. The special circumstances of the proposed use; and
2. Site constraints that would make compliance economically unfeasible; and
3. The neighborhood and the general development patterns of the surrounding properties and the prospects for development in the near future; and
4. Whether the development as proposed would serve the purpose of enhancing the public welfare and safety; and
5. The guidelines listed in the Specific Development Criteria and Targeted Planning Areas of the Comprehensive Plan.
6. The Commission may also consider other factors it may deem relevant in making its decision. A waiver of any of the requirements of this Chapter does not exempt the development from any other requirements of the Ordinance.
7. Waivers granted shall be for the specific use. Should the use be substantially altered (greater than a 50% change in either the building, parking, landscaping) the developer must obtain new waivers or comply with the sections of this Chapter.

The applicant is requesting the following waivers of the Commercial Design Guidelines of Chapter 154.130:

Waiver of Chapter 154.134(A)(1) – Materials and Colors

- Exterior building materials and colors comprise a significant part of the visual impact of a building. Therefore, they should be aesthetically pleasing and compatible with materials and colors used in adjoining neighborhoods. Predominant exterior building materials shall be high quality materials.

Waiver of 154.134(B)(2) – Facades and Exterior Walls

- Developments with a facade over 100 feet in linear length which is visible from a street shall incorporate wall projections or recesses a minimum of 3 foot depth for a minimum of 20 contiguous feet within each 100 feet of facade length. Developments shall use animating features such as arcades, display windows, entry areas, or awnings along at least 60 percent of the façade.

Waiver of 154.134(D)(2) – Roofs

- Roof lines shall be varied with a change in height every 100 linear feet in the building length. Parapets, mansard roofs, gable roofs, hip roofs, or dormers shall be used to conceal flat roofs and roof top equipment from public view. Alternating lengths and designs may be acceptable.

Staff Analysis for Waivers

1. There are no special circumstances with the requested waivers because the first buildings (not required to go through commercial design review) are constructed of smooth face CMU. Matching the construction of the original units would've been consistent from a design standpoint.
2. Ring Road is one of the major commercial corridors in the city. A residential storage facility was recently constructed (off Tunnel Hill Road) under the commercial design guidelines criteria and complied.
3. The Ring Road East Sub Area (Sub Area 4) guidelines say that all development in this area visible from Ring Road should be held to higher standards with regards to building materials and landscape/fencing materials. While a double row of landscaping and a wood fence was encouraged, the lack of compliance with the requirements does not comply with the Comprehensive Plan's guidelines for the sub area.
4. When the access road is converted into a city street, there will be visibility of the southernmost unit, which will not be screened by the proposed fence or landscaping.

COMMERCIAL DESIGN REVIEW RECOMMENDATION

Staff recommends denial of the Commercial Design Guideline Review and the requested waivers for *Section 154.134(A)(1) Materials and Colors, Section 154,134(B)(2) Facades and Exterior Walls, and Section 154.134(D)(2) Roofs.*

DEVELOPMENT PLAN REVIEW

The development plan and landscape plan were filed as part of the requirements for commercial design review. These plans have been reviewed by all appropriate departments and jurisdictions and are in compliance.

DEVELOPMENT PLAN REVIEW RECOMMENDATION

Staff recommends approval of the development plan and the landscape plan with the following condition:

1. Add an approved material on the units that are visible from either Ring Road or the access road. Allow applicant to work with staff to add the material and bring the buildings visible from both Ring Road and the access road into compliance. Allow the staff to make the determination that the interior buildings not visible from either road shall be allowed to remain if this condition is met.



Continuation of Public Hearing 2025-PC-07

Residential Zoning Text Amendments

2025-PC-07
Proposed Zoning Ordinance Text Amendments

~~**ACCESSORY APARTMENT.** A dwelling unit that has been added onto, or created within, a single-family home.~~

DEVELOPMENT, CONSERVATION. A development type consisting of smaller lots than conventional development that are clustered together to provide for common civic and open spaces. The common open space may be set-aside for resource features such as private parks, recreation areas, woodlands, creeks, streams, and their riparian areas, floodplains, and similar features. Cluster development may be used to preserve environmental resources by clustering lots on the buildable portions of the property.

DEVELOPMENT, CONVENTIONAL. A development using the standard dimensional requirements of the zoning district for lot size and setbacks. Conventional developments do not include conservation developments, cottage court developments, or townhouse developments when used to obtain smaller lot sizes.

DEVELOPMENT, COTTAGE COURT. A type of development where COTTAGE COURT DWELLINGS are clustered around a shared pedestrian courtyard.

DWELLING, DUPLEX. A residential building containing two dwelling units, under one roof, totally separated from each other by an un-pierced wall extending from ground to roof, or an un-pierced floor in the case of stacked units and located on one parcel.

DWELLING, MULTI-UNIT. A building or buildings containing three or more units, including units that are located adjacent to or one over the other and on the same parcel.

DWELLING, SINGLE-UNIT ATTACHED. A building containing two or more single dwelling units, under one roof, totally separated from each other by an un-pierced wall extending from ground to roof, and each being located on a separate parcel.

DWELLING, SINGLE-UNIT DETACHED. A residential use designed as a single residential dwelling unit located on its own lot and not attached to any other dwelling. This definition does not include a patio home, manufactured home, or mobile home. Detached single-unit dwellings may be constructed off-site (e.g. modular home or manufactured home).

DWELLING, TOWNHOUSE. A residential use divided into in a series of units that are attached horizontally in a linear arrangement under a common roof with a common exterior wall and separated from one another by single partition walls without openings from basement to roof. Each unit of a townhouse includes a separate walk-up access from the street or common open space. This definition includes rowhouses. For the purposes of this Code, a single-unit attached dwelling is not considered a townhouse.

DWELLING UNIT, ACCESSORY. A dwelling unit established on a parcel with a primary dwelling unit, but clearly subordinate to the primary dwelling unit. Accessory dwelling units do not count toward the maximum density requirements allowed within the applicable zoning district.

~~**DUPLEX.** A building containing two single-family dwelling units, under one roof, totally separated from each other by an un-pierced wall extending from ground to roof, or an un-pierced floor in the case of stacked units and located on one parcel.~~

~~**FAMILY.** One or more persons occupying a single dwelling unit, as a single housekeeping unit, provided that unless all members are related by blood, marriage or adoption, no such family shall contain over six persons, including any roomers, boarders and/or domestic servants. A home for independent living with support personnel that provides room and board, personal care and habilitation services in a family environment as a single housekeeping unit for not more than six resident elderly or disabled persons (mentally and/or physically impaired) with at least one, but not more than two resident staff persons shall be considered a **FAMILY**.~~

HOME OCCUPATION. An occupation or professional service operated from a dwelling unit, or an accessory building, which use is accessory, incidental, and secondary to the use of the building for dwelling purposes and does not change the essential residential character or appearance of the building, excluding barber shops and beauty shops with more than one station/chair, but only when said

~~occupations are performed under all of the following conditions:~~

- ~~—— (a) The use is clearly incidental and secondary to use for dwelling purposes;~~
- ~~—— (b) The use is conducted entirely within the dwelling unit or enclosed accessory structure;~~
- ~~—— (c) The use does not require external alteration of the dwelling unit;~~
- ~~—— (d) The use is carried on only by residents of the dwelling unit; may have employees but they may not work from the dwelling unit;~~
- ~~—— (e) The use does not entail any exterior display of merchandise or product;~~
- ~~—— (f) The use does not generate traffic in greater volumes than would normally be expected in a neighborhood;~~
- ~~—— (g) The use creates no nuisance, offensive noise, vibration, smoke, dust, odors, heat, glare or electrical disturbance; and~~
- ~~—— (h) One commercial vehicle, less than 7,500 GVW, associated with the business use, may be located at the residence.~~

HOMELESS SHELTER. A facility providing temporary housing to indigent, needy, homeless or transient persons; may also provide ancillary services such as counseling, vocational training and similar services.

MANUFACTURED HOUSING. A factory built, single-family unit structure that is manufactured under the authority of 42 U.S.C. § 5401, the National Manufactured Home Construction and Safety Standards Act, is transportable in one or more sections, is built on a permanent chassis, and is used as a place of human habitation; but which is not constructed with a permanent hitch or other device allowing transport of the unit other than for the purpose of delivery to a permanent site, and which does not have wheels or axles permanently attached to its body or frame. **MANUFACTURED HOUSING** is further divided into two sub types:

(a) **TYPE 1.** Structures meeting the above definition of manufactured housing.

(b) **TYPE 2.** A transportable structure suitable for year round single-family unit occupancy and having water, electrical and sewage connections similar to those of conventional dwellings and having a permanent hitch and axle integral to the chassis structure. The removal of the hitch and axle does not render the structure a Type 1 structure.

MANUFACTURED HOUSING DEVELOPMENT. A parcel of land, containing spaces with required improvements and utilities for the long term placement of Type 2 manufactured housing for non-transient use that may include services and facilities for the residents. The spaces may be rented, owned individually or sold as condominiums. Recreational vehicles, campers and trailers are not permitted to be ~~uses~~ used as housing.

~~**MULTI-FAMILY DWELLING.** A building or buildings containing three or more units, including units that are located adjacent to or one over the other and on the same parcel.~~

RECOVERY RESIDENCE. Any premises, place, or building that:

(a) Holds itself out as a recovery residence, recovery home, sober living residence, alcohol, illicit drug, and other intoxicating substance-free home for unrelated individuals, or any other similarly named or identified residence that promotes substance use disorder recovery through abstinence from intoxicating substances;

(b) Provides a housing arrangement for a group of unrelated individuals who are recovering from substance use disorders or to a group of parents who are recovering from a substance use disorder and their children, including peer-to-peer supervision models; and

(c) Is not licensed or otherwise approved by the Cabinet or any other agency of state government to provide any medical, clinical, behavioral health, or substance use treatment service for which a license or other approval is required under state law.

~~**SINGLE-FAMILY ATTACHED DWELLING.** A building containing two or more single-family dwelling units, under one roof, totally separated from each other by an un-pierced wall extending from ground to roof, and each being located on a separate parcel.~~

~~**TWO-FAMILY.** A building containing two single-family dwelling units, under one roof, totally separated from each other by an un-pierced wall extending from ground to roof, or an un-pierced floor in the case of stacked units and located on one parcel.~~

§ 154.042 ZONING DISTRICTS.

(A) ~~These regulations establish the following zoning districts as a means to implement the stated purpose of the zoning regulations:~~ Generally, This Section divides the City into the districts set forth in Table 154.042-1, Zoning Districts, below. The purpose statements and development type combination, as applicable, are included within each zoning district:

Residential Zones	
Suburban Residential, Limited	R-1
Suburban Residential, General	R-2
Urban Residential, Limited	R-3
Urban Residential, General	R-4
Urban Residential, Mixed	R-5
High Density Residential	R-6
Commercial Zones	
Neighborhood Office	C-1
Neighborhood Commercial	C-2
Regional Commercial	C-3
General Service Commercial	C-4
Downtown Mixed Use	C-5
Industrial Zones	
General Industrial	I-1
Regional Industrial	I-2
Specialized Use Zones	
<u>Planned Development</u>	<u>PDD</u>
Planned Neighborhood Residential 1	PNR-1
Planned Neighborhood Residential 2	PNR-2
Planned Neighborhood Commercial	PNC
Woodland Corridor District	WCD
Municipal Airport Zone	MAZ
Agri-Business	AGB
Future Development Holding	FDH
Overzones	
Interstate Highway Service and Business Overzone	IHSB
Floodplain Overzone	FP
Freeman Lake Overzone	FLO
National Register Historic District	NRHD
Commercial Transition Overzone	CTO

§ 154.055 R-1 SUBURBAN RESIDENTIAL-1.

