

ORDINANCE NO. _____, SERIES 2016

AN ORDINANCE AMENDING THE FOLLOWING SECTIONS OF CHAPTERS 1, 2 AND 8 OF THE LAND DEVELOPMENT CODE PERTAINING TO THE OLD LOUISVILLE / LIMERICK TRADITIONAL NEIGHBORHOOD ZONING DISTRICT — APPLICABLE SECTIONS ARE MORE SPECIFICALLY SET FORTH BELOW IN EXHIBIT A (CASE NO. 15AMEND1001)(AS AMENDED).

SPONSORED BY: Councilmember David James

WHEREAS, the Louisville Metro Council approved Resolution 040, Series 2015, on April 16, 2015, requesting Planning and Design Services staff to evaluate and recommend amendments to the Old Louisville / Limerick Traditional Neighborhood Zoning District ("TNZD") permitted uses and sign standards; and

WHEREAS, the Planning Commission held a public hearing on March 21, 2016 to consider amendments to the Land Development Code ("LDC"); and

WHEREAS, the Planning Commission recommended approval, with modifications, of the proposed text amendments provided in the staff report as stated in the Planning Commission's minutes of March 21, 2016; and

WHEREAS, the Metro Council concurs in and adopts the findings and recommendations of the Planning Commission in Case No. 15AMEND1001 as reflected in the Planning Commission's minutes and records, and as more specifically set forth in Exhibit A attached hereto;

Now THEREFORE BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:

Section I: The Metro Council hereby adopts the proposed text amendments pertaining to TNZD permitted uses and sign standards of the Land Development Code, as contained in the minutes and records of the Planning Commission in Case No. 15AMEND1001, dated March 21, 2016, and as more specifically set forth in Exhibit A attached hereto.

Section II: This Ordinance shall take effect upon its passage and approval.

H. Stephen Ott
Metro Council Clerk

David Tandy
President of the Council

Greg Fischer
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By:_____

Exhibit A

Land Development Code Text Amendment Ordinance Attachment

1.2.2 Definitions

Carriage house - An accessory structure at the rear of a lot that was originally built to accommodate the storage of carriages, wagons, horse or mule stables, with or without an Accessory Residential Unit; or a new or renovated garage, storage building, or building accommodating another accessory use, with or without an Accessory Residential Unit, that has architectural characteristics similar to those of historic carriage houses.}

Historic house museums - Residences having historic and/or architectural significance which members of the public may view with or without charge for admission.

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2.7.4 Traditional Neighborhood Zoning District – General Provisions

A. General Standards

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3. Applicability of Other Ordinances.

Unless otherwise specifically provided in this Section or in ~~the TNZD Plan~~ **an area-specific TNZD Section in this Land Development Code**, all provisions of the Land Development Code **and other relevant adopted design guidelines** shall be applicable to the TNZD, except to the extent that they conflict with an approved provision of this zone. **Where a standard and a guideline conflict, the stricter shall control.**

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~~Appendix 2B TNZD Report~~ **2.7.5** Traditional Neighborhood Zoning District – Old Louisville / Limerick

A. TNZD Land Uses ~~Tables~~

1. Table ~~2.4~~ **2.7.4**, below, lists the uses permitted within the Old Louisville/Limerick TNZD. **In the event of a conflict between the general listing of uses in Table 2.7.4 below and the specific listing of uses in Tables 2.7.5 through 2.7.21, the specific listing of uses shall control.**
2. **The 'Standards' column of the table cross-references special standards found in other parts of the Land Development Code that apply to the specific use. A use designated as permitted subject to standards (PS) in Table 2.7.4 is permitted subject to standards, even if the cross-referenced standard is for a use requiring a Conditional Use Permit in the remainder of the Land Development Code. A use designated as a Conditional Use (P/CU) in Table 2.7.4 requires a Conditional Use Permit, even if the cross references standard is for a use that is permitted subject to standards in the remainder of the Land Development Code.**
3. **The following table sets forth the meaning of the symbols used in Table 2.7.4. below.**

