

# ARTICLE 4 ZONING DISTRICTS

## SEC. 4.1 ESTABLISHMENT OF DISTRICTS

For the purpose of this Zoning Ordinance, the area of jurisdiction of this Zoning Ordinance is hereby divided into zoning districts which shall be designated as follows:

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**SEC. 4.2 OFFICIAL ZONING MAP**

**4.2.1 Established**

The boundaries of these zoning districts are hereby established on Official Zoning Map entitled "Zoning Map - Bowling Green Corporate Limits," dated March, 1958, as amended and "Zoning Maps - Warren County," dated October, 1967, as amended, which shall both be permanently located in the City-County Planning Commission offices. These official zoning maps together with all explanatory matter thereon, are hereby adopted by reference and declared to be a part of this Zoning Ordinance. Any territory hereafter annexed to any city shall remain in the same district as legally existed before annexation unless the district is specifically changed by ordinance according to the requirements of the relevant provisions of KRS or this Zoning Ordinance pertaining to amendments.

**4.2.2 Replacement**

In the event that either Official Zoning Map becomes damaged, destroyed, lost, or is deemed necessary to be replaced due to age of the map, the City-County Planning Commission may by authorization through resolution adopted by the Cities of Bowling Green, Plum Springs, Woodburn, Oakland, Smiths Grove and Warren County, adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map. The new Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map, but no such correction shall have the effect of amending the original Official Zoning Map or any subsequent amendment thereof. Unless the prior Official Zoning Map has been lost, or has been totally destroyed, the prior map or any significant parts thereof remaining, shall be preserved, together with all available records pertaining to its adoption or amendment.

**4.2.3 Rules for Interpretation of Zoning District Boundaries**

The zoning district boundary lines on the Official Zoning Map are intended to follow lot or tract lines or farm boundaries, the center lines of streets or the corporate limit lines, all as they existed at the time of enactment of this Ordinance. Where uncertainty exists as to the boundaries of Zoning Districts as shown on the Official Zoning Map, the following rules shall apply.

- A.** Boundaries indicated as approximately following the center lines of streets, highways or alleys shall be construed to follow such center lines; vacated rights-of-way shall not effect the original zoning.
- B.** Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
- C.** Boundaries indicated as approximately following political boundaries shall be construed as following such boundaries.
- D.** Boundaries indicated as following railroad lines or rights-of-way shall be construed to be midway between the main tracks.
- E.** Boundaries indicated as following shore lines shall be construed to follow such shore lines, and in the event of change in the shore line shall be construed as moving with the actual shore line; boundaries indicated as approximately following the center lines of streams, rivers, lakes or other bodies of water shall be construed to follow such center lines.

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- F.** Boundaries indicated as approximately parallel to features indicated in the paragraphs above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map, if an accurate legal description cannot be determined.
- G.** Where the above stated rules do not indicate the exact location of the zoning district boundaries, then said boundaries shall be determined by the Executive Director and may be subject to appeal to the Board of Adjustments.
- H.** Within an Overlay or Special Purpose District, boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines, however if fifty-one percent (51%) or greater of such boundary is within an Overlay or Special Purpose District the site shall be brought into conformance with the technical and development standards of the Overlay or Special Purpose District at the time of any development or redevelopment.

**SEC. 4.3 AGRICULTURE DISTRICT (AG)**

**4.3.1 Purpose and Intent**

The Agriculture District is intended to:

- A. Maintain, preserve and enhance the prime agriculture lands of Warren County;
- B. Protect the decreasing supply of prime agriculture lands in Warren County in order to maintain one of the county's principal economic resources--the agriculture economy of the county;
- C. Discourage premature urban growth on land best suited for agriculture purposes;
- D. Control the indiscriminate infiltration of urban development into prime agriculture areas which adversely affects agriculture operators;
- E. Minimize urban-type development in rural areas until urban-type services and utilities can be provided;
- F. Preserve the natural beauty and open space character of the rural countryside.
- G. Protect the public health, safety and welfare from hazardous and/or unsafe waste, whether solid, semi-solid or liquid generated or disintegrated from a municipal, commercial or industrial waste water treatment plant, water supply treatment plant, air pollution control facility or any other such waste having similar characteristics and effects; due to the presence of sinkholes, losing streams and sinking streams associated with the karst topography of Warren County.

**4.3.2 Uses**

Uses permitted in this District are shown in the Use Table in Sec. 5.1, Use Table. This table employs broad use categories containing a variety of similar uses. The use categories are described in Sec. 5.2, Use Categories, and Appendix B lists examples of uses, showing which use categories they fall into. Additional standards for specific uses, if any, can be found in each category.

**4.3.3 Permitted Residential Unit Types**

The following residential unit types shall be permitted in this District:

- A. Single-family detached;
- B. Modular home;
- C. Manufactured home; and
- D. Accessory Apartments (See Section 4.4).

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**4.3.4 Property Development Standards**

- A. Dimensional standards for this District are found in the following table. Residential development, less than two (2) acres in size, in this District shall comply with the single family residential development standards in Sec. 4.4.
- B. Only one principal residential structure shall be permitted per platted lot.
- C. Exception (in Warren County unincorporated area only). The minimum lot area for this District may be reduced to one acre for no more than 2 lots being subdivided from a parcel which has existed in the same configuration since July 1, 2001. The remaining parcel must be a minimum of no less than five (5) acres and meet the minimum district requirements outlined in chart below.

**Agriculture District (AG)**

<b>Lot Area</b> (minimum)	217,800 SF
Public Sewer	217,800 SF
Septic System	
<b>Lot Width</b> (minimum) (at building line)	100 feet
<b>Lot Frontage</b> (minimum)	40 feet
Public Street	40 feet
Cul-de-Sac (bulb only)	
<b>Lot Coverage</b> (maximum)	25%
<b>Setbacks</b> (minimum)	
Front Yard	25 feet
Side Yard	10 feet
Rear Yard	25 feet
Accessory Structure	
Rear	5 feet
Side	5 feet
<b>Height</b> (maximum)	N/A
<b>Fire Protection Required?</b>	
See Sec. 1.13 for Fire Protection Requirements.	
<b>Off-Street Parking</b>	2 spaces

**4.3.5 Signs**

Agricultural uses and properly permitted conditional uses may have a maximum of one freestanding sign (pole or monument) with a maximum face area of 100 s.f. and maximum height of 15 feet. Additional wall signs are allowed at a maximum total sign face of 50 s.f. All permitted signs shall also comply with all the applicable Sign Development Standards in Section 4.6.8.F.

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**SEC. 4.4 SINGLE FAMILY RESIDENTIAL DISTRICTS**

**4.4.1 Rural Residential District (RR)**

**A. Purpose and Intent**

The Rural Residential District provides opportunities for large lot residential development in the unincorporated areas of Warren County only.

**B. Permitted Residential Unit Types**

The following residential unit types shall be permitted in this District:

1. Single-family detached;
2. Modular home;
3. Manufactured home;
4. Mobile home; and
5. Accessory Apartments.

**4.4.2 Residential Estate District (R-E)**

**A. Purpose and Intent**

The Residential Estate District is intended to provide opportunities for large-lot rural estates in areas that may or may not be served by public sanitary sewer. This area is intended to serve as a transition between urban and rural areas.

**B. Permitted Residential Unit Types**

The following residential unit types shall be permitted in this District:

1. Single-family detached;
2. Modular home;
3. Manufactured home; and
4. Accessory Apartments.

**4.4.3 RS-1A through RS-1D**

**A. Purpose and Intent**

The Single Family Residential Districts are intended to provide opportunities for detached single family residential development, including zero lot line homes. Occupancy in these districts is limited to one family per residential unit. These districts shall be served by public sanitary sewer.

**B. Permitted Residential Unit Types**

The following residential unit types shall be permitted in these Districts:

	<b>RS-1A</b>	<b>RS-1B</b>	<b>RS-1C</b>	<b>RS-1D</b>
Single-Family Detached	P	P	P	P
Modular Home	P	P	P	P
Manufactured Home	--	--	--	--
Zero Lot Line	--	--	P	P
Accessory Apartments	P	--	--	--

P= Permitted Type

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**4.4.4 Mobile Home Park (MHP)**

**A. Purpose and Intent**

The Mobile Home Park District is intended to:

1. Recognize the mobile home as a form of housing for which specific provisions should be made and provide for the development of properly located and planned facilities for mobile home lots.
2. Provide a desirable residential environment, protect the mobile home park from potentially adverse neighboring influences, protect adjacent residential properties, and provide access to public facilities equivalent to that provided to other forms of permitted residential development.
3. Recognize that in urban and urbanizing areas of Warren County, mobile homes should be located in mobile home parks and that such areas shall be carefully located and designed to meet the needs of the residents and to achieve a satisfactory relationship with surrounding neighborhoods. This district shall be served by public sanitary sewer.

**B. Permitted Residential Unit Types**

The following residential unit types shall be permitted in this District:

1. Manufactured home; and
2. Mobile home.

**4.4.5 General Residential Development Standards**

**A. Uses**

Uses permitted in each District are shown in the Use Table in Sec. 5.1. This table employs broad use categories containing a variety of similar uses. The use categories are described in Sec. 5.2, Use Categories, and Appendix B lists examples of uses, showing which use categories they fall into. Additional standards for specific uses, if any, can be found in each category.

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**B. Property Development Standards**

Only one principal residential unit shall be allowed per platted lot in the R-E, RR, and RS districts. Development in each District shall comply with the general residential development standards in the following table:

	RR	R-E	RS-1A	RS-1B	RS-1C	RS-1D	MHP
Lot Area (min sf)							
Public Sewer	2 acres	43,560	12,000	10,000	8,000	5,000	*217,800
Septic System	2 acres	43,560	N/A	N/A	N/A	N/A	N/A
Lot Width (min at bldg line)	100	100	85	75	60	50	50
Lot Frontage (min)							
Public Street	50	50	50	50	50	50	50
Cul-de-sac (bulb only)	40	40	40	40	32	32	40
Lot Coverage (max)	30%	30%	40%	50%	60%	70%	N/A
Setbacks (min)							
Front Yard	25	25	25	25	25	25	50*
Side Yard	25	10	10	7.5	7.5	5	25*
Rear Yard	25	10	10	10	10	10	25*
Accessory Structure	5	5	5	5	5	5	5
Height (max)	35	42	42	42	42	42	35
Fire Protection Required?	See Sec. 1.13 for Fire Protection Requirements.						
Parking spaces required	2	2	2	2	2	2	2

\* For specific MHP space standards, see 4.4.6.B.

**C. Other Standards**

- Corner lots.** Corner lots shall be required to provide a front yard along any lot line abutting a street.



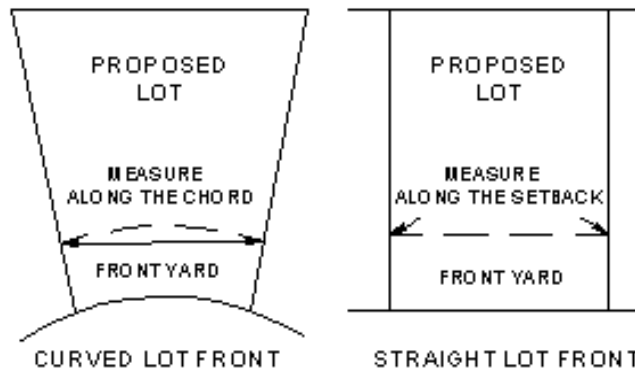


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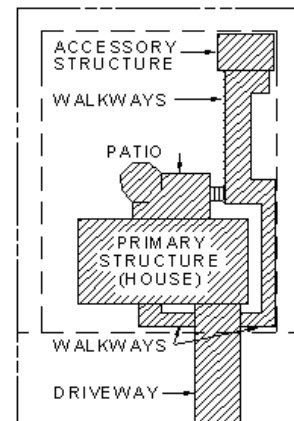
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Zoning Districts – Single Family Residential

2. **Reduction in Lot Area Prohibited.** No lot, although it may consist of one or more adjacent lots of record, shall be reduced in area to the extent that yards, lot area, lot width, building area, or other requirements of this Ordinance are not maintained. Where a lot is affected by acquisition or condemnation for government purposes, the remaining lot may vary no more than 10 percent from these minimum standards and requirements. Where a greater than 10 percent variation occurs, it shall be considered a taking in entirety.
  
3. **Minimum Lot Area Above 100-Year Flood Level Required.** No lot served by public sanitary sewer shall be created or developed which does not have at least 5,000 square feet of lot area above the 100-year frequency flood level. No lot served by on-site septic systems shall be created or developed which does not have at least 20,000 square feet of lot area above the 100-year frequency flood level.
  
4. **Measurement of Lot Width.** Minimum lot width shall be measured at the building setback line. Curve or cul-de-sac lots shall be measured along the chord distance at the front setback between side property lines.



5. **Minimum Lot Frontage Required.** No building shall be erected on a lot, nor shall a lot be created, which does not abut at least one improved street for a distance of not less than 32 feet (see also Sec. 6.5 regarding nonconforming lots of record).
  
6. **Measurement of Lot Coverage.** Lot coverage shall include all areas of the lot covered by buildings, structures (including accessory structures), patios, walkways, travelways, and parking areas, including gravel, pervious material or similar permeable paving material parking areas. Lot coverage does not include uncovered, semi-pervious decks or outdoor pools. The percent of lot coverage shall be determined by dividing the total covered area by the gross area of the lot.



TYPICAL RESIDENTIAL  
LOT COVERAGE

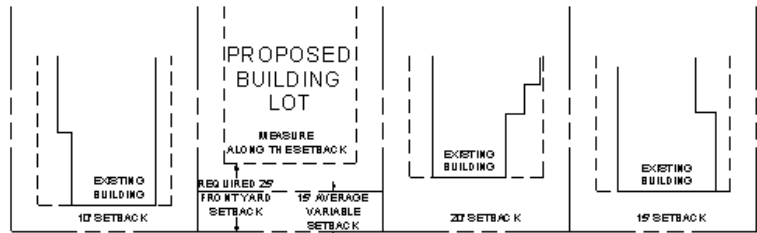
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**7. Setbacks and Yards.**

- a. **Lots Abutting Interstate or Other Highways.** Lots that abut an Interstate Highway, Parkway or other fully controlled access highways which allow no direct access shall have a minimum building setback line from the right-of-way of said highway of 25 feet. This building line shall be the same whether considered as front, side or rear setback.
- b. **Distance Greater than Minimum Required.** Building setback lines as established by this Section may be greater than the minimums shown in the table in Sec. 4.4.5.B.; however, for purposes of establishing minimum lot width, this distance shall not exceed 100 feet.
- c. **Variable Front Yard Setback.** A waiver from the strict enforcement of the front yard setback shown for a specific district may be granted by the Executive Director where the majority of existing development on the same block face is set back less than the required setback. In such case, the front yard setback may be the average setback line for that block face, or 10 feet, whichever is greater.



VARIABLE FRONT YARD SETBACK

- 8. **Height Limit Exceptions.** The height limitations of this Ordinance shall not apply to church spires, belfries, cupolas and domes not intended for human occupancy; monuments; water towers; observation towers; flag poles; or chimneys.
- 9. **Parking Standard.**
  - a. No parking shall be located in excess of 25 percent of the front yard of the housing unit; parking is also allowed, however, in front of a garage or carport.
  - b. Circle drives shall be allowed provided they are: (1) located on lots with at least 125 feet of street frontage, (2) do not exceed the maximum lot coverage for the zoning district, and (3) are not considered in calculating the required off-street parking.
  - c. All parking areas, except in the R-E district, shall be paved with asphalt, concrete, brick pavers, pervious material or similar permeable paving material.

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**D. Signs**

1. Signage is allowed within Single Family Residential Districts on a limited basis and in accordance with the following table. No sign shall be externally or internally illuminated. All permitted signs shall also comply with all the applicable Sign Development Standards in Section 4.6.8.F.

	R-E, RS & RR	MHP
Freestanding Signs Allowed?	Yes*	No
Maximum Number	1	N/A
Maximum Face Area	20 sf	N/A
Maximum Height	5 ft	N/A
Structure Type	Pole, Monument	N/A
Wall Signs Allowed?	Yes*	Yes
Maximum Face Area	12 sf	40 sf
Entrance Sign Allowed?	Yes	Yes

\* In R-E, RS, RR and MHS Districts, signs are allowed for permitted conditional uses only.

**2. Entrance Signs Standards.**

- a. The content of an entrance sign shall be limited to the name of the subdivision only.
- b. No sign shall be internally illuminated.
- c. All entrance signs shall be constructed of durable materials.
- d. Landscaping is encouraged around entrance signs, provided the selected landscape materials will not grow to obscure sign face. No landscaping shall be erected to obstruct free and clear vision of an intersection and/or roadway.
- e. Structural Type and Size. Any entrance sign must be monument type and the maximum sign face shall be 60 sq. ft. total. Maximum height shall be 5 feet.
- f. Entrance signs may be allowed in public right-of-way only with written permission of the applicable jurisdiction.

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- g. All permitted signs shall also comply with all the applicable Sign Development Standards in Section 4.6.8.F.

3. **Personal Expression and Political Campaign Signs.**

Temporary on-premise signs containing content of personal expression or political campaign shall not require a permit. These signs are allowed provided they otherwise comply with the following standards:

- a. No sign shall be erected to obstruct free and clear vision of an intersection and/or traffic signals. No sign may be placed in or extended over a public right-of-way or utility easement without the express written consent of the controlling jurisdiction or utility.
- b. Signs shall be limited to a maximum of 16 s.f. in size (Campaign signs-32 square feet in unincorporated areas of Warren County).
- c. All permitted signs shall also comply with all the applicable Sign Development Standards in Section 4.6.8.F.

**E. Accessory Structures.** Accessory buildings, except as otherwise permitted by this Ordinance, shall require a building permit and shall be subject to the following regulations in all single family districts:

- 1. No accessory building or structure shall extend beyond the front of the principal structure, excluding fences 4 feet or less in height.
- 2. When a corner lot adjoins another lot in the rear which is used for residential purposes, no accessory building or structure shall extend beyond the front of the principal structure or be nearer to the side street than the depth of any required front yard for a dwelling along such side street, again excluding fences 4 feet or less in height.
- 3. An accessory building may not exceed the height of the principal structure.
- 4. The total area of all accessory buildings shall not exceed the floor area of the principal building.
- 5. No detached accessory building including, but not limited to smokehouses and fire pits, shall be located closer than 10 feet to any principal building, and may require greater separation when requested by the Fire Marshal/Building Inspector.
- 6. An accessory building may be connected to the principal building by a breezeway or other similar structure but shall not project nearer the side lot line than the minimum side yard required for the main building. An accessory building located on a through lot shall conform to the required building setback line set forth for the District.

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7. Accessory buildings/structures shall be permanently affixed to the ground and shall not include mobile home, bus, travel trailer, RV, trailer, cooler, vehicle or freight container.
8. Accessory Apartments are allowed in the Agriculture, Rural Residential, Residential Estate and RS-1A districts. An Accessory Apartment may be attached or detached from the principal residence. The floor area of the accessory apartment may not exceed 50 percent of the floor area of the principal structure. Accessory apartments are allowed on lots of record that do not meet the minimum lot area or width standards for the zoning district, but all yard dimensions and other development standards must conform to the district regulations.
9. Swimming Pools.
  - a. All swimming pools with a water depth of 3 feet or greater shall require a building permit.
  - b. A swimming pool as an accessory use to a residential structure shall be located no closer than 10 feet to the rear property line and no closer than 10 feet to a side property line. On a corner lot, the side yard setback shall be 25 feet. The setback shall be measured from the wall of the swimming pool to the nearest property line.
  - c. The swimming pool area shall be enclosed by a fence or other suitable barrier with a minimum height of not less than 4 feet. Openings in the fence shall be small enough to prevent a child from entering the enclosure other than through the gate.
10. Fences. For the purpose of determining yard setback, the accessory structure setback shall not apply to fences. See 4.4.5 E (1) and (2) for front setback for fences.
11. No accessory structure that is not designated to breakaway on impact shall be permitted in or extended over a public right-of-way or utility easement without the express written consent of the controlling jurisdiction or utility company. Such structures include, but are not limited to, rock or brick mailbox structures.

**4.4.6 Residential Development Standards by Housing Type**

**A. Zero Lot Line**

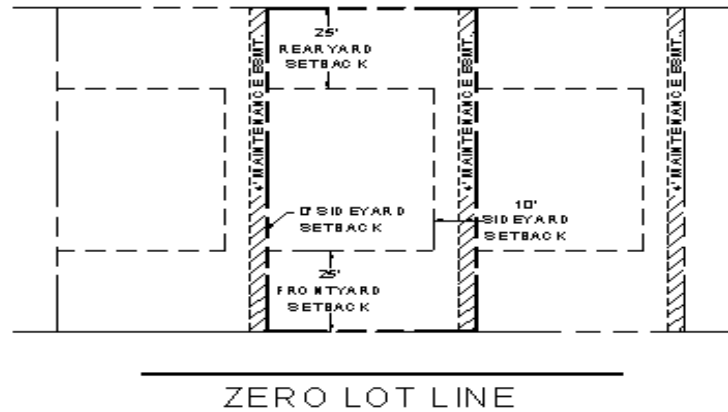
1. Development of a zero lot line dwelling shall occur only on a lot that has been specifically platted to accommodate such a use.
2. Side yards on lots with a zero lot line dwelling shall meet the following requirements.
  - a. One side yard must be a minimum of 10 feet.

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- b. The remaining side yard may range from 0 feet, up to a maximum of one foot, except for lots where minimum setbacks required from side streets or from adjoining lots in other zoning districts necessitate this remaining side yard to be a minimum of 5 feet. In no circumstance shall the separation between a zero lot line home and any dwelling on an adjoining lot be less than 10 feet.



- c. Any side yard abutting a street right-of-way must be a minimum of 25 feet.
  - d. Any side yard abutting a lot in a different zoning district must be a minimum of 5 feet or the width of the required side yard in the adjacent district, whichever is greater.
  - e. A maximum 2-foot eave overhang is allowed within these required side yards.
- 3. A perpetual easement with a minimum width of four feet shall be provided on the adjacent lot, for the maintenance of the wall of the dwelling with the zero lot line. This required easement shall be in favor of the lot on which a zero lot line is planned at or near the boundary to which this easement is adjacent. This required easement shall extend along the entire length of the side boundary to which the easement is adjacent.
  - 4. No doors, windows, air conditioning units, utility meters, electric panel boxes or openings of any kind shall be allowed on the wall of a dwelling or accessory building that lies on a zero lot line, with the exception of translucent windows approved by the Building Inspector. For the purposes of this paragraph alone:
    - a. any portion of an exterior wall which lies less than 3 feet from and substantially parallel to a side boundary shall be considered on the zero lot line; and

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- b. any portion of an exterior wall which lies less than 3 feet from and substantially perpendicular to a side boundary shall be considered on the zero lot line.
  