(A) *Generally.* This district is composed of single-family unit low density, up to two dwelling units per acre. This district should be limited in scope of implementation to those areas that are environmentally sensitive, have areas of substantial slope or by the absence of adequate infrastructure should be developed at the lowest density possible. This zone is primarily applied to areas away from the town center and open space areas.

(B) *Principal uses.* Uses substantially similar to those listed herein shall also be permitted, in light of the purposes of this zoning district and the comprehensive plan.

(2) Commercial uses:

(b) Government operated parks; ~~and~~

(c) Communications towers/poles or collocations of equipment for the same, when erected by or on property owned by a public entity or public utility; ~~and~~

(d) Community Garden. See Section 154.076.B for standards specific to community gardens.

(3) Residential uses:

(b) Residential care facility; ~~and~~

(c) ~~Single-family detached residences~~ Dwelling, Single Unit Detached;

(d) Conservation Development, subject to the provisions of Section 154.078; and

(e) Recovery Residence.

(C) *Accessory uses.*

(1) Uses and structures which are customarily accessory, clearly incidental and subordinate to principal uses.

(2) Residential uses:

(a) Childcare centers, in home. Centers shall comply with all requirements as regulated by the commonwealth's Department of Families and Children;

(b) Home occupations; see Section 154.076.C for standards specific to home occupations;

~~(c) Keeping of not more than two roomers or boarders without kitchen facilities;~~

~~(d) Living quarters with cooking facilities and not rented for guests and employees of the premises;~~

~~(e)(c)~~ Private garages, private storage sheds and private parking areas;

~~(f)(d)~~ Private swimming pools and tennis courts, private non-commercial parks and open spaces; ~~and~~

~~(g)(e)~~ Short-term rental, owner occupied, see section 154.076.D for standards specific to owner-occupied short-term rentals; and

(f) Dwelling Unit, Accessory (ADU). See Section 154.076.A for standards specific to ADU's.

(D) *Conditional uses.* Uses permitted only with Board approval after consideration of the intent and purpose of these regulations and consideration of the guidelines in the comprehensive plan. Subject to the Conditional Use Standards in Section 154.077.

(E) *Special provisions.*

~~(7) For short-term rental, owner occupied, the dwelling unit is limited to one short-term rental contract at a time; the number of occupants in the dwelling unit during a short-term rental shall not exceed two times the number of bedrooms plus four individuals, notwithstanding restrictions of the applicable building or property maintenance code; and the dwelling unit is limited to ten short-term rental days each calendar year.~~

(F) Lot criteria.

Minimum lot frontage	150 ft.
—Exception: corner lots, minimum frontage	175 ft. each street frontage
Minimum lot area	21,780 sq. ft.
Minimum front yard setback	40 ft.
Minimum side yard setback	15 ft.
Minimum side yard setback, assembly and commercial	30 ft.
Minimum rear yard setback	25 ft.
Minimum rear yard setback, assembly and commercial	30 ft.
Maximum building height, residential	35 ft.
Maximum building height, commercial and assembly	75 ft.
Maximum impervious surface ratio (I.S.R.) commercial and assembly uses	.70
Note: For the purposes of this chapter abutting shall address each lot line to determine applicable lot frontage, lot area and setbacks for each yard	

	<u>Residential</u>		<u>Assembly and Commercial</u>
	<u>Single-Unit</u>	<u>Conservation</u>	
<u>Maximum Density</u>	<u>2 du/acre</u>	<u>2 du/acre</u>	<u>N/A</u>
<u>Minimum Lot Area</u>	<u>21,780 sq. ft.</u>	<u>10,000 sq. ft.</u>	<u>21,780 ft.</u>
<u>Minimum Lot Width</u>	<u>150 ft.</u>	<u>75 ft.</u>	<u>150 ft.</u>
<u>Minimum Front Yard Setback</u>	<u>40 ft.</u>	<u>25 ft.</u>	<u>40 ft.</u>
<u>Minimum Side Yard Setback</u>	<u>15 ft.</u>	<u>10 ft.</u>	<u>30 ft.</u>
<u>Minimum Rear Yard Setback</u>	<u>25 ft.</u>	<u>25 ft.</u>	<u>30 ft.</u>
<u>Maximum Building Height</u>	<u>35 ft.</u>	<u>35 ft.</u>	<u>75 ft.</u>
<u>Maximum Impervious Surface Ratio (I.S.R.)</u>	<u>N/A</u>	<u>N/A</u>	<u>0.70</u>
Note: Conservation Developments are subject to the standards of Section 154.078			

(H) Parking, R-1 Zone. Additional information and standards for parking as well as specific requirements are found in §§ 154.175 through 154.192.

R-1 Parking Standards		
Land Use	Parking Required	Notes
Residential, single-family unit	2 spaces/D.U.	1 additional space for an Accessory Dwelling Unit

§ 154.056 R-2 SUBURBAN RESIDENTIAL-2.

(A) *Generally.* This district is composed of single-family unit, with a maximum density of five six dwelling units per acre. This zone is primarily applied to areas away from the town center.

(B) *Principal uses.* Uses substantially similar to those listed herein shall also be permitted, in light of the purposes of this zoning district and the comprehensive plan.

(2) Commercial uses:

(d) Community Garden. See Section 154.076.B for standards specific to community gardens.

(3) Residential uses:

(b) Residential care facility; ~~and~~

(c) ~~Single-family detached residences~~ Dwelling, Single Unit Detached;

(d) Conservation Development, subject to the provisions of Section 154.078; and

(e) Recovery Residence

(C) *Accessory uses.*

(1) Uses which are customarily accessory, clearly incidental and subordinate to principal uses.

(2) Residential uses:

(a) Childcare centers, in home. Centers shall comply with all requirements as regulated by the commonwealth's Department of Families and Children;

(b) Home occupations; see Section 154.076.C for standards specific to home occupations;

~~(c) Keeping of not more than two roomers or boarders without kitchen facilities;~~

~~(d) Living quarters with cooking facilities and not rented for guests and employees of the premises;~~

~~(e)(c)~~ Private garages, private storage sheds and private parking areas;

~~(f)(d)~~ Private swimming pools and tennis courts, private non-commercial parks and open spaces; ~~and~~

~~(g)(e)~~ Short-term rental, owner occupied, see section 154.076.D for standards specific to owner-occupied short-term rentals; and

(f) Dwelling Unit, Accessory (ADU). See Section 154.076.A for standards specific to ADU's.

(D) *Conditional uses.* Uses permitted only with Board approval after consideration of the intent and purpose of these regulations and consideration of the guidelines as detailed in the comprehensive plan. Subject to the Conditional Use Standards in Section 154.077.

(E) *Special provisions.*

~~(7) For short-term rental, owner occupied, the dwelling unit is limited to one short-term rental contract at a time; the number of occupants in the dwelling unit during a short-term rental shall not exceed two times the number of bedrooms plus four individuals, notwithstanding restrictions of the applicable building or property maintenance code; and the dwelling unit is limited to ten short-term rental days each calendar year.~~

(F) *Lot criteria.*

Minimum lot frontage	100 ft. when abutting R-1 zone
	85 ft. when abutting all other zones
—Exception: corner lots, minimum frontage	100 ft. each street frontage
Minimum lot frontage, assembly and commercial	100 ft.
—Exception: corner lots, minimum frontage	150 ft. each street frontage

Minimum lot area	14,520 sq. ft. when abutting R-1 zone
Minimum lot area	8,712 when abutting all other zones
Minimum front yard setback	30 ft.
Minimum front yard setback, assembly and commercial	40 ft.
Minimum side yard setback	10 ft.
Minimum side yard setback, assembly and commercial	30 ft.
Minimum rear yard setback	25 ft.
Minimum rear yard setback, assembly and commercial	30 ft.
Maximum building height, residential	35 ft.
Maximum building height, commercial and assembly	75 ft.
Maximum impervious surface ratio (I.S.R.) commercial and assembly uses	.70
Note: For the purposes of this chapter abutting shall address each lot line to determine applicable lot frontage, lot area and setbacks for each yard	

	<u>Residential</u>		<u>Assembly and Commercial</u>
	<u>Single-Unit</u>	<u>Conservation</u>	
<u>Maximum Density</u>	6 du/acre	6 du/acre	N/A
<u>Minimum Lot Area</u>	7,260 sq. ft.	5,000 sq. ft.	7,260 sq. ft.
<u>Minimum Lot Width</u>	75 ft.	50 ft.	75 ft.
<u>Minimum Front Yard Setback</u>	30 ft.	25 ft.	40 ft.
<u>Minimum Side Yard Setback</u>	10 ft.	5 ft.	10 ft.
<u>Minimum Rear Yard Setback</u>	25 ft.	25 ft.	30 ft.
<u>Maximum Building Height</u>	35 ft.	35 ft.	75 ft.
<u>Maximum Impervious Surface Ratio (I.S.R.)</u>	N/A	N/A	0.70
Note: Conservation Developments are subject to the standards of Section 154.078			

(H) *Parking, R-2 Zone.* Additional information and standards for parking as well as specific requirements are found in §§ 154.175 through 154.192.

R-2 Parking Standards		
Land Use	Parking Required	Notes
Residential, single-family unit	2 spaces/D.U.	1 additional space for an Accessory Dwelling Unit

§ 154.057 R-3 URBAN RESIDENTIAL-3.

(A) *Generally.* This zone is composed of ~~single-family and two-family~~ primarily residential uses with a maximum density of eight dwelling units per acre. This zone is encouraged in areas closer to the city core.

(B) *Principal uses.* Uses substantially similar to those listed herein shall also be permitted, in light of the purposes of this zoning district and the comprehensive plan.

(2) Commercial uses:

(c) Community Garden. See Section 154.076.B for standards specific to community gardens.

(3) Residential uses:

(c) ~~Single-family attached residences (two residences)~~ Dwelling, Single-Unit Attached;

(d) ~~Single-family detached residences~~ Dwelling, Single Unit Detached; ~~and~~

(e) ~~Two-family residences.~~ Dwelling, Duplex;

(f) Cottage Court Development, subject to the standards of Section 154.079; and

(g) Recovery Residence.

(C) *Accessory uses.*

(2) Residential uses:

(a) Childcare centers, in home. Centers shall comply with all requirements as regulated by the commonwealth's Department of Families and Children;

(b) Home occupations; see Section 154.076.C for standards specific to home occupations;

~~(c) Keeping of not more than two roomers or boarders without kitchen facilities;~~

~~(d) Living quarters with cooking facilities and not rented for guests and employees of the premises;~~

~~(e)(c)~~ Private garages, private storage sheds and private parking areas;

~~(f)(d)~~ Private swimming pools and tennis courts, private non-commercial parks and open spaces; ~~and~~

~~(g)(e)~~ Short-term rental, owner occupied, see section 154.076.D for standards specific to owner-occupied short-term rentals; and

(f) Dwelling Unit, Accessory (ADU). See Section 154.076.A for standards specific to ADU's.

(D) *Conditional uses.* Uses permitted only with Board approval after consideration of the intent and purpose of these regulations and consideration of the guidelines as detailed in the comprehensive plan. Subject to the Conditional Use Standards in Section 154.077.

(2) Commercial uses:

(d) Short-Term Rental, Non-Owner Occupied. Subject to the standards of Section 154.077.E specific to non-owner occupied short-term rentals.

(E) *Special provisions.*

(1) More than one principal structure per lot or parcel of land shall not be permitted; except that an attached duplex dwelling may be located on one lot along with an Accessory Dwelling Unit.

~~(8) For short-term rental, owner occupied, the dwelling unit is limited to one short-term rental contract at a time; the number of occupants in the dwelling unit during a short-term rental shall not exceed two times the number of bedrooms plus four individuals, notwithstanding restrictions of the applicable building or property maintenance code; and the dwelling unit is limited to ten short-term rental days each calendar year.~~

(F) Lot criteria.