Symbol	Meaning
P	The described use is permitted, subject to design and location standards where noted.
P/M	The described use is permitted where mapped. Mapped uses recognize traditional uses of structures existing on each lot pursuant to KRS 100. 201(3) or, in the case of vacant development sites, appropriate compatible uses.
NP	The use is not permitted.
P/CU	The use is permitted as Conditional Use <u>in accordance with Chapter 11, Part 5A of the LDC.</u>
PS	The use is permitted with special standards <u>in accordance with Chapter 4 or Chapter 11 of the LDC.</u>
N/A	Not applicable, since commercial uses are permitted in the Neighborhood Transition-Center, Neighborhood Center, Neighborhood Center Transition: Edge Transition, and Neighborhood General Campus Edge Transition.
<u>P/M or P/CU</u>	<u>The use is permitted where mapped but newly established uses are permitted as a Conditional Use.</u>
*	Plus one dwelling unit in the accessory structure area.
**	See Table 2.5.1 for the specific permitted uses. Commercial uses, colleges, schools, institutions of learning and office Uses are permitted at ground level facing the street only where shown as Street Front Commercial on the TNZD Plan Map. Colleges, schools, institutions of learning and office <u>These</u> uses shall not exceed 25% of the total area mapped as Street Front Commercial.

TABLE 2-1 2.7.4 OLD LOUISVILLE/LIMERICK TNZD LAND USES-TABLE - GENERAL

TNZD Land Use Category	<i>Neighborhood General</i>	<i>Neighborhood Transition-Center</i>	<i>Neighborhood Center</i>	<i>Neighborhood Center Transition: Edge Transition</i>	<i>Neighborhood General Campus Edge Transition</i>	<i>Standards</i>
Residential Uses						
Dwellings, single family – one dwelling unit per lot*	P	P	NP	<u>P</u>	NP	
Dwellings, two-family*	P	P	P	<u>P</u>	NP	
Dwellings, multifamily	P/M	P	P	<u>P</u>	P	
Garages and accessory residential units (Carriage Houses)	P	P	P	<u>P</u>	NP	
Home occupations	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>	NP	<u>4.4.5</u>
Homeless shelters	P/CU	PS or P/CU	PS or P/CU	<u>P/CU</u>	PS or P/CU	<u>4.3.13</u>
<u>Live / work units</u>	NP	PS	PS	PS	PS	<u>4.3.19</u>
Transitional housing	PS or P/CU	PS or P/CU	PS or P/CU	<u>P/CU</u>	PS or P/CU	<u>4.3.14</u>
Office Uses						
Professional or business offices	NP	P	P	<u>P</u>	P**	
Institutional Uses						
Clubs, private, not for profit, or proprietary <u>not including fraternities or sororities</u>	P/M	P	NP P	<u>P</u>	NP	
Colleges, schools , and institutions of learning	NP	P	NP P	<u>P</u>	P**	
Community centers, parks, and playgrounds – not for profit	P/CU	P	NP P	<u>NP</u>	NP	<u>11.5A.1.B</u>
Cultural centers and civic buildings	P/M	P	NP P	<u>P</u>	NP	
Day care centers, nurseries and kindergartens	NP	P	NP P	<u>P</u>	NP	
Family care homes (mini-homes)	NP	P	NP P	<u>P</u>	NP	
Fraternities and sororities	NP	NP	NP P	<u>P</u>	NP	
Religious buildings, Churches, synagogues , parish halls, temples , convents, and monasteries	P/M	P	P/M	<u>P</u>	NP	
Schools, <u>elementary, middle, and high</u> (public and private)	P/M	P	NP P	<u>P</u>	NP	
Trade, business, or industrial schools	NP	P	NP P	<u>P</u>	NP	
Commercial Uses						
Corner Lot Commercial (includes office and/or residential uses)	P/M, <u>See Table 2.7.7</u>	N/A	N/A	<u>N/A</u>	N/A	