- 5. The roof of each unit must be designed to prevent stormwater runoff from draining onto the adjacent lot.
  
- 6. Required easements shall be shown on the final plat. If required easements are not shown on the final plat of lots for zero lot line homes, then such easements shall be created by means of a replat or other separate recorded legal instrument before permits for building are granted.
  
- 7. In no case shall the owner of any zero lot line dwelling be granted an easement on the adjoining property for the use or enjoyment of any portion of that property.

**B. Mobile Home Park**

- 1. **General Property Development Standards.** Each area proposed to be zoned MHP District shall meet the standards set forth in the Subdivision Regulations, prior to issuance of building permits.
  
- 2. **Minimum Area of Park.**
  - a. Each mobile home park shall contain a minimum of 5 contiguous acres of land and 25 mobile home spaces.
  - b. Development of a smaller tract of land adjacent to an existing mobile home park may be permitted, provided that:
    - (1) The proposed development conforms to and extends the original mobile home park;
    - (2) The proposed development site is properly zoned;
    - (3) The proposed development otherwise conforms to all of the standards and requirements of this Ordinance.
  
- 3. **Space Standards.** Minimum space standards for the mobile home park are as follows:

<b>Space Standard</b>	<b>Requirement</b>
<b>Space Size</b> , minimum sq. ft.	5,000
<b>Front Setback</b> , minimum from street pavement	20 feet
<b>Separation</b> from other housing units, buildings or accessory structures	15 feet

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4. **Open Space.**
  - a. In each mobile home park there shall be provided one or more open space areas which shall be easily accessible to all park residents, centrally located, and free of traffic hazards. Pedestrian travelways (sidewalks, trails) are encouraged.
  - b. The size of such open space area shall be equal to a minimum of 400 square feet for each housing unit. No open space area shall contain less than 10,000 square feet. Retention areas may not be considered open space or counted towards this requirement.
  
5. **Setbacks, Buffer Strips and Screening.**
  - a. All spaces and permitted accessory uses and structures shall be located at least 50 feet from any park property boundary line abutting upon a public street and at least 25 feet from other park property boundary lines.
  - b. There shall be a minimum distance of 20 feet between the housing unit and the edge of the abutting internal park street.
  - c. All mobile home parks shall be provided with visual perimeter screening in accordance with the Commercial Development landscaping provisions in Section 4.6.8.D.
  
6. **Minimum frontage.** The mobile home park shall be located with direct access to an arterial or collector street as designated by the Kentucky Transportation Cabinet or the City of Bowling Green and shall have a minimum of 50 feet of frontage.
  
7. **Internal Park Streets.** All unit spaces and permitted accessory uses and structures shall front on an internal park street only. All internal streets shall meet the following minimum requirements:
  - a. All internal streets shall be 18 feet in width with no on-street parking or 24 feet with on-street parking.
  - b. Dead-end streets shall be limited in length to 600 feet and shall be provided at the closed end with a cul-de-sac having a minimum diameter of 80 feet.
  - c. All mobile home parks shall be equipped with street lighting units which shall comply with the minimum recommended standards contained in the American Association of State Highway and Transportation Officials (AASHTO) publication entitled, "Information Guide for Roadway Lighting."
  - d. All streets within the mobile home park shall conform to the street construction and design standards of the subdivision regulations of Warren County except as herein modified.



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8. **Off-Street Parking.** Off-street parking areas or on-street parking lanes shall be provided for the use of park occupants and guests. Such areas shall be accessible by motor vehicles from the internal park street and two (2) parking spaces per housing space is required.
9. **Design Standards.**
  - a. All housing unit spaces shall be designed so that the unit can be moved on or off the site without moving any other unit.
  - b. All units must meet the HUD Code for manufactured housing or be affixed with a Commonwealth of Kentucky “B” Seal.
  - c. All units must be in good repair at the time of their placement, and shall be maintained in good repair thereafter.
  - d. Each unit shall be placed on a permanent foundation, and skirted to enclose the area below the unit.
10. **Mobile Home Stands.** The area of the mobile home stand shall be improved to provide adequate support for the placement and tiedown of the housing unit, thereby securing the superstructure against uplift, sliding, rotation, and overturning. The mobile home stand shall not heave, shift or settle unevenly under the weight of the mobile home due to frost action, inadequate drainage, vibration or other forces acting on the structure.
11. **Anchors and Tiedowns.** The mobile home stand shall be provided with permanent anchors and tiedowns which shall secure the stability of the housing unit. Each housing unit shall be secured in such a manner as to prevent the uplift, sliding, rotation, or over turning of the superstructure.
12. **Water Supply.** All mobile home parks shall be served by a public water system that can provide 600 GPM at 20 PSI residual pressure and meet the applicable fire hydrant ordinance.
13. **Sewage Disposal.** All mobile home parks shall be connected to the public sewer system. Individual septic systems may not be used.
14. **Entrance Signs.** Signs intended to be seen outside property boundary lines shall meet the following standards:
  - a. One non-illuminated identity monument sign at each entrance to the mobile home park not to exceed 60 square feet per side shall be permitted. All permitted signs shall also comply with all the applicable Sign Development Standards in Section 4.6.8.F.
  - b. No sign shall project beyond a setback line, or obstruct in any way a driver's vision of the road.

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- c. One unlighted sign advertising the sale or rental of a housing unit or space shall be placed only on that space of the unit or space which is to be rented or sold.
- d. One unlighted sign advertising the sale or rental of any unit or space located within the mobile home park may be located at the entrance of such park provided said sign shall not be over 16 square feet in area.

15. **Other Development Standards**

- a. **Responsibilities of Park Management.** The mobile home park owner shall be responsible for operating the park in compliance with this Zoning Ordinance, meeting all standards and requirements herein, and shall be responsible for and provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition.
- b. **Housing Unit Placement.** The mobile home park owner shall supervise and be responsible for the placement of each housing unit on its stand in accordance with requirements of this Section, including securing the stability of the housing unit and installing all utility connections.
- c. **Space Numbering.** The mobile home park owner shall number each space and shall submit a plan of the park with each space numbered thereon to the Warren County Sheriff's Office, City-County Planning Commission, ambulance service, the fire department within which the mobile home park is located, the Bowling Green Police Department if located within the corporate limits of Bowling Green, and the property valuation administrator. If the numbering of the spaces changes, the mobile home park owner shall submit changes to the departments and agencies set forth above.

16. **Existing Nonconforming Parks.** For existing parks which are located in any zoning district other than Mobile Home Park, any plans to extend or to expand onto contiguous property, shall necessitate a zoning change in accordance with Sec. 3.10 Map Amendment (Rezoning), and the filing of a development plan on the entire property. The development plan shall indicate existing and proposed layouts, sizes and densities. All proposed expansions shall meet all current standards and requirement of this Zoning Ordinance.

**SEC. 4.5 MULTI-FAMILY RESIDENTIAL DISTRICTS**

**4.5.1 Two-Family Residential District (RM-2)**

- A. Purpose and Intent.** The Two-Family Residential District is intended to provide housing opportunities for two-family residential development, including, twinhomes and duplexes. This district shall be served by public sanitary sewer.
- B. Permitted Residential Unit Types.** The following residential unit types shall be permitted in this District:
  - 1. Twinhomes;
  - 2. Duplexes; and
  - 3. Residential unit types permitted in RS-1B district (utilizing RS-1B property development standards).

**4.5.2 Townhouse and Multi-Family Residential District (RM-3)**

- A. Purpose and Intent.** The Townhouse/Multi-Family Residential District is intended to provide housing opportunities for townhouse and multi-family development of up to 8 units in a single building. This district shall be served by public sanitary sewer.
- B. Permitted Residential Unit Types.** The following residential unit types shall be permitted in this District:
  - 1. Townhomes containing 3 to 8 units per building;
  - 2. Condominiums containing 3 to 8 units per building;
  - 3. Apartments containing 3 to 8 units per building;
  - 4. Two-family residential unit types permitted in RM-2 district; and
  - 5. Residential unit types permitted in RS-1C district (utilizing RS-1C property development standards).

**4.5.3 Multi-family Residential District (RM-4)**

- A. Purpose and Intent.** The Multifamily Residential District is intended to provide housing opportunities for townhouse and apartment development with greater than eight (8) units per building. This district shall be served by public sanitary sewer.
- B. Permitted Residential Unit Types.** The following residential unit types shall be permitted in this District:
  - 1. Condominiums containing greater than 8 units per building;
  - 2. Apartments containing greater than 8 units per building;
  - 3. Residential unit types permitted in the RM-3 district;
  - 4. Two-family residential unit types permitted in RM-2 district; and
  - 5. Residential unit types permitted in RS-1D district (utilizing RS-1D property development standards).

**4.5.4 General Residential Development Standards**

- A. Uses.** Uses permitted in each District are shown in the Use Table in Sec. 5.1. This table employs broad use categories containing a variety of similar uses. The use categories are described in Sec. , Use Categories, and Appendix B lists examples of uses, showing which use categories they fall into. Additional standards for specific uses, if any, can be found in each category. Properties which have recorded binding elements limiting their use to single family residential shall be limited to one family occupancy per residential unit.
  
- B. Property Development Standards.** Development in each Multi-family Residential District shall comply with the general residential development standards in the following tables:

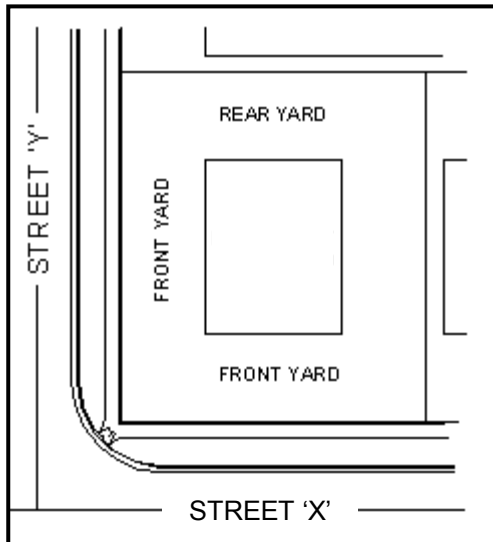
	<b>RM-2 Duplex</b>	<b>RM-2 Twinhome</b>	<b>RM-3</b>	<b>RM-4</b>
<b>Lot Area</b> (min sf) ** Public Sewer	11,000	5,500 / unit	8,000 sf + 2,000 sf for each unit >1	5,000 sf + 1,500 sf for each unit >1
Septic System	N/A	N/A	N/A	N/A
<b>Lot Width</b> (min at bldg line)	75 feet	37.5 feet/unit	40 feet	40 feet
<b>Lot Frontage</b> (min) Public Street	50 feet	25 feet/ unit	50 feet	50 feet
Cul-de-Sac (bulb only)	40 feet	20 feet/ unit	40 feet	40 feet
<b>Lot Coverage</b> (max)	75%	75%	80%	85%
<b>Setbacks</b> (min) Front Yard	25 feet	25 feet	25 feet*	25 feet*
Side Yard	7.5 feet	7.5 feet	10 feet	10 feet
Rear Yard	10 feet	10 feet	25 feet	25 feet
Accessory Structure	5 feet	5 feet	5 feet	5 feet
<b>Height</b> (max)	42 feet	42 feet	42 feet	6 stories above grade
<b>Fire Protection Required?</b>	See Sec. 1.13 for Fire Protection Requirements			
<b>Off-Street Parking</b> (spaces required)	2 spaces per unit	2 spaces per unit	Bed    Sp 1    1.5 2    2.5 3    3.25 4    4.0 5    5.0	Bed    Sp 1    1.5 2    2.5 3    3.25 4    4.0 5    5.0

\*See Sec. 4.5.5.B.3 for setback provisions for townhomes.

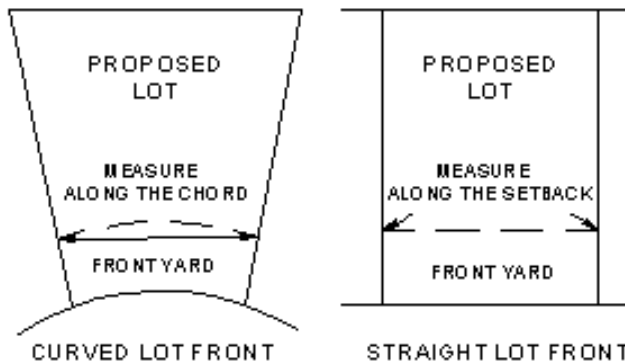
\*\* For the RM-3 and RM-4 districts, there are also maximum density standards (units/acres) for apartments (see 4.5.5.C)

**C. Other Standards**

1. **Corner lots.** Corner lots shall be required to provide a front yard along any lot line abutting a street.



2. **Reduction in Lot Area Prohibited.** No lot, although it may consist of one or more adjacent lots of record, shall be reduced in area to the extent that yards, lot area, lot width, building area, or other requirements of this Ordinance are not maintained. Where a lot is affected by acquisition or condemnation for government purposes, the remaining lot may vary no more than 10 percent from these minimum standards and requirements. Where a greater than 10 percent variation occurs, it shall be considered a taking in its entirety.
3. **Minimum Lot Area Above 100-Year Flood Level Required.** No lot served by public sanitary sewer shall be created or developed which does not have at least 5,000 square feet of lot area above the 100-year frequency flood level. No lot served by on-site septic systems shall be created or developed which does not have at least 20,000 square feet of lot area above the 100-year frequency flood level.
4. **Measurement of Lot Width.** Minimum lot width shall be measured at the building setback line. Curve or cul-de-sac lots shall be measured along the chord distance at the front setback between side property lines.

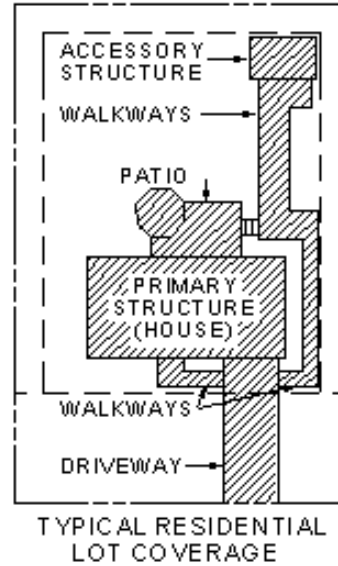


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5. **Minimum Lot Frontage Required.** No building shall be erected on a lot, nor shall a lot be created, which does not abut at least one improved street for a distance of not less than 32 feet (see also Sec. 6.4 regarding nonconforming lots of record).

6. **Measurement of Lot Coverage.** Lot coverage shall include all areas of the lot covered by buildings, structures (including accessory structures), patios, walkways, travelways, and parking areas, including gravel including gravel, pervious material or similar permeable paving material parking areas. Lot coverage does not include uncovered, semi-pervious decks or outdoor pools. The percent of lot coverage shall be determined by dividing the total covered area by the gross area of the lot.



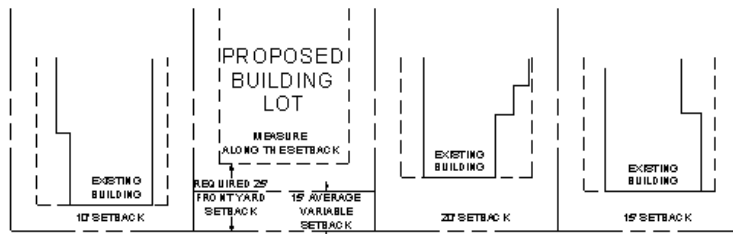
7. **Setbacks and Yards.**

a. **Lots Abutting Interstate or Other Highways.**

Lots that abut an Interstate Highway, Parkway or other fully controlled access highways which allow no direct access shall have a minimum building setback line from the right-of-way of said highway of 25 feet. This building line shall be the same whether considered as front, side or rear setback.

b. **Distance Greater than Minimum Required.** Building setback lines as established by this Section may be greater than the minimums shown in the table in Sec. 4.5.4.B; however, for purposes of establishing minimum lot width, this distance shall not exceed 100 feet.

c. **Variable Front Yard Setback.** A waiver from the strict enforcement of the front yard setback shown for a specific district may be granted by the Executive Director where the majority of existing development on the same block face is set back less than the required setback. In such case, the front yard setback may be the average setback line for that block face, or 10 feet, whichever is greater.



**VARIABLE FRONT YARD SETBACK**

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8. **Height Limit Exceptions.** The height limitations of this Ordinance shall not apply to church spires, belfries, cupolas and domes not intended for human occupancy; monuments; water towers; observation towers; flag poles; or chimneys.

9. **Parking Standard.**

a. All parking areas shall be paved with asphalt, concrete, brick pavers, or similar material. For any single family residential use in RM-2, RM-3, or RM-4, no parking shall be located in excess of 25 percent of the front yard of the housing unit; parking is also allowed, however, in front of a carport or garage.

b. Required parking shall be provided according to the Development Standards table found in this section and the “Off-Street Parking and Loading” in Section 4.6.8.E.2, 4.6.8.E.3, 4.6.8.E.4, 4.6.8.E.5, and 4.6.8.E.6.

C. **Landscaping.** All multi-family residential development shall comply with the minimum landscaping standards as set forth in the Commercial Development Standards in Section 4.6.8.D.

D. **Signs**

1. Signage is allowed within Multi-Family Residential Districts on a limited basis and in accordance with the following table. No sign shall be externally or internally illuminated. All permitted signs shall also comply with all the applicable Sign Development Standards in Section 4.6.8.F.

	RM-2, RM-3, and RM-4
Freestanding Signs Allowed?	Yes*
Maximum Number	1
Maximum Face Area	75 sf
Maximum Height	7 ft
Structure Type	Pole, Monument
Wall Signs Allowed?	Yes*
Maximum Face Area	40 sf
Entrance Sign Allowed?	Yes

\* In RM-2, RM-3, and RM-4 districts, signs are allowed for properly permitted conditional uses only.

2. **Entrance Signs Standards.**

a. The content of an entrance sign shall be limited to the name of the subdivision or residential complex only.

b. No sign shall be internally illuminated.

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- c. All entrance signs shall be constructed of durable materials.
- d. Landscaping is encouraged around entrance signs, provided the selected landscape materials will not grow to obscure sign face. No landscaping shall be erected to obstruct free and clear vision of an intersection and/or roadway.
- e. Structural Type and Size. Any entrance sign must be monument type and the maximum sign face shall be 60 sq. ft. total. Maximum height shall be 5 feet.
- f. Entrance signs may be allowed in public right-of-way only with written permission of the applicable jurisdiction.
- g. All permitted signs shall also comply with all the applicable Sign Development Standards in Section 4.6.8.F.

3. **Personal Expression and Political Campaign Signs.**

Temporary on-premise signs containing content of personal expression or political campaign shall not require a permit. These signs are allowed provided they otherwise comply with the following standards:

- a. No sign shall be erected to obstruct free and clear vision of an intersection and/or traffic signals. No sign may be placed in or extended over a public right-of-way or utility easement without the express written consent of the controlling jurisdiction or utility.
- b. Signs shall be limited to a maximum of 16 s.f. in size (Campaign signs-32 square feet in unincorporated areas of Warren County).
- c. All permitted signs shall also comply with all the applicable Sign Development Standards in Section 4.6.8.F.

**E. Accessory Structures.** Accessory buildings, except as otherwise permitted by this Ordinance, shall require a building permit and shall be subject to the following regulations in all multi-family districts.

- 1. No accessory building or structure shall extend beyond the front of the principal structure, excluding fences 4 feet or less in height.
- 2. When a corner lot adjoins another lot in the rear which is used for residential purposes, no accessory building or structure shall extend beyond the front of the principal structure or be nearer to the side street than the depth of any required front yard for a dwelling along such side street, again excluding fences 4 feet or less in height.
- 3. An accessory building may not exceed the height of the principal structure or 42 feet, whichever is less.
- 4. Accessory buildings shall not exceed 75 percent of the ground floor area of the principal building.



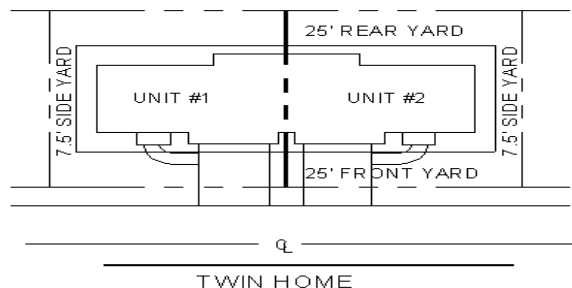
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5. No detached accessory building including, but not limited to smokehouses and fire pits, shall be located closer than 10 feet to any principal building, and may require greater separation when requested by the Fire Marshal/Building Inspector.
6. An accessory building may be connected to the principal building by a breezeway or other similar structure but shall not be considered as an attached accessory building, carport, or similar structure. Said breezeway shall not project nearer the side lot line than the minimum side yard required for the main building. An accessory building located on a through lot shall conform to the required building setback line set forth for the District.
7. Accessory buildings/structures shall be permanently affixed to the ground and shall not include mobile home, bus, travel trailer, RV, trailer, cooler, vehicle or freight container.
8. Swimming Pools.
  - a. All swimming pools with a water depth of 3 feet or greater shall require a building permit.
  - b. A swimming pool as an accessory use to a residential structure shall be located no closer than 10 feet to the rear property line and no closer than 10 feet to a side property line. On a corner lot, the side yard setback shall be 25 feet. The setback shall be measured from the wall of the swimming pool to the nearest property line.
  - c. The swimming pool area shall be enclosed by a fence or other suitable barrier with a minimum height of not less than 4 feet. Openings in the fence shall be small enough to prevent a child from entering the enclosure other than through the gate.
9. Fences. For the purpose of determining the yard setback, the accessory structures setback shall not apply to fences. See 4.5.4.E (1) and (2) for front setback for fences.
10. No accessory structure that is not designated to breakaway on impact shall be permitted in or extended over a public right-of-way or utility easement without the express written consent of the controlling jurisdiction or utility company. Such structures include, but are not limited to, rock or brick mailbox structures.

**4.5.5 Residential Development Standards by Housing Type**

- A. Twinhome.** Only one twinhome dwelling unit shall be allowed on a single lot.