Minimum lot frontage, single-family detached	75 ft.
—Exception: corner lots, minimum frontage	100 ft. each street frontage
Minimum lot frontage, single-family attached (2 residences) and two-family	40 ft./DU
—Exception: corner lots, minimum frontage	65 ft. each street frontage
Minimum lot frontage, assembly and commercial	100 ft.
—Exception: corner lots, minimum frontage	150 ft. each street frontage
Minimum lot area, single-family and two-family	8,712 sq. ft./D.U. when abutting R-1
	7,260 sq. ft. when abutting R-2
	5,445 when abutting all other zones
Minimum front yard setback	25 ft.
Minimum front yard setback, assembly and commercial	40 ft.
Minimum side yard setback, single-family	10 ft. each side yard
Minimum side yard setback, single-family detached zero lot line	15 ft. one side yard, 0 ft. other side yard.
Minimum side yard setback, single-family attached (2 residences) and two-family	10 ft. for each end wall, 0 ft. for common wall
Minimum side yard setback, assembly and commercial	30 ft.
Minimum rear yard setback	15 ft.
Minimum rear yard setback, assembly and commercial	30 ft.
Maximum building height, single-family and two-family	35 ft.
Maximum building height, commercial and assembly	75 ft.
Maximum impervious surface ratio (I.S.R.) commercial and assembly uses	.70
Note: For the purposes of this chapter abutting shall address each lot line to determine applicable setbacks for each yard	

	<u>Residential</u>		<u>Assembly and Commercial</u>
	<u>Single-Unit and Duplex</u>	<u>Cottage Court²</u>	
<u>Maximum Density</u>	<u>8 du/acre</u>	<u>8 du/acre</u>	<u>N/A</u>
<u>Minimum Lot Area</u>	<u>5,445 sq. ft.</u>	<u>None</u>	<u>5,445 sq. ft.</u>
<u>Minimum Lot Width</u>	<u>60 ft. or 40 ft. for single-unit attached</u>	<u>None</u>	<u>100 ft.</u>
<u>Minimum Front Yard Setback</u>	<u>25 ft.</u>	<u>25 ft.¹</u>	<u>40 ft.</u>
<u>Minimum Side Yard Setback</u>	<u>5 ft.</u>	<u>25 ft.¹</u>	<u>30 ft.</u>
<u>Minimum Side Yard Setback, Common Wall</u>	<u>0 ft.</u>	<u>0 ft.</u>	<u>N/A</u>
<u>Minimum Rear Yard Setback</u>	<u>15 ft.</u>	<u>25 ft.¹</u>	<u>30 ft.</u>

<u>Maximum Building Height</u>	<u>35 ft.</u>	<u>35 ft.</u>	<u>75 ft.</u>
<u>Maximum Impervious Surface Ratio (I.S.R.)</u>	<u>N/A</u>	<u>N/A</u>	<u>0.70</u>
<u>Notes:</u> <ol style="list-style-type: none"> <u>Cottage Court Development setbacks for front, side and rear yards are relative to the perimeter of the development site, but not common wall side setbacks.</u> <u>Cottage Court Developments are subject to the standards of Section 154.079</u> 			

(H) *Parking, R-3 Zone.* Additional information and standards for parking as well as specific requirements are found in §§ [154.175](#) through [154.192](#).

R-3 Parking Standards		
Land Use	Parking Required	Notes
Residential, single-family unit	2 spaces/D.U.	<u>1 additional space for an Accessory Dwelling Unit</u>
Residential, two-family unit	2 spaces/D.U.	<u>1 additional space for an Accessory Dwelling Unit</u>

(I) *Landscaping, R-3 Zone.* Additional information and standards for vehicular use area (VUA) landscaping as well as specific requirements are found in §§ [154.150](#) through [154.164](#).

R-3 Buffering Requirements		
Landscape Buffer Area Category	Buffering Use Classification	
	Buffered Use	Buffering Use
Category A	R-1, R-2	R-3, R-4, R-5, R-6 <u>Assembly and Commercial uses</u> <u>Cottage Court Developments</u>

§ 154.058 R-4 URBAN RESIDENTIAL-4 GENERAL.

(A) *Generally.* This zone is composed of ~~single-family, two-family~~ primarily residential uses with a maximum density of ten dwelling units per acre. This district is primarily encouraged in areas closer to the city core.

(B) *Principal uses.* Uses substantially similar to those listed herein shall also be permitted, in light of the above described purposes of this zoning district and the comprehensive plan.

(2) Commercial uses:

(b) Government operated parks; ~~and~~

(c) Communications towers/poles or collocations of equipment for the same, when erected by or on property owned by a public entity or public utility; ~~and~~

(d) Community Garden. See Section 154.076.B for standards specific to community gardens.

(3) Residential uses:

(c) ~~Single-family detached residences;~~ Dwelling, Single Unit Detached;

(d) ~~Single-family attached residences (two residences; and~~ Dwelling, Single-Unit Attached;

(e) ~~Two-family residences.~~ Dwelling, Duplex;

(f) Cottage Court Developments, subject to the standards of Section 154.079;

(g) Townhouse Developments subject to the standards of Section 154.080; and

(h) Recovery Residence.

(C) *Accessory uses.* Uses which are customarily accessory, clearly incidental and subordinate to principal uses.

(1) Residential uses:

(a) Childcare centers, in home. Centers shall comply with all requirements as regulated by the commonwealth's Department of Families and Children;

(b) Home occupations, see Section 154.076.C for standards specific to home occupations;

~~(c) Keeping of not more than two roomers or boarders without kitchen facilities;~~

~~(d) Living quarters with cooking facilities and not rented for guests and employees of the premises;~~

~~(e)(c)~~ Private garages, private storage sheds and private parking areas;

~~(f)(d)~~ Private swimming pools and tennis courts, private non-commercial parks and open spaces; ~~and~~

~~(g)(e)~~ Short-term rental, owner occupied, see section 154.076.D for standards specific to owner-occupied short-term rentals; and

(f) Dwelling Unit, Accessory (ADU). See Section 154.076.A for standards specific to ADU's.

(D) *Conditional uses.* Uses permitted only with Board approval after consideration of the intent and purpose of these regulations and consideration of the guidelines as detailed in the comprehensive plan. Subject to the Conditional Use Standards in Section 154.077.

(2) Commercial uses:

(b) Outdoor commercial recreation facilities such as zoos, riding stables, fishing lakes, swimming pools, tennis courts and campgrounds; ~~and~~

(c) Temporary real estate sales office for the sale of lots located only within the subdivision, to be removed or converted to a principal use when all lots are sold, but not for use as a general real estate sales or rentals; ~~and~~

(d) Short-Term Rental, Non-Owner Occupied. Subject to the standards of Section 154.077.E specific to non-owner occupied short-term rentals.

(E) *Special provisions.*

~~—(3) No subdivision or re-subdivision of a lot that results in a lot fronting on a right-of-way of less than 30 feet in width shall be permitted.~~

~~(4)~~(3) Single-family unit detached zero lot line developments are required to designate on the subdivision plat which side yard will have zero-foot setback. All single-family unit detached zero lot line developments shall have maintenance/access/use easements and when necessary, drainage easements, provided on adjacent lots and at a width of not less than ten feet. Adjacent lots shall not place any building within this easement.

~~(5)~~(4) 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.

~~(6)~~(5) **EVENTS CENTERS** are defined as a restricted use of a residential property for the conduct of special events of a limited size and number. **SPECIAL EVENTS** are defined as wedding receptions, luncheons, meetings, fundraising proceedings for not-for-profit organizations or similar activities. The space utilized in a residential dwelling unit shall not exceed 3,500 square feet. The number of events held may not exceed 75 per year. To qualify as an event center use, the residential dwelling unit must be located within the Downtown Neighborhood Sub-Area as identified in the comprehensive plan.

~~—(7) For short-term rental, owner occupied, the dwelling unit is limited to one short-term rental contract at a time; the number of occupants in the dwelling unit during a short-term rental shall not exceed two times the number of bedrooms plus four individuals, notwithstanding restrictions of the applicable building or property maintenance code; and the dwelling unit is limited to ten short-term rental days each calendar year.~~

(F) *Lot criteria.*

Minimum lot frontage, single-family detached	75 ft.
Minimum lot frontage, single-family detached	60 ft.
—Exception: Corner lots, minimum frontage	100 ft. each street frontage
Minimum lot frontage, single-family attached (2 residences) and two-family	30 ft. D.U.
—Exception: Corner lots, minimum frontage	65 ft. each street frontage
Minimum lot frontage, assembly and commercial	100 ft.
—Exception: Corner lots, minimum frontage	150 ft. each street frontage
Minimum lot area, per dwelling unit	8,712 sq. ft. when abutting R-1
-	5,124 sq. ft. when abutting R-2
-	4,356 sq. ft. when abutting all other zones
Minimum front yard setback	25 ft.
Minimum front yard setback, assembly and commercial	35 ft.
Minimum side yard setback, single-family	10 ft.
Minimum side yard setback, single-family detached zero lot line	15 ft. one side yard, 0 ft. other side yard
Minimum side yard setback, single-family attached (2 residences) and two-family	10 ft. each end wall, 0 ft. each common wall
Minimum side yard setback, assembly and commercial	25 ft.
Minimum rear yard setback, single-family, two-family	15 ft.
Minimum rear yard setback, assembly and commercial	25 ft.
Maximum building height, single-family, and two-family	35 ft.

Maximum building height, commercial and assembly	75 ft.
Maximum impervious surface ratio (I.S.R.) Commercial and assembly uses	.70
Note: For the purposes of this chapter abutting shall address each lot line to determine applicable setbacks for each yard	

	Residential			Assembly and Commercial
	Single-Unit and Duplex	Cottage Court⁴	Townhouse⁵	
<u>Maximum Density</u>	<u>10 du/acre</u>	<u>10 du/acre</u>	<u>10 du/acre</u>	<u>N/A</u>
<u>Minimum Lot Area</u>	<u>4,356 sq. ft.</u>	<u>None</u>	<u>None</u>	<u>4,356 sq. ft.</u>
<u>Minimum Lot Width</u>	<u>50 ft. or 40 ft. for single-unit attached¹</u>	<u>None</u>	<u>None</u>	<u>100 ft.</u>
<u>Minimum Front Yard Setback</u>	<u>25 ft.²</u>	<u>25 ft.³</u>	<u>15 ft.</u>	<u>40 ft.</u>
<u>Minimum Side Yard Setback</u>	<u>5 ft.</u>	<u>25 ft.³</u>	<u>10 ft.</u>	<u>30 ft.</u>
<u>Minimum Side Yard Setback, Common Wall</u>	<u>0 ft.</u>	<u>0 ft.</u>	<u>0 ft.</u>	<u>N/A</u>
<u>Minimum Rear Yard Setback</u>	<u>15 ft.</u>	<u>25 ft.³</u>	<u>25 ft.</u>	<u>30 ft.</u>
<u>Maximum Building Height</u>	<u>35 ft.</u>	<u>35 ft.</u>	<u>35 ft.</u>	<u>75 ft.</u>
<u>Maximum Impervious Surface Ratio (I.S.R.)</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>0.70</u>

Notes:

1. Minimum lot width for single-unit detached and single-unit attached may be reduced to 30 feet in width if driveway access is provided from a rear alley, and the primary façade is facing the public street.
2. Minimum front yard setbacks for single-unit detached and single-unit attached may be reduced to 15 feet if driveway access is provided from a rear alley, and the primary façade is facing the public street.
3. Cottage Court Development setbacks for front, side and rear yards are relative to the perimeter of the development site, but not common wall side setbacks.
4. Cottage Court Developments are subject to the standards of Section 154.079.
5. Townhouse Developments are subject to the standards of Section 154.080.