TNZZ Land Use Category	Neighborhood General	Neighborhood Transition-Center	Neighborhood Center	Neighborhood Center Transition: Edge Transition	Neighborhood General Campus Edge Transition	Standards
General Commercial, <u>except as listed below:</u>	NP	P ^{**} See Table 2.7.9	P [‡] See Table 2.7.12	See Table 2.7.16	See Table 2.7.19 P ^{**}	
Entertainment, outdoor	<u>NP</u>	<u>P/CU</u>	<u>P</u>	<u>P</u>	<u>NP</u>	<u>11.5A.1.B</u>
Package liquor stores (no on-site alcohol consumption allowed)	<u>NP</u>	<u>P/CU</u>	<u>P</u>	<u>P</u>	<u>NP</u>	<u>11.5A.1.B</u>
Taverns, bars, saloons	<u>NP</u>	<u>P/CU</u>	<u>P</u>	<u>P</u>	<u>NP</u>	<u>11.5A.1.B</u>
Transitional Commercial Uses	N/A	P/M ^{***}	N/A	<u>N/A</u>	N/A	
Other Uses						
Accessory uses	P	P	P	<u>P</u>	P	
Bed and breakfasts inns	P/CU	P/CU <u>PS</u>	P/CU	<u>P/CU</u>	NP	<u>4.2.9</u>
Community gardens	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>4.3.17</u>
Community service facilities	P/M or P/CU	P <u>P/CU</u>	P <u>P/CU</u>	<u>P/CU</u>	P <u>P/CU</u>	<u>4.2.54</u>
Historic house museums	P/CU	P/CU	P/CU	<u>P/CU</u>	NP	<u>11.5A.1.B</u>
Market gardens	<u>NP</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>4.3.18</u>
Original use of structure	P	P	P	<u>P</u>	NP	
Storage sheds	P	P	P	<u>P</u>	NP	
Temporary buildings, uses, or activities	P	P	P	<u>P</u>	NP	

Table 2.12.7.4 Notes

Building uses in effect prior to the adoption of these regulations and operating in a legal fashion according to the prior zoning classification of the property, including legal non-conforming uses, may continue to operate under the Traditional Neighborhood Zoning District. Legal non-conforming uses may not be expanded.

Subsequent sections of this chapter provide more detailed information on uses permitted in the ~~four~~ five TNZZ components neighborhood types. The term “replacement structures” referenced in the following tables means new construction on sites that were occupied by contributing principal structures on the effective date of the TNZZ zoning classification.

~~** See Table 2.3.1 for the specific permitted uses~~

~~*** See Table 2.3.2 for the specific permitted uses~~

~~‡ See Table 2.4.1 for the specific permitted uses. Commercial uses only are permitted at ground level facing the street where shown on the TNZZ Plan Map.~~

~~‡‡~~

Table 2.7.5 Table 2.2.1 Uses Permitted in the Neighborhood General

Land Use Category	Description of Permitted Uses
Residential Uses	
Dwellings, Single-Family	One dwelling unit <u>is permitted</u> per lot, including attached row houses on separate lots and semi-detached dwelling units where each dwelling unit is constructed on its own lot with one zero lot line between dwellings, plus one dwelling unit in the Accessory Structure Area of each lot.
Dwellings, Two-Family	Two dwelling units in the principal structure <u>are permitted</u> on a single lot, plus one dwelling unit in the Accessory Structure Area. Existing principal structure <u>was shall have</u> originally <u>been</u> built as a two-family (duplex) dwelling unit. Conversions of single-family dwellings to two-family dwellings shall be limited to existing principal structures in which

Land Use Category	Description of Permitted Uses
	one of the resulting two dwelling units shall have a minimum of 2,250 square feet. New or replacement structures <u>shall</u> not to exceed the footprint of the previous Contributing principal structure, unless approved by governing authorities in accordance with standards for new construction.
Garages and Accessory Residential Units (Carriage Houses)	Garages, parking or storage, including existing structures originally built as garages <u>are permitted</u> . One dwelling unit per Accessory Structure with garage below <u>is permitted</u> . A new Accessory Residential Units located in the Accessory Use area shall be permitted on any lot, provided that all design and parking standards are met. Carriage House (an Accessory Structure at the rear of a lot that was originally built to accommodate the storage of carriages, wagons, horse or mule stables, with or without an Accessory Residential Unit; or a new or renovated garage, storage building, or building accommodating another accessory use, with or without an Accessory Residential Unit, that has architectural characteristics similar to those of historic carriage houses)
Other Uses	
Accessory Uses	A use which is clearly incidental to, customarily found in association with, and serves a principal use; is subordinate in purpose, area, or extent to the principal use served; and is located on the same building site as the principal use, including parking areas.
Original Use of Structure	A specific purpose for which an applicant seeks to use a structure that was existing on the property on November 22, 1926, and for which said structure was used on or before that date <u>is permitted</u> .
Storage sheds	Subordinate structures or buildings used primarily for storage purposes, the total square footage of which does not exceed 100 square feet each, <u>are permitted</u> . Existing structures originally built as garages, carriage houses, or storage sheds <u>are permitted</u> . New structures and additions may be located within the Accessory Structure Area or within the Private Yard Area. Storage sheds over 100 square feet shall be treated as Garages and Accessory Residential Structures.
Temporary Buildings, Uses, or Activities	Garage and yard sales, and tents, air structures, and other temporary structures (must not be displayed more than 10 days in a calendar year) <u>per permitted</u> . Buildings or uses incidental to active construction <u>are permitted</u> .