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**B. Townhomes.**

1. **Platted Lot Required.** Each unit shall be developed on a separately platted and recorded lot.
2. **Lot Size.**
  - a. Minimum lot size for each platted lot shall be 1.200 square feet, exclusive of floodplain.
  - b. Minimum lot width shall be 16 feet for each unit.
3. **Setbacks.**
  - a. Front Yard. Minimum 25 feet with no garage, 18 feet with a garage, or 5 feet with designated off-site or rear parking.
4. **Off-Street Parking and Drives.**
  - a. Each townhouse shall have at least 2 paved off-street parking spaces located on the lot belonging to each townhouse, or within 100 feet of the unit.
  - b. Parking spaces that do not have a private access from a public way shall have access via a private drive for which perpetual maintenance shall be provided. Perpetual maintenance shall be provided through an agreement or covenant which is properly recorded and which runs with the land. Such agreement shall receive the prior approval of the Planning Commission staff and shall be recorded in the office of the County Court Clerk of Warren County, Kentucky.
5. **Party Walls and Roofs.**
  - a. Party walls shall be constructed in conformance with the Kentucky Building Code provisions.
  - b. Party walls and roofs shall be perpetually maintained, repaired and replaced through a party wall and roof agreement with provisions for arbitration. Such agreement shall receive the prior approval of the Planning Commission Staff and shall be recorded in the office of the County Court Clerk of Warren County, Kentucky.
  - c. All townhomes sharing a common wall shall have a minimum 24-inch offset in the front and rear building lines.
6. **Subdivision Regulation Coordination.** Any development approved under this section shall be considered a major plat.

- C. Apartments.** Overall density of an apartment project shall not exceed 24 units per gross acre for RM-3, and 48 units per gross acre for RM-4.

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**D. Condominium (Horizontal Property)**

1. The intent and application of this Ordinance is to implement and reaffirm the Horizontal Property Law of Kentucky (KRS 381).
2. A master deed or lease or floor plans meeting the standards set forth in KRS 381 shall not be filed in the office of the Warren County Clerk without having first been reviewed and approved by the Planning Commission.
3. The maximum permitted overall densities and floor area ratios and the minimum outdoor area, living space, and recreation area ratios shall be controlled by the zoning district classification in which the project is located.
4. The establishment, expansion or diminution of a horizontal property regime shall be subject to review and approval by the Planning Commission in the same manner as approval of a detailed development plan.

**SEC. 4.6 COMMERCIAL AND OFFICE/PROFESSIONAL DISTRICTS**

**4.6.1 Neighborhood Business District (NB)**

The Neighborhood Business District is intended to provide opportunities for neighborhood-scale commercial development that provides daily services and goods to the immediately surrounding area.

**4.6.2 General Business District (GB)**

The General Business District is intended to provide opportunities for commercial development that serves the entire community or region.

**4.6.3 Central Business District (CB)**

The Central Business District is intended to provide for the continued vitality of downtown Bowling Green and the maintenance and re-use of existing historic structures. This district shall be served by public sanitary sewer.

**4.6.4 Highway Business District (HB)**

The Highway Business District is intended for the development of businesses that require a high volume of vehicular traffic due to the nature of the products or services offered by the business. This District is appropriate for parcels having frontage on collector or arterial streets, or within one-half mile of an interstate or Kentucky Toll Road interchange.

**4.6.5 Office and Professional - Residential District (OP-R)**

This district is established with the purpose and intent of providing space for professional offices in appropriate locations to accommodate the needs of the community. The district is intended to serve as the transition between commercial areas and adjacent residential development.

**4.6.6 Office and Professional - Commercial District (OP-C)**

This district is established with the purpose and intent of providing space for professional offices in appropriate locations to accommodate the needs of the community. The district is intended to serve large-scale offices in commercial or industrial areas.

**4.6.7 Public District (P)**

The Public District is intended to provide for public and quasi-public development, including open lands such as parks, and developed uses including government building, hospitals, and schools. Use of the Public District is limited to agencies and entities receiving or utilizing public funding.

**4.6.8 General Commercial Development Standards**

**A. Uses.** Uses permitted in each District are shown in the Use Table in Sec. 5.1. This table employs broad use categories containing a variety of similar uses. The use categories are described in Sec. 5.2, Use Categories, and Appendix B lists examples of uses, showing which use categories they fall into. Additional standards for specific uses, if any, can be found in each category.

**B. Property Development Standards.**

1. Development in each District shall comply with the general commercial development standards in the following table:

	<b>NB</b>	<b>GB</b>	<b>CB</b>	<b>HB</b>	<b>OP-R</b>	<b>OP-C</b>	<b>P</b>
<b>Lot Area, min. sq. ft.</b> Public Sewer Septic System *	5,000 43,560	5,000 43,560	0 N/A	5,000 43,560	5,000 43,560	5,000 43,560	5,000 43,560
<b>Lot Width, min. ft. at Bldg. Line</b>	50	50	0	50	50	50	50
<b>Lot Frontage, min. ft.</b>	50	50	0	50	50	50	50
<b>Lot Coverage, max.</b>	70%	80%	100%	90%	50%	80%	90%
<b>Setbacks, min. ft.</b>							
Front Yard	25	25	0	25	25	25	25
Side Yard	0	0	0	0	10	0	0
Rear Yard	0	0	0	0	25	0	0
Accessory Structure	0	0	0	0	0	0	0
<b>Height, max.</b>	42 feet	None	None	None	42 feet	None	None
<b>Building Size, max. s.f.</b>	4,000	N/A*	N/A*	N/A*	4,000	N/A	N/A
<b>Parking</b>	See specific use chart in 4.6.8.E for parking requirements.						
<b>Fire protection required?</b>	See Sec. 1.13 for Fire Protection Requirements.						
<b>Landscaping required?</b>	See Section 4.6.8.D for landscaping requirements.						
<b>Residential uses allowed?</b>	Yes	Yes	Yes	Yes	Yes	Yes	Yes
<b>What standard?</b>	RS-1D	RM-3 or RS-1D	Accessory Use	Accessory Use	RS-1D	RM-3 or RS-1D	Accessory Use

\* Commercial uses (see Article 1.12.2.A.3).

2. **Minimum Lot Area Above 100-Year Flood Level Required.** No lot served by public sanitary sewer shall be created or developed which does not have at least 5,000 square feet of lot area above the 100-year frequency flood level. No lot served by on-site septic systems shall be created or developed which does not have at least 20,000 square feet of lot area above the 100-year frequency flood level.
3. **Measurement of Lot Coverage.** Lot coverage shall include all areas of the lot covered by buildings, structures (including accessory structures), patios, walkways, travelways, and parking areas, including gravel parking areas. Lot coverage does not include pervious material or similar permeable paving material. The percent of lot coverage shall be determined by dividing the total covered area by the gross area of the lot.
4. **Variable Front Yard Setback.** A waiver from the strict enforcement of the front yard setback shown for a specific district may be granted by the Executive Director where the majority of existing development on the same block face is set back less than the required setback. In such case, the front yard setback may be the average setback line for that block face, or 10 feet, whichever is greater.

**C. Additional Setback Adjacent to Single-Family Residential District/ Uses.**

Development in any commercial district adjacent to the boundary of a Single-Family residential zoning district or a Single-Family Residential Use shall require the following setback:

1. **Commercial Districts (OP-C, HB and GB).** A rear yard shall have a minimum 40-foot rear yard setback, and a side yard shall have a minimum 20-foot side yard setback.
2. **Commercial Districts (OP-R, NB, P and CB).** A rear yard shall have a minimum 25-foot rear yard setback, and a side yard shall have a minimum 10-foot side yard setback.

**D. Landscaping.** All commercial development shall comply with the minimum landscaping standards as follows:

1. **Applicability**
  - a. No new site development, building, structure, or vehicle use area (VUA) shall hereafter be constructed or used unless landscaping is provided as required by the provisions of this Section, regardless of the need for a building permit.
  - b. No building, structure or VUA shall be expanded or moved unless the minimum landscaping is provided as required by the provisions of this Section.
  - c. No building, structure, or VUA shall be reconstructed unless the minimum landscaping is provided as required by the provisions of this Section.

- d. No use shall be changed to another use for which this Ordinance requires additional parking over that which was required for the previous use, unless the VUA perimeter and interior VUA landscaping as required by this Section is provided for such additional parking, where the previous use had no required parking, perimeter and interior VUA landscaping shall be provided for all new VUA serving the new use. Interior landscaping shall not be required where only the use of the property is changed and no new construction or reconstruction of any VUA is proposed.
  - e. No use of an existing building, structure, or VUA shall be commenced subsequent to a change in zoning unless all landscaping as required by this Section is provided.
  - f. The buffering requirements of this Section shall not apply to the construction of agricultural buildings or for the development of single family detached residential units adjacent to existing single family residential.
  - g. All uses in the Central Business (CB) District, except parking lots and vehicle use areas, shall be exempt from the landscaping provisions of this Ordinance.
2. **Buffers between incompatible land uses.** Land uses that are determined to be incompatible by the Executive Director of the Planning Commission shall be buffered at the following rate:
- a. Three deciduous shade trees and six evergreen trees per each 100 linear feet of buffer, or two deciduous shade trees, three evergreen trees and twelve shrubs per 100 linear feet of buffer.
  - b. Up to one-half of the deciduous shade trees and evergreens may be substituted with ornamental trees. The substitution rate shall be two ornamental trees for each shade or evergreen tree.
  - c. The required buffer shall be located along the property boundary adjacent to the incompatible land use.
  - d. All buffers located between incompatible land uses must be an average of ten feet in width with the minimum dimension being five feet.
3. **Screening of Vehicle Use Areas (VUA).**
- a. When a VUA is located adjacent to any property line other than a public right-of-way, the screen shall be planted at the following rate:

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- (1) Three deciduous shade trees and two evergreen trees per 100 linear feet of screening, for the area where the VUA is adjacent to, and within 100 feet of a common property line, or two deciduous shade trees, 20 shrubs per 100 linear feet of screening.
  - (2) Up to one-half of the deciduous shade trees and evergreens may be substituted with ornamental trees. The substitution rate shall be two ornamental trees for each shade or evergreen tree.
  - (3) All screening between a VUA and a common property line must be an average of ten (10) feet in width with the minimum dimension being five (5) feet.
  - (4) When a VUA is located adjacent to any public right-of-way, the screen shall contain:
    - i. A minimum of 70 percent of the distance where a VUA is adjacent to a right-of-way or common property line shall be screened with shrubs to be maintained at a minimum of 24 inches and a maximum of 42 inches in height, with one-half of the shrubs used for this being of an evergreen species.
    - ii. Two deciduous shade trees per 100 linear feet of screen. Shade trees may be substituted with ornamental trees at the rate of two ornamental trees per shade tree.
    - iii. All screens between a VUA and right-of-way must be a minimum of ten feet in width.
4. **Interior VUA Landscaping.** Any open VUA (excluding loading, unloading and storage areas in an industrial zone) containing 6,000 square feet of parking area shall provide interior landscaping in addition to the previously required VUA perimeter landscaping. Where a VUA is altered or expanded to increase to 6,000 or more square feet of area, interior landscaping shall be provided for the entire VUA area. Planting adjacent to or within ten feet of a building is considered foundation planting and is not counted towards the requirements of this section. All interior VUA shall be planted at the following rate:
- a. A minimum of five percent interior VUA landscaping shall be provided in planting islands or peninsulas.
  - b. The minimum landscape area to be counted towards the requirements of this section shall be 64 square feet, with a minimum island or peninsula width of six feet.



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- c. Required landscape areas shall be dispersed throughout the VUA, with no area being larger than 400 square feet, areas over this amount are permitted when in excess of the required five percent.
  - d. Landscape islands shall be required at the ends of all parking bays.
  - e. A minimum of one tree shall be planted within each landscape island or peninsula for each 250 square feet of required interior VUA landscaping.
  - f. There shall be no more than 20 parking spaces between islands or peninsula in a VUA. This is to include parking adjacent to common property lines or public rights-of-way.
5. **Screening of Service Structures.** All service structures shall be fully screened.
- a. A continuous planting, fence, wall, or earth berm shall enclose any service structure on all sides unless such structure must be frequently moved, in which case screening on all but one side is required. The average height of the screening material shall be one foot more than the height of the enclosed structure, but shall not be required to exceed eight feet in height. No screening shall be required if the service structure is interior to loading or vehicle servicing area.
  - b. When plant material is to be used for the screening of service structures, the plant material must be able to provide 100 percent screening within three years.
  - c. All trash disposal units and ground level storage units shall be enclosed within walls, vegetation, or earthen berm on all sides with an opening door for the removal of trash or stored items. The height of the screening shall be 18 inches higher than the structure to be screened, but shall not be required to exceed eight feet in height.
6. **Landscape materials.** Screening material shall consist of plant material, wood, stone, masonry material, or earthen berm.
- a. All plant material shall meet the American Nursery Standards and shall come from the plant list available from the City-County Planning Commission. If plant material not on the plant list is to be used, it must have the prior approval of the City-County. All deciduous trees must be a minimum of one-and-three-quarter inches in caliper at planting, all evergreen trees shall be a minimum of five feet planted height, and shrubs shall be a minimum of 24 inches planted height. Ornamental trees shall have a minimum height of six feet planted height.

- b. Fence or Wall material shall consist of either board-on-board wooden fence, masonry, or stone or any combination of the above. The use of such wall or fence material used between incompatible land uses must be to a height of six feet and may be used in place of the evergreen trees and shrub material. The minimum buffer widths are still to be maintained and the deciduous tree requirements are to be used in conjunction with the wall or fence. All wood used is to be treated with water-borne preservatives to the American Wood Preservers Institute standards. All hardware is to be galvanized or otherwise rustproof. Chain link fencing may not be used to satisfy the requirements of this Section.
  - c. Earthen berms shall be constructed to a maximum slope ratio of three to one (3:1) and covered with a ground cover or turf. A difference in elevation between areas requiring screening does not constitute an earth berm. The minimum buffer widths are still to be maintained and the deciduous tree requirements are to be used in conjunction with the wall or fence.
7. **Credit for existing vegetation.** Existing vegetation which is proposed to be used to fulfill the landscape requirements shall be shown on the required landscape plan, and may only be used with written approval of the City-County Planning Commission after a site visit. All vegetation to be used must be on the property requiring the landscape plan. If in the future, the existing vegetation is removed, the property owner will be required to replace the vegetation with the quantity as outlined elsewhere in this section.
8. **Requirements of a Landscape Plan.**
- a. Site plan, drawn to an scale not to exceed one inch to fifty feet, showing all existing structures, proposed structures, proposed VUA and travel lanes, property lines, easements, existing topography, proposed grading at a minimum of two-foot contours and the proposed location of all plant material keyed to the plan.
  - b. Plant schedule including common name, botanic name, cultivar, size and quantity, condition (balled and burlaped, container size or bare root), and planting details using the standards of the American Society of Landscape Architects.
  - c. All adjacent property owners, land use, current zoning, and proposed zoning.
  - d. All landscape plans must be prepared by an Engineer, Architect, or Landscape Architect licensed to practice in the State of Kentucky, or Certified Nurserymen and in accordance with all state laws.

9. **Landscape plans required for building permit.**

a. When a landscape plan is required, no building permit shall be issued until the required landscape plan has been submitted and approved, all required landscape improvements must be installed prior to receipt of a Certificate of Occupancy. A surety must be posted for any landscape improvements that will be installed after the issuance of a Certificate of Occupancy. A surety must be submitted to the City-County Planning Commission in the amount of the cost to install the landscaping according to the approved landscape plan plus an additional fifteen (15) percent inflationary factor.

10. **Maintenance.** All landscaping required by this Section and any landscape material planted as part of any Binding Elements, must be maintained in a healthy and growing condition for a period of thirty-six (36) months, and all plant material that dies must be replaced in the next appropriate planting season to the specifications of the originally approved landscape plan.

**E. Off-Street Parking and Loading.** Off-street vehicle storage or parking space shall be provided for all uses allowed in the districts in this Section. Such space shall be provided with vehicular access to a street or alley and shall be designated on any required site plan or Detailed Development Plan.

1. **Required Spaces.** The following are minimum requirements for specific uses. All measurements utilizing square feet shall be square feet of gross floor area unless otherwise expressly stated. Combined uses shall be required to provide parking equal to the total requirements for the individual uses. Where necessary, calculations shall be based on Kentucky Building Code Occupancy load requirements. Uses in the CB district are exempt from the on-site parking requirements of this Section.

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Use	Spaces Required
Auto Showroom or Dealer, New or Used	1 per 400 square feet of showroom and office space, plus two spaces per service bay
Bed and Breakfast	1 space per bedroom
Conference Center or Student Center	1 space per 150 square feet of main meeting room space.
Day Care	1 space per 400 square feet, exclusive of kitchens and bathrooms
Group Living	2 spaces per 3 occupant beds, plus 1 space per employee
Hospital	1 space per 4 authorized beds, plus 1 space per 1,000 square feet
Hotel or Motel	1 per bedroom plus 1 per 400 square feet of banquet, office, or meeting space
Library, Museum, Art Gallery	1 per 1,000 square feet, plus 5 for each meeting or special facility room
Medical Office, Health Clinic, Pharmacy	1 space per 200 square feet
Nursing Home, Assisted Living	1 space per 4 authorized beds plus 1 space per 1,000 square feet
Office	1 space per 300 square feet
Place of Public Assembly (Auditorium, Place of Worship, Stadium, Theater, etc.)	1 space per 4 seats maximum capacity
Sit-Down Restaurant	1 space per 100 square feet, plus 1 space per employee, maximum shift.
Drive-Thru Restaurant	1 space per 200 square feet.
Retail or Commercial Use	1 space for each 400 square feet
School, Elementary or Middle	2 spaces per classroom
School, Secondary or Post-Secondary	4 spaces per classroom, OR 1 space for 6 seats in auditorium, gym, arena or stadium, whichever is greater.

2. **Rules for Computing Requirements.** The following rules apply when computing off-street parking and loading requirements.
  - a. **Multiple Uses.** Lots containing more than one use must provide parking and loading in an amount equal to the total of the requirements for all uses. For commercial development where multiple uses may be located (such as a strip center with multiple tenants), unless uses are restricted by plat or

other recorded instrument, parking requirements will be based on the most intense use.

- b. **Fractions.** When measurements of the number of required spaces result in a fractional number, any fraction of  $\frac{1}{2}$  or less will be rounded down to the next lower whole number and any fraction of more than  $\frac{1}{2}$  will be rounded up to the next higher whole number.
  - c. **Occupancy-Based Standards.** For the purpose of computing parking requirements based on employees, students, residents or occupants, calculations shall be based on the largest number of persons working on any single shift, the maximum enrollment or the maximum fire-rated capacity, whichever is applicable and whichever results in the greater number of spaces.
  - d. **Business Vehicles.** When parking spaces are used for the parking of vehicles for sale, in storage or used in the operation of a business, such parking spaces shall be provided in addition to those otherwise required by this Ordinance. Parking spaces for business vehicles shall conform to all of the standards of this Section.
  - e. **Unlisted Uses.** For a use not specifically listed in the table above, the Executive Director shall apply the off-street parking standard specified for the listed use that is deemed most similar to the proposed use or require an alternative parking study in accordance with this section.
3. **Alternative Parking Study.** Some uses have widely varying parking demand characteristics, making it impossible to specify a single off-street parking standard. A developer proposing to develop or expand such a use may submit an alternative parking study that provides justification for the number of off-street parking spaces proposed.
- a. A parking study must include estimates of parking demand based on recommendations of the Institute of Traffic Engineers (ITE), or other acceptable estimates as approved by the Planning Commission and should include other reliable data collected from uses or combinations of uses that are the same as or comparable with the proposed use. Comparability will be determined by density, scale, bulk, area, type of activity, and location. The study must document the source of data used to develop the recommendations.
  - b. The Planning Commission shall review the parking study and any other traffic engineering and planning data relevant to the establishment of an appropriate off-street parking standard for the proposed use. After reviewing the parking study, the Planning Commission shall establish a minimum off-street parking standard for the proposed use.

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- c. In addition to minimum parking required per parking study, the Planning Commission may require additional, unpaved area be designated and set aside for future use.

**4. Parking Space Design**

- a. **Space Size.** The following minimum standards shall apply to the width and length of parking spaces.

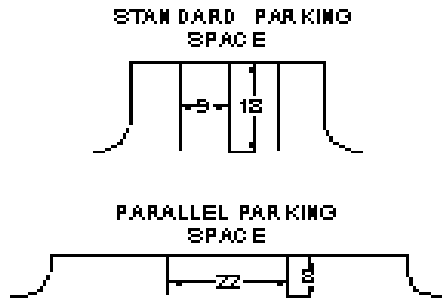
<b>Type</b>	<b>Width</b>	<b>Length</b>
Standard parking space	9 feet	18 feet
Parallel parking space	8 feet	22 feet

- b. **Angle Parking Size.** The standards for the minimum width of parking spaces plus the aisle are shown in the following table. These standards apply to a single row of head-in parking or two rows of head-in parking sharing an aisle.

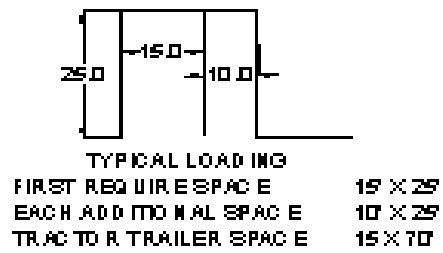
<b>Angle</b>	<b>Width: 1 Row With Aisle</b>	<b>Width: 2 Rows Sharing Aisle</b>
90 degree angle parking	42.0 feet	60.0 feet
60 degree angle parking	34.6 feet	54.7 feet
45 degree angle parking	31.1 feet	50.0 feet
30 degree angle parking	28.8 feet	45.6 feet

- c. **Driveways.** When driveways are less than 20 feet in width, marked separate entrances and exits shall be provided so that traffic shall flow in one direction only. Entrances and exits to an alley may be provided if prior approval is obtained in writing from the Planning Commission. Driveways designated as fire lanes shall meet the standards of the Fire Code.