(H) *Parking, R-4 Zone.* Additional information and standards for parking as well as specific requirements are found in §§ 154.175 through 154.192.

R-4 Parking Standards		
Land Use	Parking Required	Notes

Residential, single-family unit	2 spaces/D.U.	<u>1 additional space for an Accessory Dwelling Unit</u>
Residential, two-family unit	2 spaces/D.U.	<u>1 additional space for an Accessory Dwelling Unit</u>

(l) *Landscaping, R-4 Zone.* Additional information and standards for vehicular use area (VUA) landscaping as well as specific requirements are found in §§ [154.150](#) through [154.164](#).

R-4 Buffering Requirements		
Landscape Buffer Area Category	Buffering Use Classification	
	Buffered Use	Buffering Use
Category A	R-1, R-2	R-3, R-4, R-5, R-6 <u>Assembly and Commercial uses</u> <u>Cottage Court and Townhouse Developments</u>

§ 154.059 R-5 URBAN RESIDENTIAL MIXED.

(A) *Generally.* This zone is composed of ~~single-family, two-family and multi-family~~ primarily residential uses with a maximum density of 12 dwelling units per acre. This district is primarily encouraged in area closer to the city core.

(B) *Principal uses.* Uses substantially similar to those listed herein shall also be permitted, in light of the above described purposes of this zoning district and the comprehensive plan.

(2) Commercial uses:

(a) Assisted living facilities when located in an existing building;

(b) Government operated parks; ~~and~~

(c) Communications towers/poles or collocations of equipment for the same, when erected by or on property owned by a public entity or public utility; ~~and~~

(d) Community Garden. See Section 154.076.B for standards specific to community gardens.

(3) Residential uses:

(a) Agricultural uses excluding open or enclosed feedlot operations;

(b) ~~Multi-family residences~~ Residential care facility;

(c) ~~Residential care facility~~ Dwelling, Single Unit Detached;

(d) ~~Single-family attached residences (two residences)~~ Dwelling, Single-Unit Attached;

(e) ~~Single-family attached residences (three or more residences)~~ Dwelling, Duplex;

(f) ~~Single-family detached residences; and~~ Dwelling, Multi-Unit;

(g) ~~Two-family residences.~~ Cottage Court Development, subject to the standards of Section 154.079;

(h) Townhouse Development subject to the standards of Section 154.080; and

(i) Recovery Residence

(C) *Accessory uses.* Uses which are customarily accessory, clearly incidental and subordinate to principal uses.

(a) Childcare centers, in home. Centers shall comply with all requirements as regulated by the commonwealth's Department of Families and Children;

(b) Home occupations; see Section 154.076.C for standards specific to home occupations;

~~(c) Keeping of not more than two roomers or boarders without kitchen facilities;~~

~~(d) Living quarters with cooking facilities and not rented for guests and employees of the premises;~~

~~(e)(c)~~ Private garages, private storage sheds and private parking areas;

~~(f)(d)~~ Private swimming pools and tennis courts, private non-commercial parks and open spaces; ~~and~~

~~(g)(e)~~ Short-term rental, owner occupied, see section 154.076.D for standards specific to owner-occupied short-term rentals; and

(f) Dwelling Unit, Accessory (ADU). See Section 154.076.A for standards specific to ADU's.

(D) *Conditional uses.* Uses permitted only with Board approval after consideration of the intent and purpose of these regulations and consideration of the guidelines as detailed in the comprehensive plan. Subject to the Conditional Use Standards in Section 154.077.

(2) Commercial uses:

(b) Outdoor commercial recreation facilities such as zoos, riding stables, fishing lakes, swimming pools, tennis courts and campgrounds; ~~and~~

(c) Temporary real estate sales office for the sale of lots located only within the subdivision, to be removed or converted to a principal use when all lots are sold, but not for use as a general real estate sales or rentals; and

(d) Short-Term Rental, Non-Owner Occupied. Subject to the standards of Section 154.077.E specific to non-owner occupied short-term rentals.

(E) *Special provisions.*

~~—(1) Single-family attached and multi-family residences shall not contain more than four units per building.~~

~~(2)~~(1) When new construction or additions are made to an existing structure, the structure or addition may be located on the lot with setbacks the same as other similar residential structures on parcels within 500 feet.

~~(3)~~(2) All multi-family unit structures shall provide foundation plantings along areas visible from parking areas or street rights-of-way.

~~(4)~~(3) No parking for multi-family unit shall be allowed in the required front yard.

~~(5)~~(4) Structures are encouraged to place the front facade of the building facing the primary street frontage.

~~(6)~~(5) No subdivision or re-subdivision of a lot that results in a lot fronting on a right-of-way of less than 30 feet in width shall be permitted.

~~(7)~~(6) Single-family unit detached zero lot line developments are required to designate on the subdivision plat which side yard will have zero-foot setback. All single-family unit detached zero lot line developments shall have maintenance/access/use easements and when necessary, drainage easements, provided on adjacent lots and at a width of not less than ten feet. Adjacent lots shall not place any building within this easement.

~~(8)~~(7) If all parking and maneuvering areas are placed to the rear of the structure the front yard setback may be decreased to 15 feet.

~~—(9) If a multi-family development in the R-5 zone is adjacent to publicly owned open space containing a minimum of two and one-half acres then the minimum lot area per dwelling unit shall be calculated to allow the maximum allowed density, disregarding the zoning of the abutting properties.~~

~~—(10) 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.~~

~~(11)~~(8) **EVENTS CENTERS** are defined as a restricted use of a residential property for the conduct of special events of a limited size and number. **SPECIAL EVENTS** are defined as wedding receptions, luncheons, meetings, fundraising proceedings for not-for-profit organizations or similar activities. The space utilized in a residential dwelling unit shall not exceed 3,500 square feet. The number of events held may not exceed 75 per year. To qualify as an event center use, the residential dwelling unit must be located within the Downtown Neighborhood Sub-Area as identified in the comprehensive plan.

~~—(12) For short-term rental, owner occupied, the dwelling unit is limited to one short-term rental contract at a time; the number of occupants in the dwelling unit during a short-term rental shall not exceed two times the number of bedrooms plus four individuals, notwithstanding restrictions of the applicable building or property maintenance code; and the dwelling unit is limited to ten short-term rental days each calendar year.~~

(F) *Lot criteria.*

Minimum lot frontage, single-family detached	50 ft.
—Exception: Corner lots, minimum frontage	100 ft. each street frontage
Minimum lot frontage, single-family attached and two-family	30 ft. D.U.
—Exception: Corner lots, minimum frontage	65 ft. each street frontage

Minimum lot frontage, multi-family	100 ft.
—Exception: Corner lots, minimum frontage	185 ft. each street frontage
Minimum lot frontage, single-family attached (3 or more residences)	20 ft. D.U.
—Exception: Corner lots	65 ft. each street frontage
Minimum lot frontage, assembly and commercial	100 ft.
—Exception: Corner lots, minimum frontage	150 ft. each street frontage
Minimum lot area, per dwelling unit, except multifamily	8,712 sq. ft. when abutting R-1
	5,124 sq. ft. when abutting R-2
	3,630 sq. ft. when abutting all other zones
Minimum lot area, per dwelling unit, multifamily	3,630 sq. ft.
Minimum front yard setback	25 ft.
Minimum front yard setback, assembly and commercial	30 ft.
Minimum side yard setback, single-family detached	10 ft.
Minimum side yard setback, single-family detached zero lot line	15 ft. one side yard, 0 ft. other side yard
Minimum side yard setback, single-family attached (2 residences)	10 ft. each end wall, 0 ft. each common wall
Minimum side yard setback, multi-family and single-family attached (3 or more residences)	20 ft. each end wall, 0 ft. each common wall
Minimum side yard setback, assembly and commercial	20 ft.
Minimum rear yard setback, single-family and single-family attached (2 residences)	15 ft.
Minimum rear yard setback, multi-family and single-family attached (3 or more residences)	30 ft.
Minimum rear yard setback, assembly and commercial	20 ft.
Maximum impervious surface ratio (I.S.R.), multi-family, single-family attached (3 or more residences), commercial and assembly uses	.80
Maximum building height, single-family, and two-family	35 ft.
Maximum building height, multi-family	45 ft.
Maximum building height, commercial and assembly uses	75 ft.
Note: For the purposes of this chapter abutting shall address each lot line to determine applicable setbacks for each yard	

	<u>Residential</u>				<u>Assembly and Commercial</u>
	<u>Single-Unit and Duplex</u>	<u>Multi-Unit</u>	<u>Cottage Court⁴</u>	<u>Townhouse⁵</u>	
<u>Maximum Density</u>	12 du/acre	12 du/acre	12 du/acre	12 du/acre	N/A
<u>Minimum Lot Area</u>	3,630 sq. ft.	3,630 sq. ft.	None	None	3,630 sq. ft.
<u>Minimum Lot Width</u>	50 ft. ¹ or 40 ft for single-unit	50 ft.	None	None	50 ft.

	<u>attached</u>				
<u>Minimum Front Yard Setback</u>	<u>25 ft.²</u>	<u>25 ft.</u>	<u>25 ft.³</u>	<u>10 ft.</u>	<u>30 ft.</u>
<u>Minimum Side Yard Setback</u>	<u>5 ft.</u>	<u>10 ft.</u>	<u>25 ft.³</u>	<u>10 ft.</u>	<u>20 ft.</u>
<u>Minimum Side Yard Setback, Common Wall</u>	<u>0 ft.</u>	<u>0 ft.</u>	<u>0 ft.</u>	<u>0 ft.</u>	<u>N/A</u>
<u>Minimum Rear Yard Setback</u>	<u>15 ft.</u>	<u>25 ft.</u>	<u>25 ft.³</u>	<u>25 ft.</u>	<u>30 ft.</u>
<u>Maximum Building Height</u>	<u>35 ft.</u>	<u>45 ft.</u>	<u>35 ft.</u>	<u>35 ft.</u>	<u>75 ft.</u>
<u>Maximum Impervious Surface Ratio (I.S.R.)</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>0.80</u>

Notes:

1. Minimum lot width for single-unit and duplex may be reduced to 25 feet in width if driveway access is provided from a rear alley, and the primary façade is facing the public street.
2. Minimum front yard setbacks for single-unit and duplex may be reduced to 15 feet if driveway access is provided from a rear alley, and the primary façade is facing the public street.
3. Cottage Court Development setbacks for front, side and rear yards are relative to the perimeter of the development site, but not common wall side setbacks.
4. Cottage Court Developments are subject to the standards of Section 154.079.
5. Townhouse Developments are subject to the standards of Section 154.080.

(H) *Parking, R-5 Zone.* Additional information and standards for parking as well as specific requirements are found in §§ 154.175 through 154.192.

<i>R-5 Parking Standards</i>		
<i>Land Use</i>	<i>Parking Required</i>	<i>Notes</i>
Residential, single-family <u>unit</u>	2 spaces/D.U.	<u>1 additional space for an Accessory Dwelling Unit</u>
Residential, two-family <u>unit</u>	2 spaces/D.U.	<u>1 additional space for an Accessory Dwelling Unit</u>

(I) *Landscaping, R-5 Zone.* Additional information and standards for vehicular use area (VUA) landscaping as well as specific requirements are found in §§ 154.150 through 154.164.

<i>R-5 Buffering Requirements</i>	
	<i>Buffering Use Classification</i>

<i>Landscape Buffer Area Category</i>	<i>Buffered Use</i>	<i>Buffering Use</i>
Category A	R-1, R-2	R-3, R-4, R-5, R-6 <u>Assembly, Commercial, and Multi-Unit uses</u> <u>Cottage Court and Townhouse Developments</u>

§ 154.060 R-6 HIGH DENSITY RESIDENTIAL.