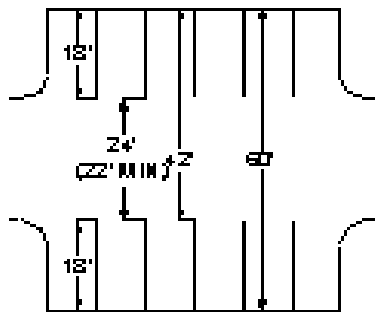
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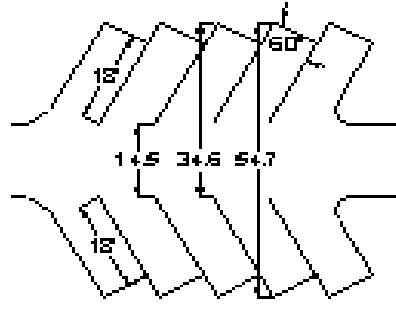
PARKING SPACE DESIGN



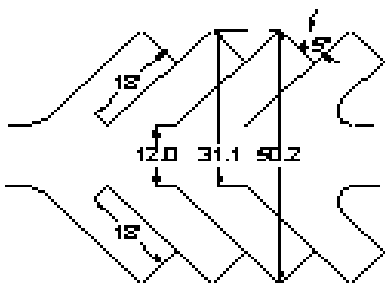
LOADING SPACE



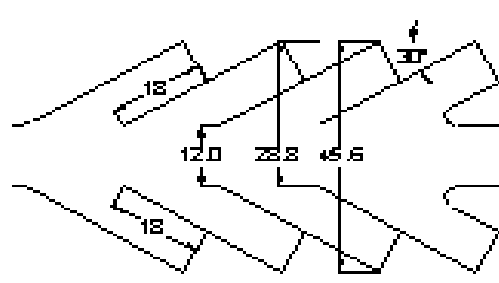
90° ANGLE PARKING  
(TWO WAY TRAFFIC)



60° ANGLE PARKING\*  
(ONE WAY TRAFFIC)



45° ANGLE PARKING\*  
(ONE WAY TRAFFIC)



30° ANGLE PARKING\*  
(ONE WAY TRAFFIC)

ANGLE PARKING SIZE

NOTE:  
MINIMUM AISLEWIDTH FOR TWO WAY TRAVEL AISLE SHALL BE 22'  
MINIMUM ONE WAY SHALL BE AS SHOWN ABOVE

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- d. **Maneuvering Space.** Maneuvering space shall be located completely off the right-of-way of a public street, place or court, and have a minimum width of 22 feet. Parking areas that would require the use of public right-of-way for maneuvering shall not be acceptable as required off-street parking spaces other than for one- and two-family dwellings. Parking parallel to the curb on a public street shall not be substituted for off-street parking requirements.
  - e. **Parking Surface.** Drives and parking areas must be paved with concrete, asphalt, brick pavers, pervious material or similar permeable paving material.
5. **Off-Site (Remote) Parking.** If sufficient parking is not available on the premises, a private parking lot may be provided within 500 feet, either on property zoned for that purpose subject to the following conditions:
- a. The parking shall be subject to the front yard setback requirements of the district in which it is located.
  - b. The parking area must be paved with concrete, asphalt, or brick pavers.
  - c. The parking area must be landscaped in accordance with the provisions of this Section.
  - d. Area lights must be directed away from adjacent properties.
  - e. **Agreement for Remote Parking.** A remote parking plan will be enforced through written agreement among all owners of record. An attested copy of the agreement between the owners of record must be submitted to the Planning Commission for recording and recording of the agreement must take place before issuance of a building permit for any use to be served by the off-site parking area. A remote parking agreement may be revoked only if all required off-street parking spaces will be provided in accordance with this Section.
6. **Shared Parking.** Developments or uses with different operating hours or peak business periods may share off-street parking spaces if approved as part of a Parking Plan and if the shared parking complies with the all of following standards.
- a. **Location.** Shared parking spaces must be located within 600 feet of the primary entrance of all uses served, unless remote parking shuttle bus service is provided.
  - b. **Zoning District Classification.** Shared parking areas require the same or a more intensive zoning classification than required for the use served.



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- c. **Shared Parking Study.** Those wishing to use shared parking as a means of satisfying off-street parking requirements must submit a shared parking analysis to the Planning Commission that clearly demonstrates the feasibility of shared parking. The study must address, at a minimum, the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover and the anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces.
  
  - d. **Agreement for Shared Parking.** A shared parking plan will be enforced through written agreement among all owners of record. An attested copy of the agreement between the owners of record must be submitted to the Planning Commission for recording and recording of the agreement must take place before issuance of a building permit for any use to be served by the off-site parking area. A shared parking agreement may be revoked only if all required off-street parking spaces will be provided in accordance with this Section.
7. **Stacking Spaces for Drive-Thru Facilities.** In addition to meeting the off-street parking requirements of this section, drive-thru facilities shall comply with the following minimum stacking space per lane standards:

Use Type	Minimum Spaces	Measured From
Automated teller machine	3	Teller
Bank teller lane	4	Teller or Window
Car wash stall, automatic	6	Entrance
Car wash stall, self-service	3	Entrance
Gasoline pump island	30 feet	Each end of pump island
Restaurant drive-thru	5	Menu Board
Other drive-through	3 spaces	Pick up window
Other	As approved by the Planning Commission based on Parking Study	

Stacking spaces shall be subject to the following design and layout standards.

- a. Stacking spaces shall be a minimum of 8 by 20 feet in size.
  - b. Stacking spaces shall be designed so as not to impede pedestrian circulation or on- and off-site traffic movements or movements into or out of parking spaces.
  - c. Stacking spaces shall be separated from other internal driveways with raised medians, if deemed necessary by the Planning Commission for traffic movement or safety.
8. **Off-Street Loading Space.** Every building or structure hereafter constructed for business or trade use shall provide adequate space for the loading or unloading of delivery vehicles on site. Such space shall have access to a public alley, or if there is no alley, to a public street. The Central Business and Office Professional - Residential districts shall be exempt from the off-street loading space requirements.

District	Minimum Off-Street Loading Space
NB, GB, HB	1 space per 10,000 sf of building (or fraction thereof)
OP-C, P	1 space per building

**F. Signs**

- 1. The purpose of this Section is to create the legal framework for a comprehensive, but balanced, system of signs of all types and thereby to facilitate an easy and pleasant communication between the people and their environment. It is the intention of this Ordinance to regulate the number, location, size, height, and illumination of on-premises signs.
- 2. The effect of this Section is:
  - a. To allow signs in all commercial zoning districts on a limited basis, subject to the standards and the procedures of this Section;
  - b. To prohibit signs not expressly permitted by this Section; and
  - c. To provide for the administration of the provisions of this Section.
- 3. **Application and Permits for On-Premise Signs**
  - a. All permanent and temporary on-premise signs shall require a permit. Permits shall be obtained from the Building Inspector of the appropriate jurisdiction. Prior to the issuance of a

permit by the Building Inspector, the permit applications shall be approved by the Executive Director, or designee, in order to determine compliance with the Zoning Ordinance of Warren County and the Subdivision Regulations of Warren County as well as any recorded subdivision plat or development plan.

- b. The following on-premise signs shall not require a permit:
- (1) On-premise signs which are in the public or community interest and contain no commercial reference. These signs may advertise events of public or community interest that occur off the premises of the commercial establishment. These signs may be placed only with the consent of the property owner. These signs shall also comply with Section 4 (On-Premise Sign General Provisions) with regard to visibility and may not be placed on public right-of way.
  - (2) On-premise signs, such as safety signs, pedestrian and motor vehicle control signs; signs of historical significance; clocks; temporary construction, real estate, flags (including government, political subdivision, or other official designated flags of an institution or business), personal expression, and political campaign signs. These signs may be placed only with the consent of the property owner. These signs shall, however, otherwise comply with Section 4 (On-Premise Sign General Provisions) with regard to visibility and right-of ways.
  - (3) Personal Expression Signs. Personal expression signs shall be limited to a maximum of 16 sf in size.
  - (4) Campaign Signs
    - A. *City of Bowling Green*: Campaign signs shall not exceed 16 square feet and may be displayed no more than 30 days after the election date.
    - B. *Warren County*: Campaign signs shall not exceed 32 square feet in unincorporated areas of Warren County and may be displayed immediately following the filing for an election and may be displayed no more than 30 days after the election date.
    - C. *Cities of Oakland, Plum Springs, Smiths Grove and Woodburn*: Campaign signs shall not exceed 16 square feet and may be displayed 30 days prior and no more than 30 days after the election date.

- (5) Real Estate Signs. All Real Estate signs shall be limited to on-site signs where property is for sale. This type of sign shall not exceed 32 sf in sign area and no larger than 7 feet in height. Temporary off-premise Real Estate signs used as directional signs may allowed for a period not exceed 30 days prior to sale or auction date.
- (6) Temporary construction signs shall be limited to a maximum of 16 sf in size.
- (7) Flags of any other official designated institutions or business shall utilize freestanding flag poles, no taller than 40 feet in height. Flag size shall not to exceed 120 square feet in area for each flag.
- (8) Integral signs shall be exempt from the provisions of this Section.

**4. On-Premise Sign General Provisions**

- a. All on-premise signs shall conform to the sign standards provided in the Sign Standards Summary Table unless otherwise excepted in this Section. The sum of all sign faces on a freestanding sign shall not exceed twice the maximum permitted sign area as set forth in this Section or the Sign Standards Summary Table.
- b. Freestanding Signs – The area of a sign shall include all lettering, wording, designs and symbols, together with a background, whether open or enclosed, on which they are displayed. The supporting structure or bracing of a sign shall be omitted in measuring the area of the sign unless such structure or bracing is made part of the message or face of the sign.
- c. Wall Signs-Where a sign consists of individual letters, words or symbols attached to a surface, building, canopy, awning or wall and such elements are located in the same plane, the sign area shall be the area of the smallest rectangle which completely encompasses all such letters, words or symbols and any accompanying background of a color different than the natural color of the wall.
- d. No sign shall be erected to obstruct free and clear vision of an intersection and/or traffic signals. No sign may be placed in or extended over a public right-of-way or utility easement without the express written consent of the controlling jurisdiction or utility.
- e. All freestanding signs shall be set back a minimum of 20 feet from the edge of pavement. If the principal structure is

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- located less than 20 feet from the edge of pavement, the sign shall be affixed to the flat surface of the building.
- f. Nonconforming businesses shall be allowed to have or to replace existing on-premise signs, except when such signs violate the provisions of this Section.
  - g. No on-premise sign shall be erected within 50 feet of an abutting residential district.
  - h. No on-premise signs shall be permitted which exceed the intensity of illumination of 0.5 foot candles above ambient light (0.5 lumens per square foot, 5.382 lux or candelas per square meter or comparable measuring unit) measured at five feet above grade at 20 feet from the sign. No sign shall have a flashing light or a light resembling any law enforcement or emergency vehicle light or revolving lights that resemble any traffic light. All applicants must submit certification that the sign is dimmable in order to comply with the listed illumination standard.
  - i. No on-premise sign shall contain commercial advertising which is unrelated to the existing use of the property.
  - j. Wall or building signs may be placed on the vertical facade or the roof of the building but shall not extend above the roof line and shall be permitted in addition to any other permitted sign except in the residential districts and the office and professional districts.
  - k. Temporary signs such as: Banners, pennants, posters, flags (excluding government, political subdivision, or other official designated flags of an institution or business), fixed balloons, or similar devices shall be permitted if the devices are solely affixed to a window or the principal facade of the building and does not extend above the roof line.
  - l. All non-residential buildings which utilize a freestanding sign shall incorporate a street address number or address range. Street address numbers shall be of a letter height specified by the Planning Commission. Street address number or address range shall be placed on freestanding monument signs, where applicable. The area of the address number shall not be computed as part of the sign face.
  - m. The height of a sign shall be computed as the distance from the base of the sign at a computed grade to the top of the highest attached component of the sign (including the sign face, sign structure, or any other appurtenance). The computed grade shall be the elevation of the nearest point of the crown of the closest public street.
  - n. All signs shall be constructed of durable materials such as: high quality plastic, finished metal, stone, brick, decorative

block, finished wood or EFIS. Pylon pole covers are encouraged for freestanding pole signs.

- o. All freestanding signs shall be shown on any required landscape plans and site and development plans. The area immediately surrounding any ground signs shall be kept cleared of unsightly debris. Landscaping is encouraged in this area, provided that the selected landscape materials will not grow to obscure the sign face or building address.
- p. Electronic Message Display (EMD) Signs shall have a minimum display time of six (6) seconds per message (Only applicable in the incorporated areas of Oakland, Plum Springs and Woodburn).

**5. Prohibited Permanent On-Premise Signs**

- a. On-premise signs erected, maintained, or continued which cause any interference to sight distance;
- b. Portable signs (signs with no permanent attachment to a building or the ground, including but not limited to, A-frame signs, pole attachments, searchlights, and stands) on wheels or freestanding, shall not be allowed permanently on any site;
- c. Banners, posters, pennants, flags (excluding, government, political subdivision, or other official designated flags of an institution or business), large fixed balloons, or similar devices affixed to any independent support, fence, awning, pump canopy, curbstone, lamp post, utility pole, hydrant, bridge, culvert, public drinking fountain, public trash container, rest station building, tree, or in or on any portion of any public sidewalk, street, or sign shall be prohibited as permanent on-premise signs.
- d. Signs with externally moving parts or messages are prohibited. Official signs for safety purposes shall be exempt from this restriction.
- e. Signs which are obscene, indecent, or immoral are prohibited.
- f. Signs are prohibited that are made of paper or cardboard erected outside a completely enclosed building, except for any sign permitted by this Section that is constructed in a manner in which it does not rapidly deteriorate from rain or other elements, is maintained in good condition and is promptly repaired or removed if it deteriorates.
- g. Roof signs, defined as a sign erected, constructed and maintained wholly upon or over the roof of any building are prohibited. Mansard roof signs that do not extend above the parapet wall of the roof shall be considered wall signs.
- h. Signs (other than approved community banners and those erected by a governmental agency or required to be erected by a governmental agency or its contractual agent) erected

on the right-of-way of any public street, road, or way, or signs overhanging or infringing upon the right-of-way of any public street, road, or way, are prohibited except as specifically provided in this Section.

- i. Signs erected on public property other than signs erected by public authority for public purposes are prohibited.
- j. Signs so located as to prevent free ingress or egress from any door, window, or fire escape are prohibited. No sign shall be attached to a standpipe or fire escape.
- k. Signs that emit any sound, visible or invisible gases, or odor as part of any message.
- l. Signs on or attached to utility poles or trees, shrubs, or plants are prohibited except that approved community banners may be attached to utility poles.
- m. Signs incorporated into trucks, motor vehicles, trailers and similar equipment bearing advertising visible from off-site and parked at the business location for the intended purpose of advertising a business, service or product, are considered vehicle signs and are prohibited. Delivery and service vehicles or trailers used on a daily basis in conjunction with an on-site business are exempt when they are parked in a location that is not visible from off-site, or otherwise creates the least possible visual impact without significant effect on the security of the vehicle or trailer.
- n. Any sign that is not expressly permitted in section 4.6.8.F is prohibited.
- o. Any off-premise advertising signs, except as specifically permitted by this Section are prohibited.
- p. Electronic Message Display (EMD) Signs that have a display time of less than six (6) seconds per message are prohibited in the incorporated areas of Oakland, Plum Springs and Woodburn. Official signs for safety purposes shall be exempt from this restriction.

6. **Temporary On-Premise Signs.**

Temporary Signs that are used for any special occasion or business Grand Opening such as: Banners, posters, pennants, flags (excluding government, political subdivision, or other official designated flags of an institution or business), wind signs ( gas, cold air or hot air balloons; streamers; and rotating devices, fastened in such a manner to move upon being subjected to pressure by wind or breeze) fixed balloons, or similar devices which are not solely affixed to a window or the principal facade, and portable signs on wheels or freestanding shall be permitted in all commercial zoning districts for a 30 day period not to exceed 4 times per calendar year.

**7. Permanent On-Premise Signs**

- a. Integral signs, motor vehicle control signs, identification signs, and entrance signs are permitted in all commercial zoning districts.
- b. **High-Rise Signs.** Property zoned Highway Business (HB) or industrial (LI or HI) and located within the general vicinity of the Scottsville Road/Interstate 65 interchange, the Louisville Road/Interstate 65 interchange or the Smiths Grove/Interstate 65 interchange may have a maximum of two freestanding signs, one which must be a high-rise sign between 50 and 100 feet in height. For the purposes of calculating the permitted areas, the maximum heights and sign face areas from the interchanges set forth above, Exhibits A1, A2 and A3 in Appendix A shall apply.

High-Rise Sign Area	High-Rise Sign Height	High-Rise Sign Face Area
Exit 22 - Scottsville Rd: Exhibit A1	100 feet	250 sf
Exit 28 - Louisville Rd: Exhibit A2	100 feet	250 sf
Exit 38 - Smiths Grove: Exhibit A3	85 feet	200 sf

- c. **Historic District.** Signs in any Local Historic District shall require a Certificate of Appropriateness approved by the Historic Preservation Board. All on-premise signs shall conform to the sign standards provided in the Sign Standards Summary Table unless otherwise excepted in Section 4.9.4. The more restrictive of the Historic District Overlay or the underlying district shall apply. Electronic Message Display (EMD) Signs are prohibited in all Local Historic Districts.
- d. **Entrance Signs.** The content of an entrance sign shall be limited to the name of the subdivision or residential complex only. No sign shall be internally illuminated. All entrance signs shall be constructed of durable materials. Landscaping is encouraged around entrance signs, provided the selected landscape materials will not grow to obscure sign face. Structural Type and Size. Any entrance sign must be monument type and the maximum sign face shall be 60 sq. ft. total. Maximum height shall be 5 feet. Entrance signs may be allowed in public right-of-way only with written permission of the applicable jurisdiction. The content of an entrance sign shall be limited to the name of the subdivision only. All permitted signs shall also comply with all the applicable Sign Development Standards in Section 4.6.8.F.

**8. Dangerous, Defective, Destroyed, Damaged, Removed or Abandoned On-Premise Signs.** Signs which are deemed dangerous or defective by the Building Inspector or other authorized



Code Enforcement Officer shall be removed at the sole cost and expense of the property owner.

9. **Existing On-Premise Non-Conforming Signs**

a. **Destroyed, Damaged, Removed, or Abandoned Signs.** Whenever a non-conforming sign collapses, burns, or is removed from its location, it shall not be replaced or reconstructed, except in full compliance with the provisions of this Section. Signs which have been abandoned or which advertise an establishment, service, or product which has not existed or been available at that location for a period of one year shall be removed by the property owner at their sole cost and expense.

b. Freestanding signs which are not prohibited on-premise signs and in legal existence on the effective date of this Section and not in conformity with the provisions may remain in place and shall be referred to as nonconforming signs. Only routine maintenance may be performed on the sign and its structure until such time as the sign is brought into conformance with these regulations. Routine maintenance is limited to replacement of nuts and bolts, cleaning and painting, or manipulating to level or plumb the device but not to the extent of adding struts or guys for the stabilization of the sign or structure or substantially changing the sign. The routine changing of messages is considered to be routine maintenance but the replacement of new casing/ framing or additional panels or replacing of facing shall not be considered routine maintenance.

c. If the sign is destroyed beyond 55 percent of its replacement value, such sign can only be replaced or reconstructed in accordance with the requirements of this Ordinance and the Subdivision Regulations, as well as any recorded subdivision plat or development plan. Any sign which cannot be replaced or reconstructed in compliance with this Section shall be removed by the property owner at owner's sole cost and expense.

10. **Off-Premise Signs.**

Off premise signs are prohibited throughout Warren county except as Consolidated Shopping Center Signs allowed in Sec. 4.6.8.F.11 and as outdoor or billboard advertising signs allowed in Sec. 4.6.8.F.12. Off-premise Religious Institutional and Agriculture Related Product Signs (not to exceed 32 square feet) may be used as directional signs in unincorporated areas of Warren County.

11. **Consolidated Shopping Center Signs**

The following special regulations shall apply to on and off-premise signs for Shopping Centers zoned HB or Planned Unit Development.

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- a. **Permitted Areas.** Any Retail Shopping Center (Combined retail space of a minimum of 100,000 sf) zoned HB or Planned Unit Development shall be allowed one freestanding identification sign at each entrance into the development from a collector or arterial street provided that:
  - (1) no identification sign shall be spaced closer than 600 feet from another identification sign for the same Shopping Center Development.
  - (2) location of the sign must be within 600 feet of the Shopping Centers Development, and
  - (3) no identification sign shall be placed so as to obstruct the sight distance.
- b. **Maximum Area.** The total area of the sign face for each side of the identification sign shall not exceed 200 square feet.
- c. **Maximum Height of Sign.** The maximum height of the identification sign shall not exceed 30 feet above the average ground level at the base of the sign.
- d. **Maintenance and Easement.** No off-premise identification sign shall be permitted before first having established an easement by plat or ownership of the property where the sign is to be located by fee simple absolute for the purpose of location of the sign. Further, said easement must include provisions for the maintenance, landscaping, and removal of the sign.
- e. **Content of Identification Sign.** Any Consolidated Shopping Center identification sign may carry the name, or a combination of names, of the major enterprise(s) or firm(s) located within the Shopping Center Development. No sign less than twelve (12) square feet in sign face area or sign that contains lettering less than eight inches in height shall be allowed on the identification sign. The content shall not exceed the total allowable sign face in b. above.
- f. **Illumination.** Signs may be illuminated provided such illumination shall be effectively shielded so as to prevent beams or rays of light from being directed at any travel way, or which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle, or which otherwise interfere with any driver's operation of a motor vehicle. No sign shall be so illuminated that it interferes with the effectiveness of or obscures an official traffic sign, device, or signal. Electronic Message Display (EMD) Signs are prohibited on Consolidated Shopping Center Signs when located off-premise.

g. **Sign Plan Required.**

- (1) No building permit for a Consolidated Shopping Center sign may be issued without there having been approved an agreement between the affected property owners providing for the ongoing maintenance, construction standards and plan for locating the on-premise and off-premise signs. Any such agreement shall be in the form to be recorded in the office of the Warren County Clerk and shall contain provisions requiring it to run with the land for all purposes. Any such agreement shall contain a provision that it cannot be amended or repealed without the prior approval of the Planning Commission.
- (2) In lieu of an agreement described in the preceding section, a Detailed Development Plan shall be approved by the Planning Commission setting for the maintenance, construction standards and plan for locating the on-premise and off-premise signs.

12. **Billboard Advertising Signs.**

The following special regulations shall apply to billboard advertising signs:

a. **Permitted Areas.**

- (1) **Interstate Billboards**-Interstate Billboards are limited to only portions of Interstate 65 and the William H. Natcher Parkway (as shown on exhibit B1 in Appendix A). Minimum setback of any Interstate Billboard Sign shall be at least 660 feet along these roadways and shall be in compliance with all State and Federal guidelines for Interstate Billboards. Interstate Billboards are limited to said highways in HB and industrial (LI and HI) zoning districts.
- (2) **Urban Billboards**-Urban Billboards are limited to only portions of U.S. Hwy. 31-W, 231, 68, KY 80, KY 880, and KY 185 (as shown on exhibit B2 in Appendix A) in HB and industrial zoning districts. All Urban Billboards must be located within the designated Bowling Green/Warren County Urbanized Area.

b. **Maximum Area.**

- (1) **Interstate Billboards**-Interstate Billboards shall not exceed the total signable area of 1,600 square feet inclusive of any border and trim.

- (2) **Urban Billboards**-Urban Billboards shall not exceed the total signable area per face of 600 square feet inclusive of any border and trim.
- c. **Maximum Height of Sign.**
  - (1) **Interstate Billboards**-The maximum height shall be 60 feet above the average ground level at the base of the sign for all Interstate Billboards.
  - (2) **Urban Billboards**-The maximum height shall be 40 feet above the average ground level at the base of the sign for all Urban Billboards.
- d. **Maximum Width.**
  - (1) **Interstate Billboards**-The maximum width shall be 40 feet for all Interstate Billboards.
  - (2) **Urban Billboards**-The maximum width shall be 50 feet for all Urban Billboards.
- e. **Sign Structure Configuration.** Sign structures may be constructed back to back or V-shaped. Signs may be double-stacked, as long as, they meet area, height and width requirements in items b, c and d.
- f. **Spacing Per Sign Structure and Maximum Number of Sign Structures.** No billboard sign shall be located within 2,500 feet of another billboard sign (on each side of the roadway) as measured along the centerline of the parkway, interstate, or arterial highway on which such signs are located. The maximum number of Urban Billboard Sign Structures located within the designated Bowling Green/ Warren County Urbanized Area may not exceed 1 sign structure per 1,000 persons (as defined by the population total for the Bowling Green/ Warren County Urbanized Area provided by the US Census Bureau or KYTC).
- g. **Illumination.** Signs may be illuminated provided such illumination shall be effectively shielded so as to prevent beams or rays of light from being directed at any travel way, or which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle, or which otherwise interfere with any driver's operation of a motor vehicle are prohibited. No sign shall be so illuminated that it interferes with the effectiveness of or obscures an official traffic sign, device or signal. Electronic Message Display (EMD) Signs are prohibited on Billboard Advertising Signs.
- h. **Billboard Sign Lot Requirement.** All billboard signs must be located on an individual lot, consisting of at least 5,000 square feet, and meet the lot shape requirements found in the

Subdivision Regulations of Warren County, Kentucky. All sign structures shall be considered principal structures for purposes of this Ordinance and shall be the sole structure on the lot. Such lots must meet all dimensional requirements (frontage, width, setbacks, etc) of the specific zoning district in which the sign is located. Adequate water and sewer capacity shall not be required for such lots.

- i. **Cut-outs or Extensions.** Cutouts or extensions of a non-permanent nature shall not exceed 60 square feet and shall not exceed six feet in height nor 10 feet in width (added to the top of the display face). Cutouts or extensions which would extend along the entire top of the signable area and thereby increase the overall height or width of the sign face shall be considered of permanent nature and shall be prohibited. No cut-outs or extensions shall be added to the sides or bottom of the sign face.

**G. Outdoor Storage.** Outdoor storage and display shall be allowed in any commercial district in accordance with this Section. Any merchandise, material or equipment situated outdoors shall be subject to the requirements of this Section. Such storage shall not include junk, trash, garbage or other general debris. For the purpose of this section, outdoor storage and display shall be broken down into three types, as follows:

1. **Type 1: Outdoor Display.** Type 1 Outdoor Display shall be allowed adjacent to a principal building wall and extending to a distance no greater than 5 feet from the wall. Such storage shall not be permitted to block windows, entrances or exits, and shall not impair the ability of pedestrians to use the building.
2. **Type 2: Limited Outdoor Storage.** Type 2 Limited Outdoor Storage shall not exceed 5 percent of the total site area.
3. **Type 3: General Outdoor Storage.** Type 3 General Outdoor Storage shall not be allowed in commercial districts and is allowed in industrial districts only.
4. **Type 4: Temporary/Seasonal Outdoor Storage.** Type 4 Temporary/Seasonal Outdoor Storage may exceed the limits for Outdoor Storage but shall require a permit from the Building Inspector and shall be limited to a 30 day period no more than 4 times per year.
5. **Exceptions.**
  - a. Vehicles for sale (including boats) shall not be considered merchandise, material or equipment subject to the restrictions of this Section. However, all vehicle storage shall be located on the property and not on public right-of-way.
  - b. Manufactured housing or model homes that are displayed in a semi-permanent state with permanent landscaping and

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skirting shall not be considered merchandise, material or equipment subject to the restrictions of this Section.

- c. Waste generated on-site and deposited in ordinary refuse containers shall not be subject to the restrictions of this Section.
- d. Areas enclosed by solid, opaque walls on at least three sides and covered by a solid, opaque roof shall not be considered outdoor.

**6. Location of Outdoor Storage and Display.**

- a. All outdoor storage and display shall be located outside the public right-of-way and/or at least 15 feet from the back edge of the adjacent curb or street pavement.
- b. Outdoor storage and display areas shall be paved and meet all landscaping requirements of the ordinance.
- c. No outdoor storage or display shall be allowed in required side yard setback.
- d. Any temporary/seasonal outdoor storage shall not utilize any parking space required for the principal use of the property.

**7. Allowed Storage Table.** The three types of storage shall be allowed in the districts designated in the Table below:

TYPE	NB	GB	CB	HB	OP-R	OP-C
<b>Type 1: Outdoor Display</b>	✓	✓	✓	✓	--	✓
<b>Type 2: Limited Outdoor Storage</b>	--	✓	--	✓	--	--
<b>Type 3: General Outdoor Storage</b>	--	--	--	--	--	--
<b>Type 4: Temporary/Seasonal</b>	✓	✓	✓	✓	--	✓

**H. Outdoor Lighting and Speakers.**

- 1. All lighting fixtures designed or placed so as to illuminate any portion of a site shall meet the following requirements.
  - a. **Fixtures.** All light sources shall be concealed within an opaque housing and shall not be visible from any public right-of-way or residential district boundary.
  - b. **Mounting.** Fixtures must be mounted in such a manner that the cone of light does not cross any property line of the site.
  - c. **Illumination Levels.** All site lighting shall be designed so that the level of illumination, measured in footcandles (fc) at any one point meets the standards for the specific use below.

Minimum and maximum levels are measured at a single point. Average level is the not-to-exceed value calculated using only the area intended to receive illumination.

- d. **Canopy Lighting.** Any lighted canopy (fuel sales, automated teller machines, etc.) shall be illuminated with an average 12 fc, a minimum of 2 fc, and a maximum of 20 fc.
  - e. **Commercial Parking Lots.** All commercial parking lots shall be lighted with an average 1.5 fc, a minimum of 0.2 fc, and a maximum of 10 fc.
2. Outdoor paging and speaker systems are prohibited except for emergency warning systems and at drive-through windows meeting the specific use criteria in Sec. 5.2.
- I. Height Limit Exceptions.** The height limitations of this Ordinance shall not apply to church spires, belfries, cupolas and domes not intended for human occupancy; monuments, water towers, observation towers, flag poles, radio and television towers, masts, aerials, chimneys and smoke stacks.
- J. Accessory Building Standards.** Accessory buildings, except as otherwise permitted by this Ordinance, shall require a building permit and shall be subject to the following regulations in all commercial zoning districts.
- 1. When a corner lot adjoins another lot in the rear which is used for residential purposes, no accessory building or structure shall extend beyond the front of the principal structure or be nearer to the side street than the depth of any required front yard for a dwelling along such side street, again excluding fences 4 feet or less in height.
  - 2. Where the accessory building is structurally attached to the principal building, it shall be subject to, and shall conform to, all regulations of this Ordinance applicable to the principal building.
  - 3. An accessory building may not exceed the height of the principal structure.
  - 4. No detached accessory building shall be located closer than 10 feet to any principal building, and may require greater separation when requested by the Fire Marshal.
  - 5. An accessory building may be connected to the principal building by a breezeway or other similar structure but shall not project nearer the side lot line than the minimum side yard required for the main building.
  - 6. Accessory buildings/structures shall be permanently affixed to the ground and shall not include mobile home, bus, travel trailer, RV, trailer, cooler, vehicle or freight container. Ground level storage units are excluded from the requirement to be permanently affixed to the ground and shall be allowed in commercial districts with appropriate screening as outlined in Sec. 4.6.8.D.

7. Accessory Apartments are allowed in the Neighborhood Business, Central Business, General Business, Highway Business and Public districts. An Accessory Apartment may be attached or detached from the principal structure. The floor area of the an accessory apartment may not exceed 50 percent of the floor area of the principal structure; however, in the Neighborhood Business and Central Business district, the floor area may exceed 50 percent of the principal structure floor area if the apartment(s) is a second or higher story of the principal structure. Accessory apartments are allowed on lots of record that do not meet the minimum lot area or width standards for the zoning district, but all yard dimensions and other development standards must conform to the district regulations.

**K. Horizontal Property (Condominium)**

1. The intent and application of this Ordinance is to implement and reaffirm the Horizontal Property Law of Kentucky (KRS 381).
2. A master deed or lease or floor plans meeting the standards set forth in KRS 381 shall not be filed in the office of the Warren County Clerk without having first been reviewed and approved by the Planning Commission.
3. The maximum permitted overall densities and floor area ratios and the minimum outdoor area, living space, and recreation area ratios shall be controlled by the zoning district classification in which the project is located.
4. The establishment, expansion or diminution of a horizontal property regime shall be subject to review and approval by the Planning Commission in the same manner as approval of a detailed development plan.



**SEC. 4.7 INDUSTRIAL DISTRICTS**

**4.7.1 Light Industrial District (LI)**

The Light Industrial District is intended to provide areas segregated for industrial use where processes and equipment employed and goods processed are limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas fumes, noise, vibration, refuse matter or water-carried waste.

**4.7.2 Heavy Industrial District (HI)**

The Heavy Industrial District is intended to provide opportunities for the development of industry which may have significant external impacts due to noise, glare, heat, odor, dust, vibration or hazardous materials.

**4.7.3 General Industrial Development Standards**

**A. Uses.** Uses permitted in each District are shown in the Use Table in Sec. 5.1. This table employs broad use categories containing a variety of similar uses. The use categories are described in Sec. 5.2, Use Categories, and Appendix B lists examples of uses, showing which use categories they fall into. Additional standards for specific uses, if any, can be found in each category.

**B. Property Development Standards.**

1. Development in each District shall comply with the industrial development standards in the following table:

	<b>LI</b>	<b>HI</b>
<b>Lot Area, min. sq. ft.</b>		
Public Sewer	5,000	5,000
Septic System *	130,680	130,680
Lot Width, min. ft. at Bldg. Line	50	50
Lot Frontage, min. ft.	50	50
Lot Coverage, max. %	90%	90%
Setbacks, min. ft.		
Front Yard	25	25
Side Yard	0	0
Rear Yard	0	0
Height, max. ft.	100	100
Building Size, max. sq. ft.	N/A	N/A
Parking	1 per employee maximum shift	1 per employee maximum shift
Min. Fire Flow Required?	600 GPM	600 GPM
Landscaping Required	See Section 4.6.8.D for requirements	
Residential Uses Allowed?	No	No

\* Maximum building size with on-site septic system shall be 6,000 s.f.

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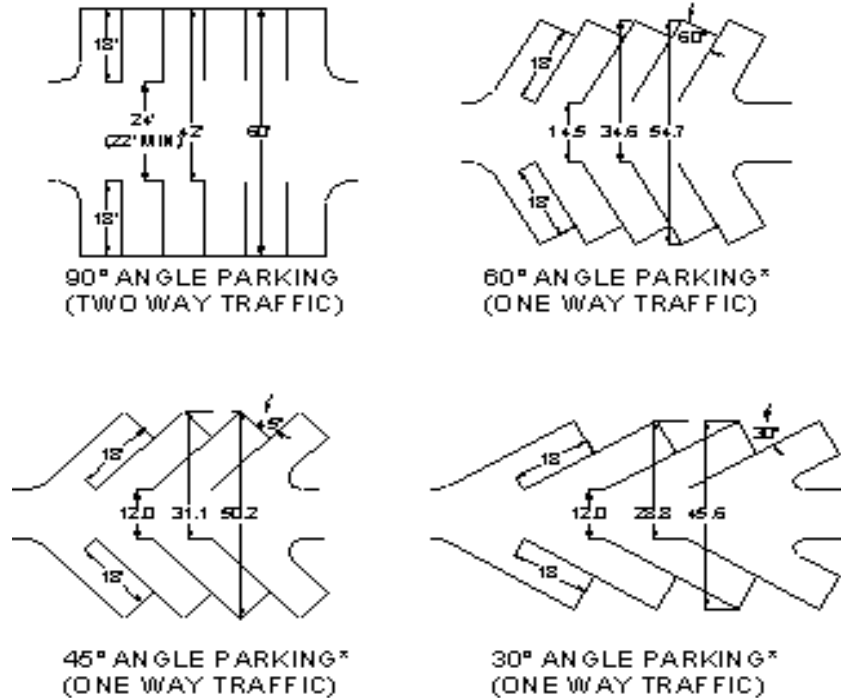
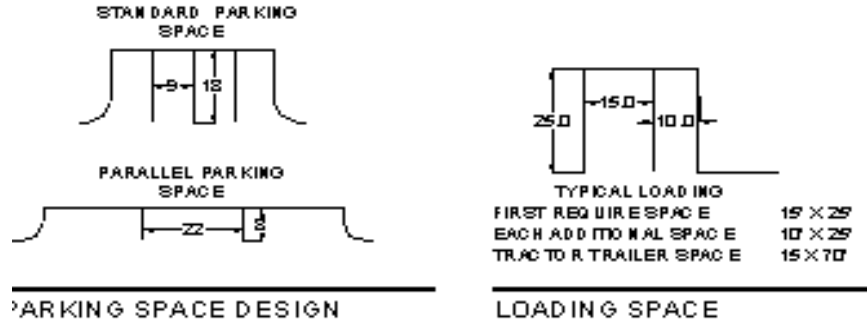
2. **Minimum Lot Area Above 100-Year Flood Level Required.** No lot served by public sanitary sewer shall be created or developed which does not have at least 5,000 square feet of lot area above the 100-year frequency flood level. No lot served by on-site septic systems shall be created or developed which does not have at least 20,000 square feet of lot area above the 100-year frequency flood level.
  3. **Measurement of Lot Coverage.** Lot coverage shall include all areas of the lot covered by buildings, structures (including accessory structures), patios, walkways, travelways, and parking areas, including gravel parking areas. Lot coverage does not include pervious material or similar permeable paving material. The percent of lot coverage shall be determined by dividing the total covered area by the gross area of the lot.
- C. Additional Setback Adjacent to Residential District/ Use.** Development in any industrial district adjacent to the boundary of a residential zoning district or a residential use shall require the following setback:
1. The LI District shall require a 25-foot side and a 40-foot rear yard where abutting a residential district/use.
  2. The HI District shall require a 50-foot side and rear yard where abutting a residential district/use.
- D. Landscaping.** All industrial development shall comply with the minimum landscaping standards as set forth in the Commercial Development Standards in Section 4.6.8.D.
- E. Off-Street Parking and Loading.** Off-street vehicle storage or parking space shall be provided on any lot on which any of the following uses are hereafter established; such space shall be provided with vehicular access to a street or alley.
1. **Required Spaces.** The following are minimum requirements for specific uses. All measurements utilizing square feet shall be square feet of gross floor area unless otherwise expressly stated. Combined uses shall be required to provide parking equal to the total requirements for the individual uses. Where necessary, calculations shall be based on Kentucky Building Code Occupancy load requirements.

Industrial Use	Spaces Required
Industrial Plant	1 space per employee, maximum shift
Wholesale, Storage or Warehousing	1 space per employee, maximum shift
Industrial Service	1 space per 300 square feet
All other Industrial Uses	See Sec 4.6.8.E

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2. **Computation and Design.** All parking required under this Section shall comply with Section 4.6.8.E. of the Commercial Development Standards with regard to computing parking requirements, alternative parking study, parking space design, off-site parking, and shared parking.
3. **Parking Surface.** Drives and parking areas must be paved with concrete, asphalt, brick pavers, pervious material or similar permeable paving material.



ANGLE PARKING SIZE

NOTE:  
 MINIMUM AISLE WIDTH FOR TWO WAY TRAVELABLE SHALL BE 22'  
 MINIMUM ONE WAY SHALL BE AS SHOWN ABOVE

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4. **Alternative Parking Surface.** At the time of the filing of any application for a building or paving permit, the Parking Surface Standards for truck and heavy equipment parking areas, only, in the Light Industry (LI) and Heavy Industry (HI) districts may be waived by the Building Inspector or the Public Works Director or his or her designee with the following conditions:
- a. Travelways and all other parking areas must be paved with concrete, asphalt, brick pavers, pervious material or similar permeable paving material.
  - b. Truck and Heavy Equipment parking areas utilizing an alternative parking surface must provide curb and gutter in order to minimize the spreading of alternative paving materials into landscaping areas, travelways and other parking areas.
  - c. Truck and Heavy Equipment parking areas utilizing an alternative parking surface must not extend beyond the front of the principal structure and shall not be visible from any public right-of-way or adjoining residential use.
  - d. Truck and Heavy Equipment parking areas utilizing an alternative parking surface may not be located within designated building setback areas and must meet all landscape requirements of the Zoning Ordinance.
  - e. Alternative parking surfaces shall not exceed the maximum permitted lot coverage in the LI (Light Industry) and HI (Heavy Industry) zoning districts.
  - f. Truck and Heavy Equipment parking areas utilizing an alternative parking surface shall conform to the Stormwater Management Program and must be designed and constructed so as to direct stormwater runoff to the appropriate drainage facility.
  - g. The above alternative parking surface standards for truck and heavy equipment parking in industrial districts are not variable.
5. **Off-Street Loading Space.** Every building or structure hereafter constructed for business or trade use shall provide adequate space for the loading or unloading of delivery vehicles on site. Such space shall have access to a public alley, or if there is no alley, to a public street.

District	Minimum Off-Street Loading Space
LI, HI	1 space per each 20,000 sf (or fraction thereof) of building.

6. **Signs.** All signs in the Industrial Districts shall comply with Section 4.6.8.F. of the Commercial Development Standards.
7. **Outdoor Storage.** Outdoor storage and display shall be allowed in any industrial district in accordance with this Section. Any merchandise, material or equipment situated outdoors shall be subject to the requirements of this Section. Such storage shall not include junk, trash, garbage or other debris. For the purpose of this

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section, outdoor storage and display shall be broken down into three types, as follows.

- a. **Type 1: Outdoor Display.** Type 1 Outdoor Display shall be allowed adjacent to a principal building wall and extending to a distance no greater than 5 feet from the wall. Such storage shall not be permitted to block windows, entrances or exits, and shall not impair the ability of pedestrians to use the building.
- b. **Type 2: Limited Outdoor Storage.** Type 2 Limited Outdoor Storage shall not exceed 1,000 square feet or 10 percent of the total site area (whichever is greater) in addition to any Type 1 Outdoor Display on the site.
- c. **Type 3: General Outdoor Storage.** Type 3 General Outdoor Storage shall be allowed in unlimited quantity, subject only to the location restrictions below.
- d. **Type 4: Temporary/Seasonal Outdoor Storage.** Type 4 Temporary/Seasonal Outdoor Storage may exceed the limits for Outdoor Storage but shall require a permit from the Building Inspector and shall be limited to a 30 day period no more than 4 times per year.
- e. **Exceptions.**
  - 1) Waste generated on-site and deposited in ordinary refuse containers shall not be subject to the restrictions of this Section.
  - 2) Areas enclosed by solid, opaque walls on at least three sides and covered by a solid, opaque roof shall not be considered outdoor.
- f. **Location of Outdoor Storage and Display.**
  - 1) All outdoor storage and display shall be located outside the public right-of-way and/or at least 15 feet from the back edge of the adjacent curb or street pavement.
  - 2) No outdoor storage or display shall be allowed in required side yards.
  - 3) Any temporary/seasonal outdoor storage shall not utilize any parking space required for the principal use of the property.
- g. **Allowed Storage Table.** The three types of storage shall be allowed in the districts designated in the Table below:

TYPE	LI	HI
Type 1: Outdoor Display	✓	✓
Type 2: Limited Outdoor Storage	✓	✓
Type 3: General Outdoor Storage	✓	✓
Type 4: Temporary/Seasonal Storage	✓	✓

**F. Outdoor Lighting and Speakers.**

1. All lighting fixtures designed or placed so as to illuminate any portion of a site shall meet the following requirements.
  - a. **Fixtures.** All light sources shall be concealed within an opaque housing and shall not be visible from any public right-of-way or residential district boundary.
  - b. **Mounting.** Fixtures must be mounted in such a manner that the cone of light does not cross any property line of the site.
  - c. **Illumination Levels.** All site lighting shall be designed so that the level of illumination, measured in footcandles (fc) at any one point meets the standards for the specific use below. Minimum and maximum levels are measured at a single point. Average level is the not-to-exceed value calculated using only the area intended to receive illumination.
2. Outdoor speaker systems must be limited so that it is not audible at the property line adjacent to any residential district.

**G. Height Limit Exceptions.** The height limitations of this Ordinance shall not apply to church spires, belfries, cupolas and domes not intended for human occupancy; monuments, water towers, observation towers, flag poles, radio and television towers, masts, aerials, chimneys or smokestacks.

**H. Accessory Building Standards.** Accessory buildings, except as otherwise permitted by this Ordinance, shall require a building permit and shall be subject to the following regulations in all industrial zoning districts.

1. Where the accessory building is structurally attached to the principal building, it shall be subject to, and shall conform to, all regulations of this Ordinance applicable to the principal building.
2. No detached accessory building shall be located closer than 10 feet to any principal building, and may require greater separation when requested by the Fire Marshal.
3. An accessory building may be connected to the principal building by a breezeway or other similar structure but shall not be considered as an attached accessory building, carport, or similar structure. Said breezeway shall not project nearer the side lot line than the minimum side yard required for the main building.
4. Accessory buildings/structures shall be permanently affixed to the ground and shall not include mobile home, bus, travel trailer, RV, trailer, cooler, vehicle or freight container. Ground level storage units shall be exempt from the requirement to be permanently affixed and shall be allowed in industrial districts with appropriate screening as outlined in 4.6.8.D.

**SEC. 4.8 SPECIAL PURPOSE DISTRICTS**

**4.8.1 Planned Unit Development (PUD)**

- A.** The purpose and intent of the Planned Unit Development District are as follows:
  - 1. Encourage and provide a means for effecting desirable development, redevelopment, rehabilitation and conservation within Warren County.
  - 2. Permit greater flexibility in design and permit planned mixture of types of uses, occupancy, tenure, types of housing, types of ownership and community facilities and promote the advantages of modern large scale site planning for community development.
  - 3. Provide for more useable and suitably located recreation facilities and other public and common facilities than would otherwise be provided under conventional land development procedures, but always with the intention of furthering the public health, safety, and general welfare.
  - 4. Promote the efficient use of land to facilitate a more economic arrangement of buildings, circulation systems, land use, and utilities.
  - 5. Preserve to the greatest extent possible the existing landscape features and urban amenities and to utilize such features in a harmonious fashion.
- B. Uses Permitted.** Uses shall be limited to those identified in the approved general development plan for the PUD.
- C. Development Standards.**
  - 1. Any parcel proposed for development as a PUD shall have a minimum lot size of 1 acre.
  - 2. Any PUD shall be developed in accordance with the standards identified in the approved general development plan for the PUD.
  - 3. Any PUD development shall be in compliance with all adopted health, fire, and building codes.