(A) *Generally.* This zone is composed of ~~single-family, two-family and multi-family residences~~ primarily residential uses at a maximum density of 20 units per acre. This zone is primarily applied to areas accessible to infrastructure, adjacent to existing similar development patterns that can serve as transitional uses from lower density and intensity uses.

(B) *Principal uses.* Uses substantially similar to those listed herein shall also be permitted, in light of the above described purposes of this zoning district and the comprehensive plan.

(2) Commercial uses:

(b) Government operated parks; ~~and~~

(c) Communications towers/poles or collocations of equipment for the same, when erected by or on property owned by a public entity or public utility; ~~and~~

(d) Garden. See Section 154.076.B for standards specific to community gardens.

(3) Residential uses:

(c) ~~Multi-family residences;~~ Residential care facility;

(d) ~~Residential care facility;~~ Dwelling, Single Unit Detached;

(e) ~~Single-family attached residences (two residences);~~ Dwelling, Single-Unit Attached;

(f) ~~Single-family attached residences (three or more residences)~~ Dwelling, Duplex;

(g) ~~Single-family detached residences~~ Dwelling, Multi-Unit;

(h) ~~Two-family residences~~ Cottage Court Development, subject to the standards of Section 154.079; ~~and;~~

(i) ~~Short-term rental, non-owner occupied.~~ Townhouse Development subject to the standards of Section 154.080; and

(j) Recovery Residence.

(C) *Accessory uses.* Uses which are customarily accessory, clearly incidental and subordinate to principal uses.

(1) Residential uses:

(a) Childcare centers, in home. Centers shall comply with all requirements as regulated by the commonwealth's Department of Families and Children;

(b) Home occupations; see Section 154.076.C for standards specific to home occupations;

~~(c) Keeping of not more than two roomers or boarders without kitchen facilities;~~

~~(d) Living quarters with cooking facilities and not rented for guests and employees of the premises;~~

~~(e)(c)~~ Private garages, private storage sheds and private parking areas;

~~(f)(d)~~ Private swimming pools and tennis courts, private non-commercial parks and open spaces; ~~and~~

~~(g)(e)~~ Short-term rental, owner occupied, see section 154.076.D for standards specific to owner-occupied short-term rentals; and

(f) Dwelling Unit, Accessory (ADU). See Section 154.076.A for standards specific to ADU's.

(D) *Conditional uses.* Uses permitted only with Board approval after consideration of the intent and purpose of these regulations and consideration of the guidelines as detailed in the comprehensive plan. Subject to the Conditional Use Standards in Section 154.077.

(2) Commercial uses:

(c) Residential storage facility; ~~and~~

(d) Temporary real estate sales office for the sale of lots located only within the subdivision, to be removed or converted to a principal use when all lots are sold, but not for use as a general real estate sales or rentals; ~~and~~

(e) Short-Term Rental, Non-Owner Occupied. Subject to the standards of Section 154.077.E specific to non-owner occupied short-term rentals.

(E) *Special provisions.*

~~—(5) No subdivision or re-subdivision of a lot that results in a lot fronting on a right-of-way of less than 30 feet in width shall be permitted.~~

~~(6)~~(5) Single-family unit detached zero lot line developments are required to designate on the subdivision plat which side yard will have zero-foot setback. All single-family unit detached zero lot line developments shall have maintenance/access/use easements and when necessary, drainage easements, provided on adjacent lots and at a width of not less than ten feet. Adjacent lots shall not place any structure within this easement.

~~(7)~~(6) If all parking and maneuvering areas are placed to the rear of the structure the front yard setback may be decreased to 15 feet.

~~—(8) If a multi-family development in the R-6 zone is adjacent to publicly owned open space containing a minimum of two and one-half acres then the minimum lot area per dwelling unit shall be calculated to allow the maximum allowed density, disregarding the zoning of the abutting properties.~~

~~—(9) 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.~~

~~(10)~~(7) **EVENTS CENTERS** are defined as a restricted use of a residential property for the conduct of special events of a limited size and number. **SPECIAL EVENTS** are defined as wedding receptions, luncheons, meetings, fundraising proceedings for not-for-profit organizations or similar activities. The space utilized in a residential dwelling unit shall not exceed 3,500 square feet. The number of events held may not exceed 75 per year. To qualify as an event center use, the residential dwelling unit must be located within the Downtown Neighborhood Sub-Area as identified in the comprehensive plan.

~~—(11) For short-term rental, owner or non-owner occupied, the dwelling unit is limited to one short-term rental contract at a time and the number of occupants in the dwelling unit during a short-term rental shall not exceed two times the number of bedrooms plus four individuals notwithstanding restrictions of the applicable building or property maintenance code.~~

(F) *Lot criteria.*

Minimum lot frontage, single-family detached	50 ft.
—Exception: Corner lots, minimum frontage	100 ft. each street frontage
Minimum lot frontage, single-family attached (2 residences) and two-family	30 ft. D.U.
—Exception: Corner lots, minimum frontage	65 ft. each street frontage
Minimum lot frontage, multi-family	100 ft.
—Exception: Corner lots, minimum frontage	185 ft. each street frontage
Minimum lot frontage, single-family attached (3 or more residences)	20 ft. D.U.
—Exception: Corner lots	65 ft. each street frontage
Minimum lot frontage, assembly and commercial	100 ft.
—Exception: Corner lots, minimum frontage	150 ft. each street frontage
Minimum lot area, per dwelling unit, except multifamily	8,712 sq. ft. when abutting R-1

	5,124 sq. ft. when abutting R-2
	3,960 sq. ft. when abutting R-3
	3,630 sq. ft. when abutting R-4
	2,178 when abutting all other zones
Minimum lot area, per dwelling unit, multifamily	2,178 sq. ft.
Minimum front yard setback	25 ft.
Minimum front yard setback, assembly and commercial	30 ft.
Minimum side yard setback, single-family detached	40 ft.
Minimum side yard setback, single-family detached zero lot line	15 ft. one side yard, 0 ft. other side yard
Minimum side yard setback, single-family attached (2 residences) and two-family	10 ft. each end wall, 0 ft. each common wall
Minimum side yard setback, multi-family and single-family attached (3 or more residences)	20 ft. each end wall, 0 ft. each common wall
Minimum side yard setback, assembly and commercial	20 ft.
Minimum rear yard setback, single-family, single-family attached (2 residences) and two-family	15 ft.
Minimum rear yard setback, multi-family and single-family attached (3 or more residences)	30 ft.
Minimum rear yard setback, assembly and commercial	20 ft.
Maximum impervious surface ratio (I.S.R.), multi-family, single-family attached (3 or more residences) - commercial and assembly uses	.80
Maximum building height, single-family and two-family	35 ft.
Maximum building height, multi-family	45 ft.
Maximum building height, commercial and assembly	75 ft.
Note: For the purposes of this chapter abutting shall address each lot line to determine applicable setbacks for each yard	

	Residential				Assembly and Commercial
	Single-Unit and Duplex	Multi-Unit	Cottage Court⁴	Townhouse⁵	
Maximum Density	<u>20 du/acre</u>	<u>20 du/acre</u>	<u>20 du/acre</u>	<u>20 du/acre</u>	<u>N/A</u>
Minimum Lot Area	<u>2,178 sq. ft.</u>	<u>2,178 sq. ft.</u>	<u>None</u>	<u>None</u>	<u>2,178 sq. ft.</u>
Minimum Lot Width	<u>50 ft.¹ or 40 ft for single-unit attached</u>	<u>50 ft.</u>	<u>None</u>	<u>None</u>	<u>50 ft.</u>
Minimum Front Yard Setback	<u>25 ft.</u>	<u>25 ft.</u>	<u>25 ft.³</u>	<u>10 ft.</u>	<u>30 ft.</u>
Minimum Side Yard Setback	<u>5 ft.</u>	<u>10 ft.</u>	<u>25 ft.³</u>	<u>10 ft.</u>	<u>20 ft.</u>
Minimum Side Yard Setback, Common	<u>N/A</u>	<u>0 ft.</u>	<u>0 ft.</u>	<u>0 ft.</u>	<u>N/A</u>

<u>Wall</u>					
<u>Minimum Rear Yard Setback</u>	<u>15 ft.</u>	<u>25 ft.</u>	<u>25 ft.³</u>	<u>25 ft.</u>	<u>30 ft.</u>
<u>Maximum Building Height</u>	<u>35 ft.</u>	<u>45 ft.</u>	<u>35 ft.</u>	<u>35 ft.</u>	<u>75 ft.</u>
<u>Maximum Impervious Surface Ratio (I.S.R.)</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>0.80</u>

Notes:

1. Minimum lot width for single-unit and duplex may be reduced to 25 feet in width if driveway access is provided from a rear alley, and the primary façade is facing the public street.
2. Minimum front yard setbacks for single-unit and duplex may be reduced to 15 feet if driveway access is provided from a rear alley, and the primary façade is facing the public street.
3. Cottage Court Development setbacks for front, side and rear are relative to the perimeter of the development site, but not common wall side setbacks.
4. Cottage Court Developments are subject to the standards of Section 154.079.
5. Townhouse Developments are subject to the standards of Section 154.080.

(H) *Parking, R-6 Zone.* Additional information and standards for parking as well as specific requirements are found in §§ 154.175 through 154.192.

R-6 Parking Standards		
Land Use	Parking Required	Notes
Residential, single-family unit	2 spaces/D.U.	<u>1 additional space for an Accessory Dwelling Unit</u>
Residential, two-family unit	2 spaces/D.U.	<u>1 additional space for an Accessory Dwelling Unit</u>

(I) *Landscaping, R-6 Zone.* Additional information and standards for vehicular use area (VUA) landscaping as well as specific requirements are found in §§ 154.150 through 154.164.

R-6 Buffering Requirements		
Landscape Buffer Area Category	Buffering Use Classification	
	Buffered Use	Buffering Use
Category A	R-1, R-2	R-3, R-4, R-5, R-6 <u>Assembly, Commercial, and Multi-Unit uses</u> <u>Cottage Court and Townhouse Developments</u>

§ 154.061 C-1 NEIGHBORHOOD OFFICE.

(A) *Generally.* This district is primarily for professional office uses. This district should be used to buffer more intense business districts from residential neighborhoods. Applied to areas where transitional uses are seen as desirable.

(B) *Principal uses.* Uses substantially similar to those listed herein shall also be permitted, in light of the above described purposes of this zoning district and the comprehensive plan.

(3) Residential uses:

(a) Community residence; ~~and~~

(b) Halfway house; ~~i~~

(c) Dwelling, Single-Unit Attached

(d) Dwelling, Single-Unit Detached

(e) Dwelling, Duplex

(f) Recovery Residence

(C) *Accessory uses.*

(3) Residential uses:

(a) Dwelling Unit, Accessory (ADU) associated with a single-unit or duplex dwelling. See Section 154.076.A for standards specific to ADU's;

(b) Short-term rental, owner occupied. See Section 154.076.D for standards specific to owner-occupied short-term rentals.

(E) *Special provisions.*

(8) For short-term rental, owner occupied, the dwelling unit is limited to one short-term rental contract at a time; the number of occupants in the dwelling unit during a short-term rental shall not exceed two times the number of bedrooms plus four individuals, notwithstanding restrictions of the applicable building or property maintenance code; and the dwelling unit is limited to ten short-term rental days each calendar year.

(9) No more than two residential units shall be permitted per lot or parcel of land, except that an Accessory Dwelling Unit may be permitted on a lot with a duplex dwelling unit.