**4.8.2 General Flood Plain District (F)**

- A. Land to Which Flood Plain Designation Applies.** All lands determined to:
  - 1. Be inundated by a storm event equal to a 100 year return period or included in the area inundated by the 100 year flood;
  - 2. Be subject to inundation by directed runoff from short return period events; or

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3. Contain an opening into the subterranean water channel, shall be subject to these regulations.
4. The originally designated areas shall include those areas shown on either the Flood Insurance Studies for the City of Bowling Green and Warren County prepared by the Federal Emergency Management Administration (FEMA) dated May 2, 2007 or as is from time to time amended and the Flood Hazard Boundary Maps (FB-4M) and Flood Insurance Rate Maps (FIRM) contained therein or U.S. Soil Conservation Services, Soils Maps of Warren County dated 1977 or as from time to time amended.
5. Nothing contained herein shall prohibit the application of these regulations to lands which can be certified to the Commission by a Kentucky registered professional engineer to lie within any area subject to periodic flooding, impaction by storm drainage or containing an opening into a subterranean water channel.

**B. Warning and Disclaimer of Liability.** The degree of flood protection required by this Ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Section does not warrant, directly or indirectly, that areas outside the Flood Plain District or land uses permitted within such district will be free from flooding or flood damages. This Section shall not create liability on the part of the Cities of Bowling Green, Plum Springs, Oakland, Smiths Grove, Woodburn or Warren County or any officer or employee thereof for any flood damages that result from reliance on this article or any administrative decision lawfully made there under.

**C. Maintenance of Property.** This Section does not obligate the Cities of Woodburn, Plum Springs, Oakland, Smiths Grove, Bowling Green or County of Warren or any agencies or sub-agencies any assumption of maintenance of any area designated as a Flood Plain District. Nor does it assume any maintenance obligation for storm drainage systems approved by such cities and the City-County Planning Commission of Warren County.

**D. Permitted Structures.** No principal or accessory structures shall be permitted within any area designated as a part of a Flood Plain District. Structures located on lots partially included within the Flood Plain District shall be permitted provided they are located outside of the limits of the Flood Plain District and the first floor and basement floor are at least 1.5 feet above the regulatory flood-projection elevation and is utilized in conjunction with a permitted use carried on within the adjacent district.  
The area designated as Flood Plain District may be used to meet yard and setback requirements of adjoining districts for lots owned under single ownership.



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**E. Permitted Uses.** The following open space uses shall be permitted provided they do not require structures or fill or cause obstruction of flood flows or restrict the capacity of the channel or floodways of any main stream, tributary, or any other drainage facility or structure or cause erosion and are used in conjunction with a permitted use carried on within an adjacent district on lots owned under single ownership.

1. **Agriculture Uses:** General farming, outdoor plant nurseries, sod farming, animal brooding and breeding, wild crop farming, apiary, crops, dairy, forestry, livestock, orchards, poultry, pasture, grazing, horticulture, viticulture and truck farming, detention basins, and ponds lakes, cattle shed, stables, and hatcheries.
2. **Public Uses:** Arboretum or botanical garden, recreation uses, nursery including agriculture and florists, detention basins, ponds or lakes, and hiking and horseback riding trails, playgrounds both public and private, airplane beacons and markers, amphitheater and band shells, zoological gardens, marinas, boat rentals, docks, piers, wharfs and boat ramps.
3. **Commercial and Industrial Uses:** Private recreational uses, nursery including agriculture and florists, detention basins, ponds or lakes, hiking and horseback riding trails, playgrounds both public and private, and sales and storage of hay and straw loading areas, airport landing strips, railroads, streets, bridges, utility transmission lines and pipelines.
4. **Residential Uses:** Lawns, play areas, and gardens.

**F. Standards for All Uses in District**

1. **All Uses:** No fill (including fill for roads), deposit, obstruction, storage of materials or equipment, or other use may be allowed which, acting alone, or in combination with existing or future uses, would cause any decrease in the capacity of the floodway or would cause any increase in flood heights, cause erosion or obstruction of water course, natural drainage crevices, sinkholes, ditches and known subterranean water channels. Consideration of the effects of a proposed use shall be based on a reasonable assumption that there will be an equal degree of encroachment extending for a significant reach on both sides of the watercourse.

a. **Fill:**

- (1) Any fill or material proposed to be deposited in the floodway must be shown to have some beneficial purpose and the amount thereof not greater than is necessary to achieve that purpose, nor will it cause any increase in the flood heights. These conditions must be demonstrated by a plan submitted by the owner and prepared by registered engineer showing

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the uses to which the filled land will be put and the final dimensions of the proposed fill or other materials and how such fill will be placed and compacted.

- (2) Such a fill or other materials shall be protected against erosion by riprap, vegetation cover, or bulkheading.

**b. Storage of Material and Equipment:**

- (1) The storage or processing of materials that, in time of flooding, are buoyant, flammable, explosive, or could be injurious to human, animal, or plant life is prohibited.
- (2) Storage of other material or equipment may be allowed if not subject to major damage by floods and firmly anchored to prevent flotation or if readily removable from the area within the time available after flood warning.

**c. Other General Standards:**

- (1) Electrical, heating, ventilation, plumbing, air conditioning equipment, ductwork, and other service facilities shall be located at least 1.5 feet above the regulatory flood-projection elevation.
- (2) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- (3) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharges from the systems into flood waters;
- (4) On-site waste disposal systems shall be located outside the base flood elevation and constructed so as to avoid impairment to them or contamination from them during flooding.

**SEC. 4.9 OVERLAY DISTRICTS**

**4.9.1 General**

Where an overlay district and the underlying or base zoning district have different standards or regulations, the most restrictive standards or regulations pertaining to that land shall apply.

**4.9.2 Conservation Subdivision Overlay District (CSOD)**

**A. Purpose and Intent.** The purpose and intent of the Conservation Subdivision Overlay District is to provide for the preservation of prime farmland, greenspace and watersheds; to allow residential developments that permit flexibility of design and efficient uses of the land; to preserve sensitive natural resources such as groundwater, floodplains, wetlands, streams, steep slopes, woodlands and wildlife habitat; to conserve scenic views and view sheds of open spaces by the use of a Conservation Subdivision as outlined by this Ordinance. It is the intent of this Overlay District to allow for an alternative and optional development style with regard to sidewalks, street widths, street lights, curb and gutter, or other development requirements as outlined within the Subdivision Regulations.

**B. Description of Area.** A Conservation Subdivision development is only permitted in the unincorporated areas of Warren County illustrated by Exhibit C in Appendix A of this Ordinance.

**C. Permitted Zoning District(s).** The permitted zoning districts that are allowed to be utilized under the Conservation Subdivision Overlay District include: AG (Agriculture); utilizing the property development standards as outlined in Section E below.

**D. Permitted Uses.** The permitted uses within the Conservation Subdivision Overlay District shall be the same as the underlying zoning district as enumerated in the Use Table in Section 5.1 of this Ordinance for the portion of property to be developed. Areas classified as Conservation Areas shall be limited to Agriculture production, floodplains, wetlands, woodlands, a single dwelling unit, common areas, drainage areas or other amenities to the Conservation Subdivision, for the duration of the Conservation Areas as set forth in Section 4.9.3.K below.

**E. Property Development Standards.** A property must consist of a minimum forty (40) acres in order to utilize the Conservation Subdivision Development Standards.

- The maximum number of lots is determined by dividing the gross area of a tract, using the nearest whole number of acres, by the minimum lot size specified in the Agriculture (AG) zoning district plus a tiered density bonus specified below.

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- a. Subdivisions proposed for on-site septic development (< 18 ft Road) will not receive a density bonus.
  - b. Subdivisions proposed for on-site septic development (≥18 ft Road) will include a density bonus of 100%.
  - c. Subdivisions proposed for sanitary sewer development (≥18 ft Road) will include a density bonus of 400%. For the purpose of this section only, sanitary sewer shall include alternative septic systems as approved by the Barren River District Health Department.
- The following Table specifies the general development standards that shall apply:

	AG (Septic)	AG (Septic)	AG (Sewer)
<b>Road Width Standard</b>	<18 ft Road	≥18 ft Road	≥18 ft Road
<b>Density Bonus (Ratio)</b>	1:1	2:1	4:1
<b>Lot Area (Min sf)</b>	43,560	30,000	10,000
<b>Maximum # of Lots</b>	20	n/a	n/a
<b>Lot Width (min at bldg line)</b>	100 feet	85 feet	75 feet
Street Required	Yes	Yes	yes
Lot Frontage	50 feet	50 feet	50 feet
<b>Lot Coverage</b>	25%	40%	50%
<b>Setbacks (min)</b>			
Front Yard	25	25	25
Rear Yard	10	10	10
Side Yard	10	10	7.5
Accessory Structure	5	5	5
<b>Height (max)</b>	42	42	42
<b>Off-Street Parking (spaces required)</b>	2 Total	2 Total	2 Total

- F. **Minimum Conservation Area.** The minimum conservation area of a property proposing a Conservation Subdivision defined on Exhibit G in Appendix A of this Ordinance as the Conservation Subdivision Overlay District shall be required to preserve a minimum of 50% of the total land area. The preservation of these designated areas may take the form of non-perpetual Conservation Easements, plat restrictions and/or other binding agreements as approved by the Executive Director.

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- G. Types of Conservation Areas.** Conservation Areas may consist of, but not be limited to, the following: Conservation Easements, Donation of land to a public entity (i.e. governmental, nature preserve or land trust), Living Trust, Right of First Refusal and/ or Purchase of land.
- H. Duration of Conservation Areas.** Conservation areas shall be required to place a restriction of development on the remaining portion of property for a period of at least twenty (20) years. This section in no way shall limit a property owner from imposing a greater time period from which to restrict development.
- I. Buffer Requirements.** When a property is proposed for a Conservation Subdivision development, a fifty (50) foot buffer shall be required from the nearest adjacent property line. This buffer area may be used as part of any lot within the development; however, in no case shall the area be used for any principal or accessory structures.

**4.9.3 Urban Growth Overlay District (UG)**

- A. Purpose and Intent.** The Urban Growth Overlay District is intended to implement focal point plans for growth areas, to promote innovative, attractive and efficient use of land, to encourage planned development and multi-modal transportation systems and to permit flexibility and creativity in the design of such planned development. The purpose of this ordinance shall include, but not be limited to the following:

  - 1. To encourage and promote the public health, safety and general welfare of the citizens of the City and County, including the development and coordination of municipal growth and services.
  - 2. To encourage originality, flexibility, innovation in site planning and development, and vehicular and pedestrian circulation, including the architecture, landscaping and graphic design of proposed developments in relation to the area as a whole.
  - 3. To discourage monotonous, unsightly, and inharmonious developments, minimize discordant and unsightly surroundings and visual blight, and avoid inappropriate and poor quality design.
  - 4. To promote orderly community growth, protect and enhance property values for the community as a whole and other environmental and aesthetic considerations which generally enhance rather than detract from community standards and values of the comfort and prosperity of the community and the preservation of its natural beauty and other natural resources, which are the proper concern of local government, and to promote and enhance construction and maintenance

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practices that will tend to enhance environmental and aesthetic quality for the community as a whole.

**B. Description of the Area.** The following areas are hereby designated an Urban Growth Overlay Districts requiring review from the Urban Growth Design Review Board:

1. **Cemetery Road Corridor (KY 234) see Exhibit D1 in Appendix A.**
2. **Lovers Lane Corridor (KY 880) see Exhibit D2 in Appendix A.**

**C. Permitted Uses.** Except as prohibited in item D, below, uses permitted in each zoning district are those uses permitted in the underlying zoning district as enumerated in the Use Table in Sec. 5.1. This table employs broad use categories containing a variety of similar uses for each Zoning District. The use categories are described in Sec. 5.2, Use Categories, and Appendix B, which lists examples of uses (showing which use categories they fall into).

**D. Prohibited Uses.** The following uses are expressly prohibited in each Urban Growth Overlay District:

**Cemetery Road Corridor (KY 234) see Exhibit D1 in Appendix A.**

1. Adult entertainment establishments;
2. Night clubs, bars, and lounges which derive less than 50 percent of their income from food sales;
3. Outdoor storage of any type;
4. Self-storage or warehousing units;
5. Manufactured home and model home sales lots;
6. Retail Establishments that have outside display units for sale, including vehicles for sale;
7. Eating Establishments with drive-through or drive-in;
8. Vehicle Repair or Vehicle Service Uses; and
9. Any Light or Heavy Industrial Uses.

**Lovers Lane Corridor (KY 880) see Exhibit D2 in Appendix A.**

1. Adult entertainment establishments;
2. Night clubs, bars, and lounges which derive less than 50 percent of their income from food sales;
3. Outdoor storage (Type 3 and Type 4);
4. Self-Storage Units;
5. Manufactured home and model home sales lots; and
6. All Heavy Industrial Uses, except Manufacturing and Warehousing.

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**E. Development Standards - Cemetery Road (KY 234) Overlay District.** Buildings should reflect an individual design that has considered site location, conditions, and surrounding development. Building design should provide a sense of permanence and timelessness. High quality construction and materials should be used to ensure that buildings will not look dated or worn down over time. Building designs should reflect an individual style and form and not merely current trends. However, reliance on or use of standardized “corporate or franchise” style is strongly discouraged. For all developments within the overlay district, other than single-family residential or agriculture, the following technical standards shall apply:

1. **General Development Standards.** All building setbacks are measured from the right-of-way.
  - a. All developments (other than single-family residential or agriculture) within the Cemetery Road Overlay District shall be connected to sanitary sewer. Minimum required lot size on sanitary sewer shall be one-half acre.
  - b. Minimum required front building setback abutting a local street shall be 30 feet.
  - c. Minimum required rear building setback shall be 20 feet.
  - d. Minimum required side building setback (not on corner lot) shall be 20 feet.
  - e. Minimum side building setbacks for corner lots abutting a local street shall be 30 feet.
  - f. Minimum front, side and rear building setbacks abutting a collector or arterial street shall be 50 feet.
  - g. Minimum front, side and rear building setbacks abutting a single family residential district shall be 50 feet.
  - h. Height limitation for structures shall be a maximum of three stories or 42 feet including mechanical penthouse and roof-top screened equipment.
  - i. Maximum Usable Lot Area:
    - (1) The maximum surface land area of the building shall not exceed 30 percent of the total lot area. Parking areas, open courts and other open space uses shall not be included in building area.

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- (2) For all uses permitted within this overlay district, no more than 70 percent of the total surface land area of the lot shall be improved with buildings, structures, parking and loading areas, streets, driveways or roadways.
  
  - j. Maximum building size. Within the Cemetery Road Overlay District, the building footprint of any building shall conform to the following:
    - (1) All one-story buildings shall not exceed 20,000 sq. ft.
    - (2) All two-story buildings shall not exceed a first floor footprint of 15,000 sq. ft.; total gross area shall not exceed 30,000 sq. ft.
    - (3) All three-story buildings shall not exceed a first floor footprint of 10,000 sq. ft.; total gross area shall not exceed 30,000 sq. ft.
  
  - k. Green space area.
    - (1) All sites shall be developed with not less than 20 percent of the total area with green space. Green space shall be landscaped with trees, green shrubbery, grass and/or other plantings exclusive of any plantings or landscaping treatment in parking lot islands measuring less than 200 square feet. Such green space shall be located on the site to provide the maximum visibility of the green space to surrounding properties and public streets. No more than 50 percent of the required green space may be located within drainage facilities.
    - (2) All parking areas located adjacent to an arterial or collector road right-of-way shall be screened by a permanent landscaped berm or hedge, at least 30 to 36 inches in height at maturity (and 18-24 inches in height at planting), measured at the finished grade of the top of curb of the parking area. Acceptable hedge species shall be limited to those plants contained on the Master Plant List maintained by the City-County Planning Commission. At least 50 percent of the required shrub material shall be of an evergreen species.
2. **Landscape Buffer Standards.** All adjoining non-residential property located within the Overlay District shall be required



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to provide a landscape plan. Also, in locations where property zoned non-residential and residential are adjacent (either immediately adjacent to or across a public right-of-way), a landscape plan will be required with the development of either site. This shall not apply to the development of one and two family homes. When a site development plan is submitted for the review and consideration of the Design Review Board, special care shall be taken to minimize the effects on the adjacent residential area.

- a. The following shall be considered minimum standards for the development of landscape plans for required buffers/screens and interior vehicle use areas:
  - (1) A minimum 25-foot buffer strip shall be required on the outer perimeter of the non-residential building lot abutting the property currently zoned for residential or agricultural use or development. No travelways, parking areas, structures or storage of material shall be allowed within the buffer strip.
  - (2) A minimum 10 foot buffer strip shall be required on each lot between all other parcels regardless of zoning or use.
  - (3) All buffer yards as required within the overlay district shall be planted to the following minimums. The quantities listed are to be an average of each entire buffer yard as required.
  
- b. For screening of parking or vehicle use areas adjacent to any right-of-way, all areas shall be planted at the minimum average rate of one shade tree and 12 shrubs for each 400 square feet of buffer provided. Smaller ornamental trees may be used in place of the shade tree at a ratio of three ornamental trees for each shade tree for up to one-half the required shade trees. One-half of all shrub material shall be of an evergreen species. Shade trees planted to comply with this section shall also be counted towards the required street tree planting as stated in other sections of this overlay district. All plants shall come from the Master Plant list with exceptions being allowed only in writing from the City-County Planning Commission.
  
- c. For interior parking lot landscaping, a minimum of five percent of the area parking or vehicle use area must be used for landscaping. The minimum contiguous area to be counted towards the requirements shall be 75 square feet. All landscape islands shall have a minimum width of six feet in any direction. The

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maximum distance between landscape islands shall be 120 feet as measured from face of curb. A minimum of one tree shall be planted for each 200 square feet of required landscaped area, with the remaining areas to be planted in shrubs or non-turf ground cover. Landscape areas within 10 feet of a building shall be considered foundation planting and not be counted towards the minimum requirements of this article.

- d. For screening of parking or vehicle use areas adjacent to a common property line, and buffers between incompatible land uses, all areas shall be planted at a rate of one shade tree, two evergreen trees and 10 shrubs for each 400 square feet of buffer provided. Smaller ornamental trees may be used in place of the shade trees at a ratio of three ornamental trees for each shade tree for up to one-half the required shade trees.
- e. The minimum size at planting of required plants shall be as noted:

<b>TYPE</b>	<b>Min. Size</b>
Shade and ornamental trees	1-3/4" caliper
Evergreens	6' height
Shrub material	18-24" height

- f. All plants material to be installed as required shall conform to the standards of the American Association of Nurserymen and shall have passed any inspection required under State regulations. All plants must be maintained in a healthy manner and replaced during the next appropriate planting season. All dead plant material shall be removed within 45 days. Plant material placement shall comply with all sight distance requirements.
- g. In instances where a masonry or board on board fence is to be provided, the required shrub and evergreen planting requirements may be reduced by 50 percent. Shade trees shall still be required at the rates as above.
- h. For sites that contain less than 50 parking spaces, landscape plans shall be prepared for all site development within the overlay district and may be submitted by either an architect, landscape architect, engineer or surveyor, licensed to practice their

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profession in the State of Kentucky, or a Kentucky certified nurserymen. For sites with over 50 parking spaces the plan must be submitted by a landscape architect licensed to practice in the State of Kentucky.

- i. All submitted landscape plans shall include the following: Plan drawn to scale with all easements shown and labeled, building footprint, parking, travelways, topography at a minimum of two-foot contours, plant schedule including botanic and common names, size, quantity and condition, and the seal and signature of the person submitting the landscape plan. A minimum of four copies shall be required to be submitted, additional copies may be requested by the Design Review Board.
  - j. The planting provisions of this section may be varied or reduced if the proposed plan provides for unique and innovative landscaping treatment or physical features that, in the opinion of the Design Review Board, meet the intent and purpose of this section. In no case shall the buffer width be reduced when adjacent to the interstate or Kentucky 234. Existing vegetation may be used to satisfy the requirements of this section only when the existing vegetation is on the lot under review. The submission of an existing vegetation/tree preservation plan to the City-County Landscape Architect and the Design Review Board for review shall be required.
  - k. Prior to the issuance of a building permit, a surety acceptable to the Planning Commission and as outlined in Section 4.6.8.D of this Ordinance shall be required.
3. **Off-Street Parking and Loading.** The number, size and design of all parking spaces, internal access ways and loading spaces for all land uses (other than single family detached) within the designated overlay district shall comply with the following requirements listed below:
- a. All parking shall be off-street in paved, landscaped parking areas.
  - b. Off-street loading or service areas shall not face a public right-of-way and shall be at least 30 feet from any right-of-way. Any loading or service area adjacent to residential property shall be screened with a masonry or wood fence, and the required landscape buffer planting.
  - c. All non-residential buildings less than 10,000 sq. ft. shall be required to have at least one service or

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loading/unloading space measuring a minimum of 12 feet by 24 feet. All non-residential buildings of more than 10,000 sq. ft. will be required to have a minimum of two service or loading spaces.

- d. Within the bounds of this Overlay District, this Ordinance shall strictly comply with the access limitations of the Kentucky Transportation Cabinet for KY 234. These limitations are as follows:
  - (1) KY 234 is a fully controlled access facility from the intersection of KY 234 and Briteway Drive to the intersection of KY 234 with KY 2158 (Cumberland Trace). Within these limits, access to KY 234 is limited to the intersection of KY 234 with KY 880/Ewing Ford Road, the intersection of KY 234 with I-65 Southbound Ramps, and the intersection of KY 234 with I-65 Northbound Ramps.
  - (2) KY 234 is an “access by permit” facility from the intersection of KY 234 with KY 2158 (Cumberland Trace) to the end of the KY 234 construction project at a point west of the bridge over Drakes Creek. Within these limits, access to KY 234 is granted through the commercial/ residential entrance permit process under the jurisdiction of the Kentucky Transportation Cabinet.
- e. In office and commercial/retail developments, at least 50 percent of the required parking shall be to the rear of the front building face.
- f. Parking setbacks shall conform to the following standards:
  - (1) When adjacent to compatible uses, the parking setback shall be 10 feet from the property line.
  - (2) When adjacent to incompatible uses, the parking setback shall be 25 feet.
  - (3) When adjacent to a public right-of-way or public access easement, the parking setback shall be 10 feet from the right-of-way.
- g. Traffic circulation in office, commercial, and multi-family developments should be designed so as to direct traffic away from single family residential streets.

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- h. Joint driveways in commercial and office districts are desirable whenever possible in order to minimize the number of access points to streets.
  
- 4. **Lighting.** Adequate outside lighting shall be provided to ensure safe movement of persons and vehicles and for security purposes. At the same time, such lighting shall be directed downward and arranged so as to minimize glare and reflection on adjacent residential properties and public streets. The Design Review Board may require the submission of a lighting plan by a qualified professional engineer to ensure that the illumination of outside lighting as designed and installed does not exceed one-half (.5) foot candles measured at the property line of abutting property zoned for residential use or development. All freestanding light poles and fixtures shall be black. Suggested lighting styles are as follows:
  - a. Teardrop with optic cutoffs
  - b. Lantern with prismatic fixtures
  - c. Bollards for pedestrian access.
  