(H) *Parking, C-1 Zone.* Additional information and standards for parking as well as specific requirements are found in §§ [154.175](#) through [154.192](#).

C-1 Parking Standards		
Land Use	Parking Required	Notes
<u>Residential, single- unit</u>	<u>2 spaces/D.U.</u>	<u>1 additional space for an Accessory Dwelling Unit</u>
<u>Residential, duplex</u>	<u>2 spaces/D.U.</u>	<u>1 additional space for an Accessory Dwelling Unit</u>

§ 154.062 C-2 NEIGHBORHOOD COMMERCIAL.

(A) *Generally.* This district is primarily for professional office and limited service business uses. This district should be used for those businesses that do not require large amounts of daily traffic.

(B) *Principal uses.* Uses substantially similar to those listed herein shall also be permitted, in light of the above described purposes of this zoning district and the comprehensive plan.

(3) Residential uses:

(a) Community residence; ~~and~~

(b) Halfway house; ~~;~~

(c) Dwelling, Single-Unit Attached;

(d) Dwelling, Single-Unit Detached;

(e) Dwelling, Duplex;

(f) Dwelling, Multi-unit (maximum 12 du/acre); and

(g) Recovery Residence.

(C) *Accessory uses.*

(3) Residential uses:

(a) Dwelling Unit, Accessory (ADU) associated with a single-unit or duplex dwelling. See Section 154.076.A for standards specific to ADU's;

(b) Short-term rental, owner occupied. See Section 154.076.D for standards specific to owner-occupied short-term rentals.

(H) *Parking, C-2 Zone.* Additional information and standards for parking as well as specific requirements are found in §§ [154.175](#) through [154.192](#).

C-2 Parking Standards		
Land Use	Parking Required	Notes
<u>Residential, single- unit</u>	<u>2 spaces/D.U.</u>	<u>1 additional space for an Accessory Dwelling Unit</u>
<u>Residential, duplex</u>	<u>2 spaces/D.U.</u>	<u>1 additional space for an Accessory Dwelling Unit</u>
<u>Residential, multi- unit, 10 or fewer units</u>	<u>2 spaces/D.U.</u>	-
<u>Residential, multi-unit, more than 10 units</u>	<u>1.5 spaces/D.U.</u>	-

§ 154.063 C-3 REGIONAL COMMERCIAL.

(A) *Generally.* This district is composed of areas to be used for businesses which require a high volume of passing vehicular traffic to provide the support necessary for successful operations. These are commonly retail and other uses which are necessary for the economic viability of the community and the region. Applied to areas with high traffic capacities and high visibility, as well as areas where infrastructure necessary to support this type and scale of use is in place.

(B) *Principal uses.* Uses substantially similar to those listed herein shall also be permitted, in light of the above described purposes of this zoning district and the comprehensive plan.

(4) Residential uses:

(a) Community residence; ~~and~~

(b) Halfway house; ~~;~~

(c) Dwelling, Single-Unit Attached;

(d) Dwelling, Single-Unit Detached;

(e) Dwelling, Duplex;

(f) Dwelling, Multi-unit (maximum 20 du/acre); and

(g) Recovery Residence.

(C) *Accessory uses.*

(3) Residential uses:

(a) Dwelling Unit, Accessory (ADU) associated with a single-unit or duplex dwelling. See Section 154.076.A for standards specific to ADU's;

(H) *Parking, C-3 Zone.* Additional information and standards for parking as well as specific requirements are found in §§ [154.175](#) through [154.192](#).

C-3 Parking Standards		
Land Use	Parking Required	Notes
<u>Residential, single- unit</u>	<u>2 spaces/D.U.</u>	<u>1 additional space for an Accessory Dwelling Unit</u>
<u>Residential, duplex</u>	<u>2 spaces/D.U.</u>	<u>1 additional space for an Accessory Dwelling Unit</u>
<u>Residential, multi- unit, 10 or fewer units</u>	<u>2 spaces/D.U.</u>	-
<u>Residential, multi-unit, more than 10 units</u>	<u>1.5 spaces/D.U.</u>	-

§ 154.068 PDD PLANNED DEVELOPMENT DISTRICT

(A) Generally. The Planned Development District is intended to implement the goals and objectives of the Comprehensive Plan by incentivizing dense and compact developments, developing open space and parks within walking distance of residents, and developing neighborhoods with a high quality of design. The District encourages flexibility and innovation in site design including a mix of uses, pedestrian friendly streetscapes, common open space, and a variety of housing types, lot sizes and densities.

(1) A Planned Development District should only be used where the proposed design could not be largely or substantially achieved using a residential or commercial zoning district, and should not be used for the sole purpose of circumventing the requirements of the zoning code.

(B) Procedures. Applications for a PDD zoning district shall be processed, reviewed, and approved using the procedures of the zoning map amendment process established in Section 154..018, Map Amendment Procedures, including concurrent approval of a Master Plan, as established in Section 154.115, Master Plan, Planned District. The Master Plan shall meet the requirements of this Section and shall become part of the PDD ordinance.

(C) PDD Master Plan. Before approving a PDD zoning district, the City Council shall find that the application for zoning map amendment and the Master Plan comply with the Comprehensive Plan and the following standards.

(1) Establish a statement of goals that is consistent with the comprehensive plan and purposes of the individual PDD zoning district

(2) Establish a list of principal, accessory, and temporary uses permitted in the zoning district. Any use listed in a residential or commercial zoning district in this ordinance may be proposed for a PDD zoning district as long as they are organized in a manner that conforms to the goals and objectives of the Comprehensive Plan.

(3) Establish the general location of each development area in the zoning district, its acreage, types and mix of land uses, number of residential units, and non-residential floor area.

(4) Show the general location of public and private roadways and access easements pursuant to the development standards established in section (D).

(5) Establish building setbacks and height standards, and other dimensional standards that apply to the PDD pursuant to the development standards established in section (D).

(6) Establish site design standards for the location of buildings, parking, and driveway access pursuant to the development standards established in section (D).

(7) Establish sign standards, including size, height, and style.

(8) Establish access management standards for driveway access within the PDD zoning district pursuant to the development standards established in section (D).

(9) Establish streetscape standards for all types of streets to be used within the PDD zoning district pursuant to the development standards established section (D).

(10) Establish parking and loading standards for the development site, including bicycle parking and facilities.

(11) Establish building design standards for all use types permitted within the PDD zoning district pursuant to the development standards established in section (D).

(12) Establish standards for landscaping, screening and buffering to ensure appropriate transitions between uses within the development site.

(13) Establish standards for screening and buffering along the perimeter of the PDD zoning district to ensure appropriate transitions and compatibility with adjacent or nearby development.

(14) Establish the general location, amount, and type of open space pursuant to the development standards established in section (D).

(15) Identify the location of environmentally sensitive lands, resource lands, wildlife habitat, and waterway corridors, and ensure protection of these lands.

(16) Identify the general location of water, sewer, gas, and stormwater drainage facilities.

(17) Establish standards for lighting within the development site, including street lighting.

(D) Amendments to a PDD Master Plan

(1) Amendments to a PDD Master Plan shall go through the same the same process for the initial approval of the Master Plan. This includes a public hearing by the Planning Commission and final action by the City Council.

(E) PDD Development Guidelines. Development within the Planned Development shall comply with the following guidelines. These guidelines are not intended to be strict requirements, but are instead intended to provide guidance for a high quality design.

(1) Lot Layout.

(a) Lots should be configured in an efficient manner that provides appropriate easements for utilities and vehicular and pedestrian access.

(b) Lots must comply with standards with the Subdivision Regulations.

(2) Environmental.

(a) The site should respect the natural topography, protect environmentally sensitive lands, wildlife habitats, and waterway corridors.

(b) Healthy trees should be preserved to the greatest extent possible. Especially trees near waterway corridors.

(3) Site Design.

(a) Buildings should be located in close proximity to abutting roadways.

(b) Parking areas should be located to the rear of buildings with access from an alley or secondary street.

(b) Pedestrian access should be provided from abutting streets to a clearly defined entry.

(d) Site distance triangles of the zoning ordinance are applicable within PDD developments.

(4) Building Design.

(a) Building should provide a clearly defined entry oriented toward an abutting roadway.

(b) Building should provide direct pedestrian access from the clearly defined entry to the public sidewalk.

(c) Predominant exterior building materials should use brick, stone, wood, or sturdy siding, such as Hardie. Vinyl should be avoided.

(d) Building facades should be articulated to provide visual interest and designed for a human scale.

(e) Building should provide a variation in roofline.

(5) Signs.

(a) Sign size should be minimized and not distract from the overall design of buildings and site.

(b) Signs should be monument style and generally constructed of materials similar to the building in which it is advertising.

(c) Off-site advertising signs should be highly discouraged within a PDD development site, unless it advertises a business within the PDD development site and is modest in size.

(5) Screening.

(a) A minimum of a 10 ft buffer shall be provided on non-residential lots along boundaries adjacent to residential lots.

(b) The buffer shall consist of an evergreen screening of at least 6 feet in height at maturity, or a solid wooden, masonry or metal fence at least 6 feet in height.

(c) Other buffer as approved by the Planning Commission that provides adequate screening and buffering of adjacent land uses.

(6) Streetscape.

(a) Streetscape design should include sidewalks on both sides of the street with a minimum width of five (5) feet.

(b) Sidewalks along commercial developments should be a minimum of seven (7) feet in width.

(c) Streetscapes should include trees or other barriers between the curb and the sidewalk of a sufficient distance to protect pedestrians.

(d) Streetscapes should include lighting.

(e) If on-street parking is provided, curb extensions should be provided at intersections to reduce pedestrian crossing distances.

(f) Intersections should be provided at short intervals to reduce speeds and provide many opportunities for safe pedestrian crossings.

(g)

(7) Access Management.

(a) Driveway access from public and private roads should be minimized

(b) When feasible, driveway and parking lot access should be provided from alleys or secondary roadways.

(c) Driveway access from public and private roads should be minimized

(8) Open Space.

(a) Open space for recreation and community gathering should be provided on the PDD development site for the enjoyment of the general public.

(b) Open space should be identified and dedicated on a subdivision plat.

(c) Maintenance and funding of common open space should be established through an association, or other common ownership method as provided for in the Subdivision Regulations. These documents should be recorded along with the plat. Alternatively, open space may be conveyed to a public body that agrees to accept and maintain the open space.

§ ~~154.068~~ 154.069 PNR-1 PLANNED NEIGHBORHOOD RESIDENTIAL-1.

§ ~~154.069~~ 154.070 PNR-2 PLANNED NEIGHBORHOOD RESIDENTIAL-2.

§ ~~154.070~~ 154.071 PNC PLANNED NEIGHBORHOOD COMMERCIAL.

§ ~~154.071~~ 154.072 WCD-1, WCD-2 WOODLAND CORRIDOR DISTRICT.

§ ~~154.072~~ 154.073 MAZ MUNICIPAL AIRPORT ZONE.

§ ~~154.073~~ 154.074 AGB AGRI-BUSINESS.

§ ~~154.074~~ 154.075 FDH FUTURE DEVELOPMENT HOLDING.

§ 154.076 USE-SPECIFIC STANDARDS.

(A) Accessory Dwelling Use (ADU).

(1) General Standards for All Accessory Uses and Structures . All accessory uses and accessory structures shall generally comply with the standards set forth in § 154.265, Accessory Structure Location Requirements.:

(2) Accessory Dwelling Units (ADUs). Where permitted, accessory dwelling units shall be subject to the standards in this section.

(3) Integrated ADUs. Integrated ADUs are located within a permitted principal structure and shall comply with the standards for principal structures established in the zoning districts of this Zoning Code.

(a) Integrated ADUs may be established by dividing space within a principal building, or by adding floor area to an existing building.

(b) Integrated ADUs shall have direct access from the outside of the building.

(c) Integrated ADUs shall not involve design modifications to the exterior of the principal building that make their presence obvious.

(d) Any exterior stairs that serve as an entrance to the ADU shall be located on the side or rear of the principal structure and are prohibited from being located on the front of the principal structure.

(e) If a principal building is expanded to accommodate an integrated ADU, the expansion shall be designed in a manner that is comparable to the principal building.

(4) Detached ADUs are dwelling units that are located inside of an accessory structure, such as a detached residential garage (See (C) in Figure 154.075-1, below) or detached structure (D).

(5) An ADU shall not be located on a lot where any non-owner occupied short-term rental exists.

(6) ADUs may not be established within manufactured homes or structures and vehicles that do not have a permanent foundation, including, but not limited to recreational vehicles, travel trailers, or campers.

(7) Maximum Floor Area of the ADU.

(a) Measurement. The floor area is measured as the area within the ADU itself and does not include areas of an accessory building that are used for other purposes, such as a detached garage or a workshop that is not incorporated into the ADU.

(b) The floor area of an ADU shall not exceed 25 percent of the total square footage of the principal residential building to which it is accessory, or 800 square feet, whichever is greater.

(8) Required Parking for ADUs. In the R-1 through R-6 districts, in addition to the parking requirements for the principal residential use set out in the zoning district, one (1) off-street parking space for the ADU shall be provided.

(B) Community Garden.

(1) No sale of any items may take place on-site.

(2) Storage of equipment and materials shall be inside a structure or fully screened.

(3) Compost storage, if utilized, shall have a setback of a minimum of thirty (30) feet from the front property line, and ten (10) feet from any side or rear property line. Compost storage shall be used only to support onsite operations.

(4) Community gardens that have ceased permanent operation or been abandoned, shall be cleared, all associated structures removed, and the area re-vegetated no more than 30 days after the date of discontinued operations, unless otherwise specified by the Planning Director.

(C) Home Occupation.

- (1) The use shall be clearly incidental and secondary to use for dwelling purposes.
 - (2) The use shall be conducted entirely within the dwelling unit or enclosed accessory structure.
 - (3) The use shall not require external alteration of the dwelling unit.
 - (4) The use shall be carried on only by residents of the dwelling unit. The use may have employees but they may not work from the dwelling unit.
 - (5) The use shall not entail any exterior display or storage of merchandise or product.
 - (6) The use shall not generate traffic in greater volumes than would normally be expected in a neighborhood.
 - (7) The use shall create no nuisance, offensive noise, vibration, smoke, dust, odors, heat, glare or electrical disturbance.
 - (8) One commercial vehicle, less than 7,500 GVW, associated with the business use, may be located at the residence.
 - (9) A barber shop/beauty salon use shall have a maximum of one chair.
- (D) Short-Term Rental, Owner-Occupied.
- (1) Each dwelling unit is limited to one short-term rental contract at a time;
 - (2) The number of occupants in the dwelling unit during a short-term rental shall not exceed two times the number of bedrooms plus four individuals, notwithstanding restrictions of the applicable building or property maintenance code; and
 - (3) The dwelling unit is limited to ten short-term rental days each calendar year.

§ 154.077 CONDITIONAL USE STANDARDS.

- (A) Generally. The following standards shall apply to all conditional uses, in addition to the specific standards in this Section. If a use requires a Conditional Use Permit and has no associated specific standards in this Section, then the Director and the Planning Commission shall consider the following standards when making a recommendation or decision on a conditional use:
- (1) The proposed conditional use will operate or be designed in a manner that does not diminish the use or functionality of surrounding properties;
 - (2) The proposed conditional use will incorporate provisions for hours of operation, parking and loading areas, driveways, lighting, signs, landscaping, buffering, and other site improvements;
 - (3) The proposed conditional use must have adequate public services (e.g. streets, off-street parking, pedestrian facilities, water, sewer, gas, electricity, and police and fire protection) available without the reduction of services to any existing uses;
 - (4) If, in the opinion of Planning Commission or City Council, the conditional use becomes a nuisance, the Conditional Use Permit may be recalled for further review, which could lead to the need for additional conditions, restrictions, or the revocation of the permit;
 - (5) The proposed conditional use will incorporate design features to sufficiently protect adjacent uses that may include but are not limited to service areas, pedestrian and vehicular circulation, safety provisions, access ways to and from the site, lighting, screening and buffering, fencing, and building placement; and
 - (6) The proposed use is compatible with adjacent existing uses. Compatibility shall be expressed in terms of appearance, architectural scale, use and intensity, and features, site design and scope, landscaping, as well as the control of adverse environmental impacts, including noise and lighting, or other undesirable conditions.

- (B) Private Club. Shall not be located on a site that is within:

(1) 1,000 feet of a site that contains another private club use;

(2) 200 feet of a property in a district in which a residential use is allowed or located; or

(3) The use may not be co-located in the same structure as other uses.

(C) Resort Hotel. In the R-1 and R-2 districts, resort hotels shall only be permitted when associated with a golf course.

(D) Restaurant. In the R-1 and R-2 districts, restaurants shall only be permitted when associated with a golf course.

(E) Short-Term Rental, Non-Owner Occupied.

(1) Rental Limit. The dwelling unit is limited to one short-term rental contract at a time.

(2) Maximum Guests. The number of occupants in the dwelling unit during a short-term rental shall not exceed two times the number of bedrooms plus four individuals notwithstanding restrictions of the applicable building or property maintenance code.

(3) Tenure. A short-term rental tenant shall not stay for more than 30 consecutive days in duration.

(4) Signs. There shall be no outdoor signage which identifies the short-term rental use.

(5) Insurance. Each short-term rental host shall obtain and maintain, at the host's sole expense, liability insurance to cover the injury or death of a tenant while the tenant is in, on, or about the short-term rental property.

(6) Separation Requirement. No non-owner occupied short-term rental shall be permitted within 600 feet from another non-owner occupied short-term rental.

(a) This provision may be waived by the Board of Zoning Adjustment or Planning Commission if the Board or Commission finds there is no adverse effect on the neighborhood.

(7) Additional Review Criteria. The review for Conditional Use Permit approval of a non-owner occupied short-term rental shall consider but not be limited to the following factors:

(a) The proposed occupancy and the size of the property, and whether a smaller occupancy level is appropriate.

(b) Setbacks and proximity to other dwellings.

(c) Rental regulations (such as no large parties, no extra guests) imposed by the owner and the degree of owner involvement in property management.

(d) Vehicle access and onsite parking and the number of parking spaces available.

(e) Compliance with all state, county, and city ordinances, laws, rules, and regulations including the City's building and fire codes.

(f) Maintaining the appearance of the property as a residential use compatible with the surrounding neighborhood.

(F) Wireless Telecommunications Facility. Communications towers/poles or collocations of equipment for the same, when erected by or on property owned by a public entity or public utility.

§ 154.078 CONSERVATION DEVELOPMENT

(A) Description. A conservation development consists of smaller lots than are generally permitted by the zoning district that are clustered together in order to provide for more common open space. The common open space may be set-aside for resource features such as public or private parks, recreation areas, woodlands, creeks, streams, and similar features.

(B) Minimum Site Area. The minimum site area required for a conservation development is 5 acres.

(C) A minimum buffer of 100 feet shall be provided along the perimeter of the development, and shall be maintained in a natural state (e.g. trees, riparian buffer, etc.).

(1) Exception. Conservation development lots directly abutting an existing single-unit residential development shall provide setbacks equal to or greater than those of the existing, adjacent lots.

(D) Common Open Space. Conservation Development shall be required to have common open space subject to the following requirements.

(1) A minimum of 30% of the total development site shall be provided as common open space.

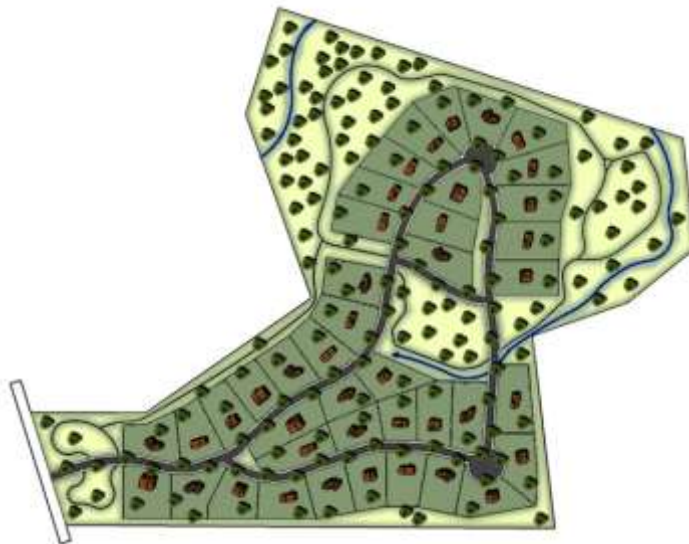
(2) A minimum of 25% of the common open space requirement shall be useable and open to the public.

(3) Common open space at the periphery of the development shall consist of natural areas open space.

(4) Common open space shall be integrated into the development design to bring access to the maximum number of properties; provided, however, that physical access may be limited if such limitation would materially enhance natural resource management.

(5) Perimeter buffers may count toward required common open space requirement.

Figure 154.078-1, Conservation Development Type



§ 154.079 COTTAGE COURT DEVELOPMENT

(A) Purpose. A Cottage Court development type, as depicted in Figure 154.076-3, Cottage Court Development, broadens the diversity of housing options available in the city to provide accessible, adequate, and affordable housing. This development type contains dwelling units arranged around an internal courtyard, and may include a community center as an amenity space.

(B) Development Standards.

(1) Maximum Density. The maximum density for a Cottage Court neighborhood shall be as established in the base zoning districts.

(2) Minimum lot size and setbacks shall be as established within the base zoning district.

(3) The development shall be oriented around an internal courtyard, and may contain additional common open space.

(a) The internal courtyard and common open space shall combine for a minimum of 30 percent of the development site.

(b) The internal courtyard shall be a minimum of 30 feet in width.

(b) Minimum 5-foot pedestrian walkways shall be provided in the internal courtyard and common open space connecting each dwelling unit to a community-wide sidewalk network, and shared parking areas or garages.

(c) If a community center is provided as a required open space, it shall serve all residents of the cottage court development, and its gross floor area shall be no greater than 10 percent of the site area. A common building may include a kitchen and meeting or indoor recreation facilities but shall not contain bedrooms.

(d) The internal courtyard and common open space shall not contain parking spaces or areas.

(e) A minimum of one side of the internal courtyard shall be open to, and visible from, an adjacent public street.

(4) A minimum of 50% of dwelling units shall be oriented toward the internal courtyard.

(5) Each dwelling unit shall have direct access to, and contain livable space on, the ground level of the development.

(6) Garages.

(a) Garages shall be accessed via a private drive or alley.

(b) Garages shall not be oriented toward a public street.

(c) Garages shall not be oriented toward an internal courtyard.

(c) Garage buildings shall be consistent in architecture, materials, and color to the principal dwellings.

(7) Cottage court developments shall provide parking as required by the base zoning district.

Figure 154.079-1, Cottage Court Development Type



§ 154.080 TOWNHOUSE DEVELOPMENT

(A) Purpose. A Townhouse development type, as depicted in Figure , broadens the diversity of housing options available in the city to provide accessible, adequate, and affordable housing. This development type contains dwelling units with at least one common sidewall, typically more than one story in height.

(B) Development Standards.

(1) Maximum Density. The maximum density for a Townhouse development shall be as established in the base zoning districts.

(2) Townhouse developments shall contain a minimum of three (3), and a maximum of eight (8) attached units.