- 5. **Fence Material.** All proposed fences within the Overlay District (except for single family residential and agricultural lots) must be reviewed and approved by the Design Review Board prior to the issuance of a building permit. Acceptable fence material shall be wood, masonry, stone, vinyl/PVC, tubular steel or aluminum, agricultural fence (for agricultural purposes) and decorative wrought iron. All chain-link fences are prohibited within the Overlay District (except on existing individual single family residential lots). All fences shall be at least four feet in height and not higher than eight feet in height. Suggested fence styles are as follows:
  - a. 4-rail plank
  - b. Masonry columns with wood panels
  - c. Decorative masonry
  - d. Random-faced stone
  - e. Decorative metal
  - f. Agricultural fence for agricultural purposes only.
  
- 6. **Signs.** The visual transfer of business advertising and other public information through the use of external signs in this zoning district shall comply with the following sign requirements. All signs, excluding traffic signs, must be approved by the Design Review Board and shall conform to the following uniform sign standards:
  - a. Materials, colors, and shades of proposed signs shall be compatible with the related buildings on the property and must be approved by the Design Review

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Board. All completed signs must have a high quality professional appearance. Sign materials shall be limited to high quality construction materials such as:

- (1) Stone, brick, or decorative block
  - (2) Finished wood (painted or stained)
  - (3) Finished metal
  - (4) High quality plastic
- b. Signage shall be limited to one (1) freestanding and one (1) wall sign for each roadway frontage. In cases where there are multiple tenants, each tenant within the property shall be allowed one wall sign on the front building facade.
- c. Freestanding signs shall be ground-mounted, monument style with proper landscaping and be set back from the road sight triangle as to prohibit obstruction of view.
- d. Freestanding signs shall not exceed 7 feet in total height and 75 square feet per side, and shall be located in a manner that will not create a traffic hazard. The height of a sign shall be computed as the distance from the base of the sign at a computed grade to the top of the highest attached component of the sign (including the sign face, sign structure, or any other appurtenance). The computed grade shall be the elevation of the nearest point of the crown of the closest public street.
- e. External lighting of monument signs shall be concealed and ground-mounted.
- f. Freestanding pole signs (excluding flag poles) are prohibited. Maximum number of flag poles per site shall be three (3) with a maximum pole height of 40 feet, with the maximum area of each flag not to exceed 50 square feet. Only government, or other official designated flags of an institution or business are allowed.
- g. Changeable letter boards may make up no more than 20 percent of the area of a freestanding sign. Letters/numbers shall be no more than 12 inches in height.
- h. Signage in planned shopping centers shall be limited to one ground-mounted, monument style sign for each roadway frontage. Each tenant in the shopping center shall be allowed one wall sign per frontage with a maximum of two signs.

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- i. Wall signs, including window and awning lettering, are permitted on a limited basis within the Overlay District. All wall signs shall not extend beyond the roof line. The lighting of wall-mounted signs shall be mounted on the building. The limitations for each street frontage are as follows:
  - (1) Wall signs for buildings or tenants having less than 2,500 square feet of gross leasable area shall not exceed 25 square feet.
  - (2) Wall signs for buildings or tenants having more than 2,500 square feet, but less than 7,500 sq. ft. shall not exceed 40 square feet.
  - (3) Wall signs for buildings or tenants having more than 7,500 square feet shall not exceed 100 square feet.
  
- j. Internally-lit single frame (or box) signs containing a logo or trademark are permitted on a limited basis within the Overlay District. These limitations are listed below:
  - (1) Freestanding internally-lit signs shall not exceed 12 square feet and shall be considered as part of the allowable sign as outlined in this Section.
  - (2) Internally-lit wall signs shall not exceed 20 square feet, and shall be considered as part of the allowable sign area outlined in this Section.
  
- k. Wall mounted internally-lit individual letters are permitted on a limited basis within the Overlay District and shall be considered part of the allowable wall sign area outlined in 4.9.2.D.6.i. above. These additional limitations are listed below:
  - (1) Buildings or tenants having less than 2,500 square feet of gross leasable area shall not exceed 25 square feet of total outlined sign area. No letters shall exceed 24 inches in height or width.
  - (2) Buildings and tenants having more than 2,500 gross leasable area (GLA) but less than 7,500 GLA shall not exceed 40 square feet of total outlined sign area. No letters shall exceed 30 inches in height or width.

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- (3) Buildings and tenants having more than 7,500 GLA shall not exceed 75 square feet of total outlined sign area. No letters shall exceed 36 inches in height or width.
  
- l. Illumination of signs shall be directed away from all traffic and from all adjoining residential areas. The intensity of the light shall not exceed 1.5 footcandles at any point on the sign face.
  
- m. Vending machines must be contained inside the principal building and shall not be allowed in direct view from the parking or right-of-way areas.
  
- n. Billboards and portable signs shall be prohibited. Flashing signs and roof mounted signs shall be prohibited. Electronic Message Display (EMD) Signs are prohibited.
  
- o. All signage shall be subject to the sign regulations outlined in the Zoning Ordinance/Resolution for Warren County or any amendments thereto. In instances where the two ordinances do not agree, the more restrictive of the two shall apply.

**7. Traffic Design**

- a. All internal streets, drives, travelways, sidewalks/trails, parking and loading areas shall be designed for safe and efficient movement of vehicles and pedestrians. Projects to be developed within the Overlay District and contiguous to the Greenbelt shall be required to provide direct pedestrian access, separate from any vehicle entry, to the Greenbelt trail. Developments that are not contiguous to the Greenbelt trail shall provide either a sidewalk or trail that will allow for the movement of pedestrians to the Greenbelt trail, separate from the street system. If the trail or sidewalk is located on the site being developed between any parking or travelway and a property line, the trail or sidewalk shall be in addition to the required landscape buffer. All development shall allow for inter-parcel access of vehicles (two-way travelway) and pedestrians (via sidewalk or trail) to adjacent property. Inter-parcel access points shall be located behind the front building setback line.
  
- b. **Design Standards.** All streets, drives, and parking and loading areas shall be a minimum of 24 feet in width for two-way traffic, and 12 feet for one-way traffic. The maximum slope shall not exceed six percent in any direction. All streets, drives, and travelways above grade shall be constructed with



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curb and gutter. The perimeter parking lots and internal islands shall have extruded curbs. Intersections shall be at 90 degrees. With the exception of designated passenger drop-off areas and loading and unloading spaces, the minimum distance from any travelway or parking space to a building shall be 10 feet. For all pedestrian circulation, the minimum sidewalk shall be five feet in width and the any asphalt trail shall be at least 10 feet in width. The maximum slope shall not exceed six percent and shall comply with all rules within the Americans with Disabilities Act (ADA).

8. All electric, telephone, cable and similar service lines and other wiring shall be installed underground, and there shall be no new overhead wiring in any development.
9. **Exterior Treatment.** Any proposed land use or development approved by the Design Review Board shall be designed and constructed of materials so as to be architecturally compatible with the architectural character of the general area.
  - a. All building exteriors shall be finished with one or more of the following materials:
    - (1) architectural masonry units, including brick, decorative concrete masonry units, and special surface units (plain-laid concrete or cinder block will not be allowed);
    - (2) natural stone;
    - (3) precast and poured-in-place concrete; EFIS or Dryvit (not to exceed 50% of the total exterior)with approval of surface treatment;
    - (4) glass, glass curtain, glass surface units;
    - (5) wood clapboard, trim;
    - (6) Architectural Metal Panel (this material should utilize concealed fastener application and shall not exceed 75% of any building façade).
    - (7) The use of vinyl shall be limited to only fascia, soffit, and other minor trim uses within the district. The Design Review Board (DRB) may approve the use of alternative building materials, if compatible with the adjoining properties.

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- b. Finished materials shall extend around all sides of the building, which shall include gas canopies.
- c. No more than two principal colors shall be used on the building face. Accent or secondary colors shall be limited to a maximum of three additional colors and shall not cover more than 10 percent of the total building face. Use of bright or garish colors as the dominant color for the wall or roof surfaces is prohibited.
- d. All non-residential buildings located along KY 234 shall be designed in such a way as to appear to face the highway, regardless of the location of the driveway access and parking. All building walls facing KY 234 shall have windows, doors, or other articulated openings representing a minimum of 20 percent of the surface areas of said wall. Building components such as windows, doors, eaves, and parapet walls should have good proportion and relationship to one another. All building walls facing any other right-of-way shall have some form of articulated relief or change in direction, every 30 feet.
- e. Roof-mounted utilities and mechanical equipment should be screened from view by roof design, parapet walls, fencing, or other screening method to a height equal to or greater than the height of the equipment.

**10. Solid Waste.**

- a. Solid waste storage and disposal areas shall be screened from public view.
- b. Solid waste storage and disposal areas shall be enclosed in an eight (8) foot high solid structure, of the same material as that of the principal building.

**11. Screening of Equipment and Outside Storage.** Ground and roof level electrical transformers, heat and air conditioning equipment and similar facilities shall be screened from public view.

**12. Redevelopment of Existing Site.** It is recognized that certain nonresidential properties in the overlay district were developed prior to incorporation and/or adoption of technical and development standards for the district. When an existing nonresidential site is redeveloped, the site shall be brought into conformance with the technical and development standards of this division to the greatest extent feasible or possible as determined by the Design Review Board. For the purposes of this section, redevelopment shall include any

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proposed expansion, addition, or facade change to an existing building, structure, or parking facility.

**F. Development Standards - Lovers Lane (KY 880) Overlay District.** Buildings should reflect an individual design that has considered site location, conditions, and surrounding development. For all developments within the overlay district, other than single-family residential or agriculture, the following technical standards shall apply:

1. **General Development Standards.** All building setbacks are measured from the right-of-way.
  - a. Minimum required lot size on sanitary sewer shall be one-half acre.
  - b. Minimum required front building setback abutting a local street shall be 25 feet.
  - c. Minimum required rear building setback shall be 10 feet.
  - d. Minimum required side building setback (not on corner lot) shall be 20 feet.
  - e. Minimum side building setbacks for corner lots abutting a local street shall be 20 feet.
  - f. Minimum front building setbacks abutting Lovers Lane (KY880) shall be 50 feet.
  - g. Minimum front, side and rear building setbacks abutting an existing single family residential district shall be 50 feet.
  - h. Minimum building setbacks abutting Interstate 65 shall be 50 feet.
  - i. A portion of the Airport Overlay District is within this Urban Growth Overlay District. The Airport Overlay District outlines the area within proximity of the Bowling Green-Warren County Airport that is under the jurisdiction of the Kentucky Airport Zoning Commission (KAZC) (see Exhibit F in Appendix A). The underlying zoning restrictions, including height requirements, is governed by this ordinance; however, there may be additional restrictions on development in this area placed by the KAZC.
  - j. Maximum usable lot area.
    - (1) The maximum surface land area of the building shall not exceed 50 percent of the

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total lot area. Parking areas, open courts and other open space uses shall not be included in building area.

- (2) For all uses permitted within this overlay district, no more than 75 percent of the total surface land area of the lot shall be improved with buildings, structures, parking and loading areas, streets, driveways or roadways.

k. Green space area.

- (1) All sites shall be developed with not less than 25 percent of the total area with green space. Green space shall be landscaped with trees, green shrubbery, grass and/or other plantings exclusive of any plantings or landscaping treatment in parking lot islands measuring less than 200 square feet. Such green space shall be located on the site to provide the maximum visibility of the green space to surrounding properties and public streets. No more than 50 percent of the required green space may be located within drainage facilities.

2. **Landscape Buffer Standards.** All adjoining non-residential property located within the Overlay District shall be required to provide a landscape plan. Also, in locations where property zoned non-residential and residential are adjacent (either immediately adjacent to or across a public right-of-way), a landscape plan will be required with the development of either site. This shall not apply to the development of one and two family homes. When a site development plan is submitted for the review and consideration of the Design Review Board, special care shall be taken to minimize the effects on the adjacent residential area.

a. The following shall be considered minimum standards for the development of landscape plans for required buffers/screens and interior vehicle use areas:

- (1) A minimum 25-foot buffer strip shall be required on the outer perimeter of the non-residential building lot abutting the property currently zoned for residential or agricultural use or development. No travelways, vehicle use areas (VUA), outdoor display areas, structures or storage of material shall be allowed within the buffer strip.
- (2) A minimum 20 foot buffer strip shall be required along Ky 880 (Lovers Lane).

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- (3) A minimum 10 foot buffer strip shall be required on each lot between all other parcels regardless of zoning or use.
  - (4) All vehicle use areas (VUA) shall be required to provide a minimum of five percent (5%) of the interior of the VUA in landscape islands, as defined in Article 4.6.8.D. of this ordinance.
  - (5) All allowable outdoor display areas shall comply with the buffer width requirements, as described above, and be setback a minimum of twenty (20) feet from any right-of-way. Screening of any outdoor display area(s) from a common property line or right-of-way shall be planted to the minimum buffer requirements for incompatible land uses as outlined in Article 4.6.8.D of this ordinance.
  - (6) All buffer yards as required within the overlay district shall be planted according to the requirements listed in 4.6.8 D.
- b. Prior to the issuance of a building permit, a surety acceptable to the Planning Commission and as outline in Section 4.6.8.D of this Ordinance shall be required.

**3. Access Limitations.**

- a. Within the bounds of this Overlay District, this Ordinance shall strictly comply with the access limitations of the Kentucky Transportation Cabinet for KY 880. In addition, the following access requirements along the Lovers Lane are as follows:
- (1) KY 880 is an “access by permit” facility and access shall comply with the City of Bowling Green’s adopted Traffic Access Management Guidelines.
- b. Joint driveways in commercial and office districts are desirable whenever possible in order to minimize the number of access points to streets.

4. **Lighting.** Adequate outside lighting shall be provided to ensure safe movement of persons and vehicles and for security purposes. At the same time, such lighting shall be directed downward and arranged so as to minimize glare and reflection on adjacent residential properties and public streets. The Design Review Board may require the submission of a lighting plan by a qualified professional engineer to ensure that the illumination of outside lighting as

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designed and installed does not exceed one-half (.5) foot candles measured at the property line of abutting property zoned for residential use or development. All freestanding light poles and fixtures shall be black. Suggested lighting styles are as follows:

- a. Teardrop with optic cutoffs;
- b. Lantern with prismatic fixtures;
- c. Bollards for pedestrian access.

5. **Fence Material.** All proposed fences within the Overlay District (except for single family residential and agricultural lots) must be reviewed and approved by the Design Review Board prior to the issuance of a building permit. Acceptable fence material shall be wood, masonry, stone, vinyl/PVC, tubular steel or aluminum, agricultural fence (for agricultural purposes) and decorative wrought iron. All chain-link fences are prohibited within the Overlay District (except on existing individual single family residential lots). All fences shall be at least four feet in height and not higher than eight feet in height. Suggested fence styles are as follows:

- a. 4-rail plank
- b. Masonry columns with wood panels
- c. Decorative masonry
- d. Random-faced stone
- e. Decorative metal
- f. Agricultural fence for agricultural purposes only.

6. **Signs.** The visual transfer of business advertising and other public information through the use of external signs in this zoning district shall comply with the following sign requirements. All signs, excluding traffic signs, must be approved by the Design Review Board and shall conform to the following uniform sign standards:

- a. Materials, colors, and shades of proposed signs shall be compatible with the related buildings on the property and must be approved by the Design Review Board. All completed signs must have a high quality professional appearance. Sign materials shall be limited to high quality construction materials such as:
  - (1) Stone, brick, or decorative block
  - (2) Finished wood (painted or stained)
  - (3) Finished metal
  - (4) High quality plastic
- b. Signage shall be limited to one (1) freestanding and one (1) wall sign for each roadway frontage. In cases where there are multiple tenants, each tenant within

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the property shall be allowed one wall sign on the front building facade.

- c. Freestanding signs shall be ground-mounted, monument style with proper landscaping and be set back from the road sight triangle as to prohibit obstruction of view.
- d. Freestanding signs shall not exceed 7 feet in total height and 75 square feet per side, and shall be located in a manner that will not create a traffic hazard. The height of a sign shall be computed as the distance from the base of the sign at a computed grade to the top of the highest attached component of the sign (including the sign face, sign structure, or any other appurtenance). The computed grade shall be the elevation of the nearest point of the crown of the closest public street
- e. All wall signs shall not exceed a maximum area of 100 sf or 10% of each facade, which-ever is greater.
- f. External lighting of monument signs shall be concealed and ground-mounted.
- g. Freestanding pole signs (excluding flag poles) are prohibited. Maximum number of flag poles per site shall be three (3) with a maximum pole height of 40 feet, with the maximum area of each flag not to exceed 50 square feet. Only government, or other official designated flags of an institution or business are allowed.
- h. Signage in planned shopping centers shall be limited to one ground-mounted, monument style sign for each roadway frontage. Each tenant in the shopping center shall be allowed one wall sign per frontage with a maximum of two signs.
- i. Illumination of signs shall be directed away from all traffic and from all adjoining residential areas. The intensity of the light shall not exceed 1.5 footcandles at any point on the sign face.
- j. Billboards and portable signs shall be prohibited. Flashing signs and roof mounted signs shall be prohibited.
- k. All signage shall be subject to the sign regulations outlined in the Zoning Ordinance/Resolution for Warren County or any amendments thereto. In instances where the two ordinances do not agree, the more restrictive of the two shall apply.

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7. **Traffic Design.** All internal streets, drives, travelways, sidewalks/trails, parking and loading areas shall be designed for safe and efficient movement of vehicles and pedestrians. Projects to be developed within the Overlay District and contiguous to the Greenbelt shall be required to provide direct pedestrian access, separate from any vehicle entry, to the Greenbelt trail. Developments that are not contiguous to the Greenbelt trail shall provide either a sidewalk or trail that will allow for the movement of pedestrians to the Greenbelt trail, separate from the street system. All development shall allow for inter-parcel access of vehicles (two-way travelway) and pedestrians (via sidewalk or trail) to adjacent property. Inter-parcel access points shall be located behind the front building setback line.
8. All electric, telephone, cable and similar service lines and other wiring shall be installed underground, and there shall be no new overhead wiring in any development.
9. **Exterior Treatment.** Any proposed land use or development approved by the Design Review Board shall be designed and constructed of materials so as to be architecturally compatible with the architectural character of the general area.
  - a. All building exteriors shall be finished with one or more of the following materials.
    - (1) architectural masonry units, including brick, decorative concrete masonry units, and special surface units (plain-laid concrete or cinder block will not be allowed);
    - (2) natural stone;
    - (3) precast and poured-in-place concrete; EFIS or Dryvit (not to exceed 50% of the total exterior) with approval of surface treatment;
    - (4) glass, glass curtain, glass surface units;
    - (5) wood clapboard, trim;
    - (6) Architectural Metal Panel (this material should utilize concealed fastener application and shall not exceed 75% of any building façade).
    - (7) The use of vinyl shall be limited to only fascia, soffit, and other minor trim uses within the district. The Design Review Board (DRB) may approve the use of alternative building materials if compatible with the adjoining properties.



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- b. Finished materials shall extend around all sides of the building, which shall include gas canopies.
  - c. All non-residential buildings located along KY 880 shall be designed in such a way as to appear to face the roadway, regardless of the location of the driveway access and parking. All building walls facing any other right-of-way shall have some form of articulated relief or change in direction, every 30 feet.
  - d. Roof-mounted utilities and mechanical equipment should be screened from view by roof design, parapet walls, fencing, or other screening method to a height equal to or greater than the height of the equipment.
10. **Screening of Equipment and Outside Storage.** Ground and roof level electrical transformers, heat and air conditioning equipment and similar facilities shall be screened from public view.
11. **Redevelopment of Existing Site.** It is recognized that certain nonresidential properties in the overlay district were developed prior to incorporation and/or adoption of technical and development standards for the district. When an existing nonresidential site is redeveloped as defined in Article 6, the site shall be brought into conformance with the technical and development standards of this district to the greatest extent feasible or possible as determined by the Design Review Board. All new signage shall conform to the requirements of item 4.9.2 E 6, (Signs).

**4.9.4 Historic Overlay District**

**A. Purpose and Intent.**

- 1. To maintain and preserve the unique historic and architectural characteristics of areas and buildings having special or distinctive features or having special historic, architectural, aesthetic or cultural interest and value to the community, state and nation.
- 2. To establish standards to review the rehabilitation of existing structures and new construction to ensure that it is compatible with the character of the historic district and discourage growth or alterations that will negatively impact the historic character of the districts.
- 3. To protect historic buildings and districts in Warren County in order to maintain one of the county's principal economic development and heritage tourism resources.

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4. To enhance the appeal of Bowling Green and Warren County’s historic neighborhoods as distinctive areas and to enhance property values within these Districts.
5. To encourage and promote the public health, safety and general welfare of the citizens of Bowling Green and Warren County by ensuring that changes in the designated districts enhance the historic qualities that are enjoyed by all members of the community and which makes the area a special place in which to live and work.

**B. Description of the Area.** The following are hereby designated as part of the Historic Overlay District requiring review from the Historic Preservation Board:

1. Local Historic Districts, Local Historic Sites (HD) or Local Historic Conservation Districts (HC) (See Exhibit G1 in Appendix A).

**C. Permitted Uses.** Except as prohibited in item D below, uses permitted in each zoning district are those uses permitted in the underlying zoning district as enumerated in the Use Table in Sec. 5.1. This table employs broad use categories containing a variety of similar uses for each Zoning District. The use categories are described in Sec. 5.2, Use Categories, and Appendix B, which lists examples of uses (showing which use categories they fall into).

**D. Prohibited Uses.** The following uses are expressly prohibited in the following areas of the Historic Overlay District:

**Chestnut Dodd and Upper East Main Local Historic Districts**

1. Adult Entertainment Establishments;
2. Group Living;
3. Eating Establishments with Drive-Thru
4. Bars/Lounges;
5. Hotels, Motels & Extended Stay Facilities;
6. Commercial Parking
7. Game Arcades, Pool Halls, Dance Halls, Indoor Firing Ranges, Health Clubs, & Gyms;
7. Retail Over 4,000 SF, Planned Shopping Centers up to 30,000 SF, and Retail with Drive-Thru or Pickup Window;
8. Fuel Stations or Sales and Other Limited Vehicle Service;
9. Telecommunications Support Structure and Attached Telecommunications Facility

**College Hill Local Historic District**

1. Adult Entertainment Establishments;
2. Multi-Family Residential greater than six (6) units;
3. Group Living (excluding Fraternities and Sororities in the University District and Rooming and Boarding Houses);
4. Eating Establishments with Drive-Thru and Bars/Lounges;

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5. TV and Radio Studios;
6. Hotels, Motels, Extended Stay Facilities and RV Parks;
7. Commercial Parking;
8. Game Arcades, Pool Halls, Dance Halls, Indoor Firing Ranges, Health Clubs, & Gyms;
9. Active Outdoor Recreation and Entertainment, Passive Outdoor Recreation and Entertainment, Sportsmen’s Farms, and Campgrounds;
10. Animal Hospitals and Kennels;
11. Retail Over 4,000 SF, Planned Shopping Centers up to 30,000 SF, Vehicle Sales and Retail with Drive-Thru or Pickup Window;
12. Vehicle Repair, Fuel Stations or Sales and Other Limited Vehicle Service
13. Telecommunications Support Structure and Attached Telecommunications Facility;

**Downtown Commercial Local Historic District**

1. Adult Entertainment Establishments;
2. Group Living
3. Eating Establishments with Drive-Thru
4. Fuel Stations or Sales and Other Limited Vehicle Service
5. Telecommunications Support Structure and Attached Telecommunications Facility;

**E. Historic Overlay Standards, Secretary of the Interior’s Standards and Guidelines for the Rehabilitation of Historic Properties.** The Historic Overlay shall include General Development Standards adopted as outlined in Section 3.13.3 and may also incorporate other Local Standards, the Secretary of the Interior’s Standards and Guidelines for the Treatment of Historic Properties as applicable, as well as the Secretary of the Interior’s Guidelines on Sustainability for Rehabilitating Historic Buildings (See Exhibit G2 in Appendix A)

**F. Redevelopment of Existing Site.** It is recognized that certain properties in the Historic Overlay District were developed prior to incorporation and/or adoption of technical and development standards for the district. When an existing site is redeveloped as defined in Article 6, the site shall be brought into conformance with the technical and development standards of this district to the greatest extent feasible or possible.

**G. Development Standards – Chestnut Dodd and Upper East Main Local Historic Districts.** Buildings should reflect an individual design that has considered the architectural and historical character of surrounding development. For all developments within the overlay district, the following technical standards shall apply:

1. **Fences** (Location, height, style, material). All proposed fences within the Historic Overlay District must obtain a COA from the Historic Preservation Board or staff prior to the issuance of a

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building permit and must be appropriate and compatible with the historic character of the subject property.

- a. Acceptable visible fence material shall be wood, brick, stone, or wrought or cast iron and must be appropriate and compatible with the architectural style and period of the associated building. Aluminum fences may be permitted in rear yards in a style appropriate for the associated building.
  - b. Wood privacy fences and solid wall fences of wood or brick may be built to a height of six feet on interior side and rear property lines. Such fences shall be set back so that they are closer to the rear plane of the house than the front plane of the house.
  - c. Fences in front yards must be of a style that is compatible and appropriate for the style of the house and street and must be of a maximum height of four feet. (A list of appropriate fences styles, material is included in the design guidelines.)
  - d. New retaining walls should be of BRICK or STONE and not of poured concrete, concrete block, rusticated concrete block or railroad ties.
  - e. Vinyl fences, Wooden split rail fences—and all chain-link fences are prohibited within the Historic Overlay District.
2. **Signs.** The visual transfer of business advertising and other public information through the use of external signs in this Historic Overlay District shall comply with the following sign requirements. Materials, colors, and shades of proposed signs shall be compatible with the related buildings on the property and must be approved by the Historic Preservation Board. All completed signs must have a high quality professional appearance. Sign materials shall be limited to high quality construction materials
- a. The following type signs are the most appropriate in a residential setting: freestanding sign in the yard, a plaque style sign by the front entrance, a hanging sign that hangs from the porch fascia board or a sign painted on a glass entrance or a window. Signs should not obscure important architectural elements, such as a gable field or brackets.
  - b. General. New signage should be compatible in material, size, color, scale and design with the building and district. Signs that are over-scaled or inappropriate include roof-top signs, plastic signs, back-lit, internally-lit fluorescent signs or awnings, signs that flash or move, holographic, LED, billboards or reader boards.
  - c. Materials. Materials such as wood, metal, fiberglass, finished, carved or sandblasted wood, goldleaf or a material that is compatible with the historic district or building.

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- d. Size. Freestanding signs should be no taller than four feet (4') or wider than eight feet (8'). Hanging signs should be proportionate to the space but generally no taller than two feet (2') or wider than three feet (3'). Plaque style signs should be sized appropriately for the house.
- e. Colors. Signs should be limited to no more than three (3) colors; however in the case of company colors, they may be used for the company logo, which may or may not be the entire sign. Fluorescent, day-glow, holographic and photo printed letters and backgrounds are not appropriate.
- f. Design: The design of signs should complement their surrounding and be pedestrian oriented. The sign should be integrated into the architectural design of the building and should not dominate the façade or interfere with adjacent buildings.
- g. The number of graphic elements shall be held to the minimum needed to convey the sign's major message, generally the name of the business and any identifying logo or symbol.
- h. Traditional fonts, painted, silk screened, gilded or vinyl lettering on glass is appropriate.
- i. Lighting. Light signs in a manner compatible with the historic character and pedestrian scale of the district with concealed or incandescent lighting. Back-lit or internally-lit, bare spot lights, plastic box signs or high-wattage metal halide lights are not appropriate.
- j. Hardware. Mounting methods should be simple in design and should not damage the historic building.

**3. Driveways & Parking Areas.**

- a. Parking is not permitted in front yards
- b. New parking areas are to be no larger than six spaces and are to be screened.
- c. Rear yards should not be significantly altered for parking. Existing topography and vegetation should be retained as much as possible.
- d. If parking is located in the rear yard, it is recommended that wood board fencing be installed to screen the parking.
- e. Driveways shall be located to the side of the house with garages and carports in the rear.

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- f. Circular driveways should not be constructed unless they are part of the original landscape configuration.
- g. Drives and parking areas shall be paved with asphalt, concrete, brick pavers, pervious material or similar permeable paving material. Asphalt is permitted but not recommended.
- h. Where possible, traditional concrete “track” or “strip” driveways should be retained and used for new driveways.

**H. Development Standards – College Hill Local Historic District.**

Buildings should reflect an individual design that has considered the architectural and historical character of surrounding development. For all developments within the overlay district, the following technical standards shall apply:

- 1. **Fences.** All proposed fences within the Historic Overlay District must obtain a COA from the Historic Preservation Board or staff.
  - a. Acceptable fence material shall be wood, brick, stone, aluminum and wrought iron and must be appropriate and compatible with the architectural style and period of the associate building.
  - b. Wood privacy fences and solid wall fences of wood or brick may be built to a height of six feet on interior side and rear property lines. Such Fences shall be set back from the plane of the front façade of the house.
  - c. Fences in front yards must be of a style that is compatible and appropriate for the style of the house and street and must be of a maximum height of four feet. (A list of appropriate fences styles, material is included in the design guidelines.)
  - d. New retaining walls should be of BRICK or STONE and not of poured concrete, concrete blocks, rusticated concrete block or railroad ties.
  - e. Vinyl fences, Wooden split rail fences, and all chain-link fences are prohibited within the Historic Overlay District.
- 2. **Signs.** The following type signs are the most appropriate in a residential setting: freestanding sign in the yard, a plaque style sign by the front entrance, a hanging sign that hangs from the porch fascia board or a sign painted on a glass entrance or a window. Signs should not obscure important architectural elements, such as a gable field or brackets.
  - a. General: New signage should be compatible in material, size, color, scale and design with the building and district. Prohibited signs include over-scaled or inappropriate roof-top signs, plastic signs, back-lit, internally-lit fluorescent signs or

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awnings, signs that flash or move, holographic, LED, billboards or reader boards.

- b. **Materials:** Materials such as wood, metal, fiberglass, finished, carved or sandblasted wood, goldleaf or a material that is compatible with the historic district or building.
- c. **Size:** Freestanding signs should be no taller than four feet (4') or wider than eight feet (8'). Hanging signs should be proportionate to the space but generally no taller than two feet (2') or wider than three feet (3'). Plaque style signs should be sized appropriately for the house.
- d. **Colors:** Signs should be limited to no more than three (3) colors; however in the case of company colors, they may be used for the company logo, which may or may not be the entire sign. Fluorescent, day-glow, holographic and photo printed letters and backgrounds are not appropriate.
- e. **Design:** The design of signs should complement their surrounding and be pedestrian oriented. The sign should be integrated into the architectural design of the building and should not dominate the façade or interfere with adjacent buildings.
- f. The number of graphic elements shall be held to the minimum needed to convey the sign's major message, generally the name of the business and any identifying logo or symbol.
- g. Traditional fonts, painted, silk screened, gilded or vinyl lettering on glass is appropriate.
- h. **Lighting:** Light signs in a manner compatible with the historic character and pedestrian scale of the district with concealed or incandescent lighting. Back-lit or internally-lit, bare spot lights, plastic box signs or high-wattage metal halide lights are not appropriate.
- i. **Hardware:** Mounting methods should be simple in design and should not damage the historic building.

**3. Driveways & Parking Areas**

- a. Parking is not permitted in front yard
- b. New parking areas are to be no larger than six spaces and are to be screened.
- c. Rear yards should not be significantly altered for parking. Existing topography and vegetation should be retained as much as possible.

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- d. If parking is located in the rear yard, it is recommended that wood board fencing be installed to screen the parking.
  - e. Driveways shall be located to the side of the house with garages and carports in the rear.
  - f. Circular driveways should not be constructed unless they are part of the original landscape configuration.
  - g. Drives and parking areas shall be paved with concrete, brick pavers, pervious material or similar permeable paving material. Asphalt is permitted but not recommended.
  - h. Where possible, traditional concrete “track” or “strip” driveways should be retained and used for new driveways.
- I. Development Standards – Downtown Commercial Local Historic District.** Buildings should reflect an individual design that has considered the architectural and historical character of surrounding development. For all developments within the overlay district, the following technical standards shall apply:
- 1. Fences.** All proposed fences within the Historic Overlay District must obtain a COA from the Historic Preservation Board or staff.
    - a. Acceptable fence material shall be wood, masonry, stone, aluminum and wrought iron and must be appropriate and compatible with the architectural style and period of the associated building.
    - b. Vinyl fences, Wooden split rail fences and all chain-link fences are prohibited within the Historic Overlay District.
  - 2. Signs.** The visual transfer of business advertising and other public information through the use of external signs in this Historic Overlay District shall comply with the following sign requirements. Materials, colors, and shades of proposed signs shall be compatible with the related buildings on the property and must be approved by the Historic Preservation Board. All completed signs must have a high quality professional appearance. Sign materials shall be limited to high quality construction materials. The more restrictive of the Historic District Overlay or the underlying district shall apply.
    - a. Electronic Message Display (EMD) Signs are prohibited in all Local Historic Districts.
    - b. Location: Signs must be located in historically traditional locations, such as storefront beltcourses or on flat surfaces of the building; painted on glass elements or hanging or mounted inside windows or door. Canopy signs shall not project above the roof line nor above the vertical canopy face.



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- c. **Materials:** Signs should be constructed of high quality, historic sign materials such as: wood, finished metal or fiberglass). Molded plastic lettering in an appropriate color and font and with a dull finish is allowed. Sign materials that are not permitted include unfinished plyboard, shiny plastic or plastic substrate signs.
- d. **Size:** Signs should utilize lettering not exceeding 18 inches in height or covering more than 60 percent of the total sign area.
- e. **Colors:** Signs should coordinate with the overall building colors.
- f. **Lighting:** Internally illuminated signs are not permitted. Signs should have indirect, soft, muted lighting from an external, shielded lamp.
- g. **Hardware:** Sign mounting methods should be simple in design and should not damage the historic building.

**4.9.5 University District (UD)**

**A. Purpose.** The University District provides for a planned mix of residential dwelling types and other selected uses which are related to and which are located in close proximity to the main campus of Western Kentucky University. Such organizations include, but are not limited to:

- 1. Dormitories, fraternity/sorority houses, university-affiliated rooming/boarded houses or other residence halls; and
- 2. Conference centers, student centers, and retreat houses operated by a religious or non-profit organization. (See Exhibit E in Appendix A).

**B. Development Standards.**

- 1. **External Appearance.** When such use is located in any residential or public district, the external appearance of the structure shall be in the form and character of a single-family, detached dwelling.
  - (1) All new residential structures under the jurisdiction of the University District Review Committee (UDRC) shall have the following minimum architectural requirements:
    - (a) Building materials shall consist of at least 75% brick, stone, glass or other modern masonry materials.
    - (b) Building materials shall extend to all facades of the structure facing a right-of-way.
    - (c) Each residential structure shall have a pitched roof. Roof slope ratio should be a minimum of 3:12 and a maximum of 12:12.

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**2. Off-Street Parking.**

- a. One off-street parking spaces shall be provided for each occupant bed, plus one space per each employee and counselor or advisor. The total number of spaces required shall not exceed a maximum number of 20 spaces or result in a greater percentage of lot coverage than is allowed by the district regulations. Additional spaces may be permitted as long as the impervious surface for the total lot area does not exceed that which is allowed by the district regulations.
- b. All parking areas shall be located either to the rear or to the side of the residence. No off-street parking shall be permitted in front yards.
- c. All parking areas shall be paved and constructed so as to direct stormwater runoff to the appropriate drainage facility.

**3. Open Space.** Total impervious surface, including buildings and required parking, for the underlying zones included in the University District shall not exceed the following:

District	Lot Coverage
RM-2, RM-3, RM-4 (Multi-Family Residential)	60%
Residential Uses in the NB district	60%
Residential Uses in the GB district	75%

**4. Signs**

- a. Identification signs shall be wall-mounted signage, no greater than 12 square feet in area and shall not be internally illuminated.
- b. Temporary signs such as: Banners, pennants, posters, flags (excluding government, political subdivision, or other official designated flags of an institution or business), fixed balloons, or similar devices shall be prohibited.
- c. All permitted signs shall also comply with all the applicable Sign Development Standards in Section 4.6.8.F.

**5. Fire Suppression Systems**

**Article 4**

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Zoning Districts – Overlay Districts

- a. Each new residential structure shall be required to provide a fire suppression system internal to the structure which shall be required to meet the minimum requirements of the National Fire Protection Association (NFPA), Section 13.

**4.9.6 Airport Overlay District**

The Airport Overlay District outlines the area within proximity of the Bowling Green-Warren County Airport that is under the jurisdiction of the Kentucky Airport Zoning Commission (KAZC) (see Exhibit F in Appendix A). The underlying zoning is governed by this ordinance; however, there may be additional restrictions on development in this area placed by the KAZC. Any person developing property in this area should consult with KAZC in addition to all approvals necessary under this ordinance.

**Article 4**

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Zoning Districts – Overlay Districts

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**AGRICULTURAL AND RESIDENTIAL DISTRICTS  
STANDARDS SUMMARY TABLE**

	<b>AG*</b> (pg. 4-4)	<b>RR**</b> (pg. 4-6)	<b>R-E</b> (pg. 4-6)	<b>RS-1A</b> (pg. 4-6)	<b>RS-1B</b> (pg. 4-6)	<b>RS-1C</b> (pg. 4-6)	<b>RS-1D</b> (pg. 4-6)	<b>MHP</b> (pg. 4-7)	<b>RM-2</b> (pg. 4-22)	<b>RM-3</b> (pg. 4-22)	<b>RM-4</b> (pg. 4-22)		
Lot Area (min.) * Public Sewer Septic System	5 acres 5 acres	2 acres 2 acres	1 acre 1 acre	12,000 sf N/A	10,000 sf N/A	8,000 sf N/A	5,000 sf N/A	***217,800 N/A	11,000 sf N/A	<i>sewer only</i> 8,000 sf for first unit plus 2,000 sf for each add'l unit	<i>sewer only</i> 5,000 sf for first unit plus 1,500 sf for each add'l unit		
Lot Width (min.)	100 feet	100 feet	100 feet	85 feet	75 feet	60 feet	50 feet	50 feet	75 feet	40 feet	40 feet		
Lot Frontage (min.) Public Street Cul-de-Sac	40 feet 40 feet	50 feet 40 feet	50 feet 40 feet	50 feet 40 feet	50 feet 40 feet	50 feet 32 feet	50 feet 32 feet	50 feet 40 feet	50 feet 40 feet	50 feet 40 feet	50 feet 40 feet		
Lot Coverage (max.)	25%	30%	30%	40%	50%	60%	70%	N/A	75%	80%	85%		
Setbacks (min.) Front Yard Side Yard	25 feet 10 ft	25 feet 25 feet	25 feet 10 feet	25 feet 10 feet	25 feet 7.5 feet	25 feet 7.5 feet	25 feet 5 feet	50 feet 25 feet	25 feet 7.5 feet	25 feet 10 feet	25 feet 10 feet		
Rear Yard	25 feet	25 feet	10 feet	10 feet	10 feet	10 feet	10 feet	25 feet	10 feet	25 feet	25 feet		
Accessory Structure Side Yard Rear Yard	5 feet 5 feet	5 feet 5 feet	5 feet 5 feet	5 feet 5 feet	5 feet 5 feet	5 feet 5 feet	5 feet 5 feet	5 feet 5 feet	5 feet 5 feet	5 feet 5 feet	5 feet 5 feet		
Height	N/A	35 feet	42 feet	42 feet	42 feet	42 feet	42 feet	35 feet	42 feet	42 feet	6 stories above grade		
Fire Protection Required?	See Section 1.13 for Fire Protection Requirements												
Off-Street Parking Requirement (spaces)	2 spaces	2 spaces	2 spaces	2 spaces	2 spaces	2 spaces	2 spaces	2 spaces	2 per unit	Bedr 1 2 3 4 5	Sp 1.5 2.5 3.25 4.0 5.0	Bedr 1 2 3 4 5	Sp 1.5 2.5 3.25 4.0 5.0

\* For more information on the Agriculture District, including exceptions, see Section 4.3 on page 4-4 of the Zoning Ordinance.

\*\*The RR (Rural Residential) District is allowed only in the unincorporated areas of Warren County.

\*\*\*For specific MHP space standards, see 4.4.6.B

**NON-RESIDENTIAL DISTRICTS  
STANDARDS SUMMARY TABLE**

	<b>NB (pg. 4-33)</b>	<b>GB (pg. 4-33)</b>	<b>CB (pg. 4-33)</b>	<b>HB (pg. 4-33)</b>	<b>OP-R (pg. 4-33)</b>	<b>OP-C (pg. 4-33)</b>	<b>P (pg. 4-37)</b>	<b>LI (pg. 4-61)</b>	<b>HI (pg. 4-61)</b>
Lot Area (min.) Public Sewer Septic System *	43,560 sf	5,000 sf 43,560 sf	None N/A	5,000 sf 43,560 sf	5,000 sf 43,560 sf	5,000 sf 43,560 sf	5,000 sf 43,560 sf	5,000 sf 130,680 sf	5,000 sf 130,680 sf
Lot Width (min.)	50 feet	50 feet	None	50 feet	50 feet	50 feet	50 feet	50 feet	50 feet
Lot Frontage (min.)	50 feet	50 feet	None	50 feet	50 feet	50 feet	50 feet	50 feet	50 feet
Lot Coverage (max.)	70%	80%	100%	90%	50%	80%	90%	90%	90%
Setbacks (min.) Front Yard Side Yard Rear Yard Accessory	25 feet 0 feet 0 feet 0 feet	25 feet 0 feet 0 feet 0 feet	0 feet 0 feet 0 feet	25 feet 0 feet 0 feet 0 feet	25 feet 10 feet 25 feet 0 feet	25 feet 0 feet 0 feet 0 feet	25 feet 0 feet 0 feet 0 feet	25 feet 0 feet 0 feet 0 feet	25 feet 0 feet 0 feet 0 feet
Height (max.)	42 feet	None	None	None	42 feet	None	None	100 feet	100 feet
Building Size (max.) *	4,000 sf	N/A	N/A	N/A	4,000 sf	N/A	N/A	N/A	N/A
Min. Fire Flow Required	See Section 1.13 for Fire Protection Requirements								
Off-Street Parking	See specific use chart in 4.6.8.E for parking requirements.							1 per employee (max. shift)	
Landscaping Required	See Section 4.6.8.D for landscaping standards.								
Residential Allowed?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No
What Standard?	RS-1D	RM-3 or RS-1D	Accessory Use	Accessory Use	RS-1D	RM-3 or RS-1D	Accessory Use	No	No

\* Commercial uses with on-site septic systems see Article 1.12.2.A.3. Industrial uses utilizing on-site septic systems are limited to a 10,000 s.f. building.

## Sign Standards Summary Table

Signage in all districts shall comply with all applicable requirements in Section 4.6.8.F unless otherwise specified in other text of the Zoning Ordinance.

	Commercial and Industrial Districts												
	AG	RR, RE, RS	RM	MHP	NB	GB, HB	LI, HI	CB, H	OP-R	OP-C, P	PUD	UG Overlay	Univ Overlay
<b>Freestanding Signs Allowed?</b>	Yes *	Yes *	Yes *	No	Yes	Yes**	Yes**	Yes***	Yes	Yes	Yes	Yes	No
Maximum No.	1*	1*	1*	N/A	1	1**	1**	1	1	1	Per appr. Dev. Plan	See Sec. 4.9.3	n/a
Maximum Total Sign Face Area-Freestanding	100 sf	20 sf	75 sf	N/A	75 sf	150 sf	100 sf	50 sf	50 sf	100 sf	Per appr. Dev. Plan	See Sec. 4.9.3	n/a
Maximum Height	15'	5'	7'	N/A	15'	30'	30'	15'	5'	20'	Per appr. Dev. Plan	See Sec. 4.9.3	n/a
Structure Type/Restrictions	Pole or mon.	Pole or mon.	Pole or mon.	N/A	Pole or mon.	Pole or mon.	Pole or mon.	Pole or mon.	Mon.	Pole or mon.	Pole or mon.	Monument	n/a
<b>Wall Signs Allowed?</b>	Yes *	Yes *	Yes *	Yes *	Yes	Yes	Yes	Yes***	Yes	Yes	Yes	Yes	Yes
Maximum Total Sign Face Area-Wall Signs	50 sf	12 sf	40 sf	40 sf	100 sf or 5% of Facade, whichever is greater	100 sf or 10% of Facade, whichever is greater	100 sf or 10% of Facade, whichever is greater	100 sf or 5% of Facade, whichever is greater	50 sf or 5% of Facade, whichever is greater	100 sf or 5% of Facade, whichever is greater	100 sf or 10% of Facade, whichever is greater	See Sec. 4.9.3	12 sf

\* In Agriculture and Residential Districts, freestanding and wall signs are allowed for properly permitted conditional uses only.

\*\* These Commercial Districts **MAY** have a second high-rise sign, if within the area permitted for Interstate High-Rise Signs (See Appendix A-Exhibits A, B and B1).

\*\*\* Signs within any Historic District must first obtain a Certificate of Appropriateness from the Historic Preservation Board.

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