(3) Minimum lot size and setbacks shall be as established within the base zoning district.

(3) Each dwelling unit shall be oriented toward a public street.

(4) Each dwelling unit shall have direct access to, and contain livable space on, the ground level of the development.

(5) Garages.

(a) Garages shall be accessed via a rear private drive or alley.

(b) Garages shall not be oriented toward a public street.

(6) Townhouse developments shall provide parking as required by the base zoning district.



Public Hearing 2025-PC-10

Sign Zoning Text Amendments



Staff Report

Elizabethtown Planning Commission

May 13, 2025

2025-PC-10

REQUEST

Zoning Text Amendment to allow residential signs to be internally illuminated; to modify the distance requirements for off-premises signs; to modify standards for message boards; and to add portions of US 62 and US 31W as scenic parkways.

APPLICANT

City of Elizabethtown

SUMMARY

Residential Signs

The zoning ordinance regulates signs on private property and defines many types of signs. One of the types of signs regulated are residential signs. There are two types of residential signs: multi-family and two-family developments and then general residential uses like home occupations. General residential signs like home occupation signs are capped at 4' in height and 4 sf in area, whereas residential signs for multi-family developments are allowed signs up to 10' in height and 32 sf in area. Both types of signs are allowed to be illuminated, but it must be externally lit. The intent of this zoning text amendment change is to allow multi-family and two-family development residential signs to be internally illuminated.

Off-Premises Signs

Off-premises signs must comply with the following criteria in order to be allowed:

1. Can be no closer than 2,000 feet from any other off-premises sign as measured along the near curbside of any adjacent street in either direction from the sign
2. Can be no closer than 250 feet from any other such sign as measured from a point across the street from the sign along the opposite curbside in either direction
3. For signs located at intersections, the measurements of requirements 1 and 2 above apply to both intersecting streets, regardless of sign orientation
4. Can be no closer than 500 feet from any residential zone measured along either side of the street
5. Can be no closer than 100 feet from any residential zone as measured in a radius from the sign

Off-premises signs can be no closer than 250 feet from any other such sign as measured from a point across the street in either direction. The distance requirement for the same side of the street is 2,000 feet. Staff recommends changing criteria 2 to make the distance the same for either side of the street. Off-premises signs must also be at least 500 feet away from any residential zone as measured along either side of the street. In order to minimize the impact on residentially zoned properties, staff recommends eliminating criteria 4 and changing criteria 5 to be a 500 foot radius from any residentially zoned property. That would ensure at least a 500 foot distance in any direction.

Message Boards

Message board signs are a permitted sign type that may be electronic or manual copy change. There is one requirement for message boards, which is the requirement that any message board must be accompanied by

a permanent business identification sign if it's on a pole or monument. By having constant changing electronic messages on the sign, it can pose a distraction to drivers by taking their eyes off the road. There are currently no regulations with how often a message board can cycle through a message (although Section 154.209(c) lists flashing or blinking signs as prohibited). Staff recommends requiring a minimum of 1 minute per message before a message board can cycle to the next message. This will minimize the amount of distraction for drivers passing by the sign. Staff also recommends allowing no more than one message board be permitted on a property.

Scenic Parkway Signage

Section 154.212 designates certain roads/corridors as scenic parkways with the goal of eliminating excessive signage and visual blight from entryways/roadways to the city. The following roads are listed as scenic parkways in this section: Veterans Way, KY 3005 (Ring Road), KY 61 (Lincoln Parkway) and KY 361 (Patriot Parkway). There are two other corridors that staff feel are integral to the entryway into downtown. With the improvements planned for US 62 by the State Transportation Department to improve both functionality and aesthetics, staff feels this corridor should be protected from excessive signage. Further, US 31W provides the main access into downtown from the north and south and is the most heavily traveled road in the region. Protecting the integrity of the historic downtown from excessive signage and clutter is integral to the efforts the City is making to revitalize the downtown. This zoning text amendment will recommend adding US 62 from Ring Road (near I-65 exit 94) to College Street Road and US 31W from St. John Road to New Glendale Road as scenic parkways. The section of US 62 from the I-65 interchange to Ring Road was not included as this is part of the Interstate Highway Service Business Overzone which has allowances for additional signage geared towards interstate travelers.

COMPREHENSIVE PLAN ANALYSIS

The Envision Elizabethtown 2040 Comprehensive Plan guides policies, programs, and projects regarding future developments through goals, objectives, and actionable items. Goal 1 of the Plan aims to promote the appropriate land use and redevelopment within the City with high quality design. Goal 3 aims to improve traffic flow and safety throughout the City's roadways. Goal 7 aims to grow tourism through the development of community assets, parks, trails and programs. Goal 8 aims to promote high quality and diverse housing options for all residents. Goal 9 aims to invest in downtown by continuing to develop it as a destination. Criteria 2 of the Downtown Sub Area (Sub Area 10) Guidelines states that the historic character of downtown should be maintained. Goal 13 states to provides the resources and incentives necessary to support existing and future businesses.

PROPOSED FINDINGS OF FACT

WHEREAS, the Elizabethtown Planning Commission (Commission) finds the proposed text amendment complies with the Envision Elizabethtown 2040 Comprehensive Plan; and

WHEREAS, the Commission finds that allowing internally illuminated signs will help promote high quality and diverse housing options for all residents by supporting the adequate supply of multiple housing types that aligns with forecasted housing demand and household incomes in Elizabethtown; and

WHEREAS, the Commission finds that limiting the location of off-premises signs and the frequency of electronic messages of message boards and adding a portion of US 62 and US 31W to the scenic parkway designation will promote the public health, safety and welfare of the citizens of Elizabethtown by promoting appropriate land use and redevelopment with high quality design by improving the aesthetics of new development through design guidelines that reinforce the character of each sub area, by advancing

connectivity in the city and region through multiple transportation types by providing aesthetic enhancements along Elizabethtown’s major corridors, gateways, and downtown that reinforce the city’s character, by continuing to grow tourism through the development of community assets, parks, trails and programs by implementing enhanced gateway treatments and a wayfinding system throughout the city, and by investing in downtown by continuing to develop it as a destination by maintaining the historic character of downtown and the adjacent properties to downtown.

Proposed Amendments to the Elizabethtown Zoning Ordinance relative to Residential Signage, Off-Premises Signage, Message Board Signage and Scenic Parkway Designations.

§ 154.059 R-5 URBAN RESIDENTIAL MIXED (G) SIGNS

<i>R-5 Signs</i>							
<i>Use</i>	<i>Allowed Types</i>	<i>Maximum Number</i>	<i>Maximum Sign Area</i>	<i>Maximum Height</i>	<i>Location Requirements</i>	<i>Lighting Allowed</i>	<i>Additional Requirements</i>
<i>Single-Family Attached, two-family, Multifamily identification</i>	<i>Monument Pole</i>	<i>2/entrance</i>	<i>32 sq. ft.</i>	<i>10 ft.</i>	<i>To be approved by Engineering Department</i>	<i>External</i> <u>Yes</u>	<i>Walls and fences permitted as part of overall sign design; pole must contain multiple poles</i>

§ 154.060 R-6 HIGH DENSITY RESIDENTIAL (G) Signs

<i>R-6 Signs</i>							
<i>Use</i>	<i>Allowed Types</i>	<i>Maximum Number</i>	<i>Maximum Sign Area</i>	<i>Maximum Height</i>	<i>Location Requirements</i>	<i>Lighting Allowed</i>	<i>Additional Requirements</i>
<i>Single-Family Attached, two-family,</i>	<i>Monument Pole</i>	<i>2/entrance</i>	<i>32 sq. ft.</i>	<i>10 ft.</i>	<i>To be approved by Engineeri</i>	<i>External</i> <u>Yes</u>	<i>Walls and fences permitted as part of</i>

Multifamily identificati on					ng Departme nt		overall sign design; pole must contain multiple poles
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§ 154.071 WCD-1, WCD-2 WOODLAND CORRIDOR DISTRICT (G) Signs

WCD Signs							
Use	Allowed Types	Maximum Number	Maximum Sign Area	Maximum Height	Location Require- ments	Lighting Allowed	Additional Require- ments
Single- family Attached, Two- family, Multi- family Identifica- tion	Monume nt	2/entranc e	32 sq. ft.	15 ft.	To be approved by Engineeri ng Departme nt	External <u>Yes</u>	Walls and fences permitted as part of overall sign design

§ 154.212 SCENIC PARKWAY SIGNAGE.

It is the intent of this regulation to implement the goals of the comprehensive plan through the recognition that certain entryways/roadways to the city are determined to be scenic in nature and therefore should be protected from visual blight from excessive signage. To meet this community concern, no off-premises signs shall be permitted along a designated scenic parkway. Scenic parkways include Veterans Way, KY 3005 (Ring Road), KY 61 (Lincoln Parkway) and KY 361 (~~E2RC~~ Patriot Parkway), US 31W between Miles Street and New Glendale Road, and US 62 between Ring Road (near I-65 exit 94) and College Street Road.

§ 154.207 GENERAL PROVISIONS.

(M) Residential signs should use more natural or earth tones in their colors to lessen impact on the surrounding uses.

(N) All residential signs may be externally illuminated only- except as expressly permitted within the zoning district regulations.

(O) All freestanding signs shall contain the numerical street address of the business on the sign. The street address shall be displayed in numbers in contrast to the sign at least six inches in height.

(P) Sign permits shall become null and void if not installed within six months from the original issue date of the permit.

(Q) Additional provisions for message boards

(1) No more than one message board may be permitted on a property.

(2) Message boards may be electronic or manual copy change.

(3) Message boards must be accompanied by a permanent business identification sign if on a freestanding pole or monument sign.

(4) Electronic message boards shall not change at a rate faster than one minute.

§ 154.217 SIGN TYPES.

The following sign types are permitted by this chapter.

<i>Table 1: Other Sign Types</i>							
Type	Allowed Types	Maximum Number	Maximum Sign Area	Maximum Height	Location Requirements	Lighting Allowed	Additional Requirements
<u>Message Board</u>	<u>Wall</u>	<u>Wall: 1</u>	<u>Not to exceed 50% of total allowed sign face when pole or monument, maximum of 75 sq. ft.</u>	-	<u>Monument: 10 ft. off paved surface</u>	<u>Yes</u>	<u>May be electronic or manual copy change; must be accompanied by permanent business identification signage if pole or monument</u> <u>See Section 154.207 General Provisions (Q) for additional requirements.</u>
	<u>Monument</u>	<u>Mon.: 1</u>					
	<u>Pole</u>	<u>Pole: 1</u>		<u>Pole: 10 ft. off paved surface</u>			

<i>Table 2: Off-Premises Sign</i>					
Type	Allowed Types	Maximum Sign Area	Maximum Height	Location Requirements	Lighting Allowed

Table 2: Off-Premises Sign

Type	Allowed Types	Maximum Sign Area	Maximum Height	Location Requirements	Lighting Allowed
Off-Premises	Mon.	300 sq. ft. excluding structural supports; may be placed back to back or in a “V” type construction	45 ft.	20 ft. off-street right of way; in areas zoned C-3, C-4, I-1, I-2	Yes
	Pole				

Additional Requirements

Spacing:

- 1. No closer than 2,000 ft. from any other off-premises sign as measured along the near curbside of any adjacent street in either direction from the sign**
- 2. No closer than ~~250~~ 2,000 ft. from any other such sign as measured from a point across the street from the sign along the opposite curbside in either direction**
- 3. For signs located at intersections, the measurements of requirements 1. and 2. above apply to both intersecting streets, regardless of sign face orientation**
- ~~4. No closer than 500 ft. from any residential zone, measured along either side of the street~~**
- 5. No closer than ~~100~~ 500 ft. from any residential zone as measured in a radius from the sign**