Table 2.7.6 Uses Permitted With Special Standards in the Neighborhood General

Land Use Category	Description of Permitted Uses
Residential Uses	
Home Occupations	Home Occupations as permitted by Section 4.4.5 of the Land Development Code
Other Uses	
Community gardens	Community gardens as permitted by Section 4.3.17 of the Land Development Code

Table 2.7.7 ~~Table 2.2.2~~ Uses Permitted Where Mapped in the Neighborhood General

Owners of interior lots with nonresidential structures that were originally built as nonresidential structures, but that do not qualify for the Original Use Exception in Section 2.7.4.C.4.b, may apply for a TNZD Zoning Map change to a use listed below in accordance the process established in Section 2.7.4.C.4.a.

Land Use Category	Description of Uses Permitted Where Mapped
Residential Uses	
Dwellings, multifamily	Three or more residential units in the principal structure on a lot, not to exceed 34.8 dwelling units per acre for map-designated multifamily or, for replacement structures, the number of units shall not exceed previously existing density <u>are permitted</u> . Existing structures originally built as a multifamily residential structures <u>are permitted</u> . Conversions may decrease the existing number of dwelling units, and shall not be permitted to exceed the existing number of dwelling units.

Land Use Category	Description of Uses Permitted Where Mapped
	<p>Conversions to multifamily residential uses are permitted in structures where the original use has been determined to be a non-residential or institutional use.</p> <p>New multifamily residential structures <u>are</u> permitted only where multifamily and institutional land uses are identified on the District Plan Map.</p> <p>Replacement structures not to exceed the footprint of the previous contributing principal structure, unless approved by governing authorities in accordance with standards for new construction <u>are permitted</u>.</p>
Institutional Uses	
Clubs, private, not for profit, or proprietary, with the exception of fraternities and sororities	<p>Private non-profit clubs, but excluding fraternities and sororities</p> <p>Existing structures originally built as lodges or for assembly use <u>are permitted</u>.</p> <p>New construction permitted only where institutional uses are identified on the District Plan Map</p> <p>Replacement structures not to exceed the footprint of the previous contributing principal structure, unless approved by governing authorities in accordance with standards for new construction</p>
Community Service Facility	<p>Existing structures originally built for community service facilities or where institutional uses are identified on the District Plan Map.</p> <p>Uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community. They provide the service on-site and have employees at the site on a regular basis. The service is ongoing, not just for special events. These facilities may provide accessory uses such as counseling, education, or training. These facilities are not considered schools (e.g. training schools, business schools, etc.) and do not include a residential occupancy component.</p>
Cultural centers and civic buildings	<p>Uses include public halls or other facilities used for cultural (including visual and performing arts), social, or educational activities.</p> <p>Existing structures originally built for community centers or assembly use or where institutional uses are identified on the District Plan Map.</p> <p>New construction permitted only where institutional uses are identified on the District Plan Map</p> <p>Replacement structures not to exceed the footprint of the previous contributing principal structure, unless approved by governing authorities in accordance with standards for new construction</p>
Religious buildings, Churches, synagogues, parish halls, temples, convents, and monasteries	<p>Churches, synagogues, parish halls, temples, convents, and monasteries and ancillary uses</p> <p>Existing structures originally built for assembly use or where institutional uses are identified on the District Plan Map.</p> <p>Replacement structures not to exceed the footprint of the previous contributing principal structure, unless approved by governing authorities in accordance with standards for new construction.</p>
Schools, elementary, middle, and high (public and private)	<p>Elementary, middle, and high schools</p> <p>Existing structures originally built as schools or educational buildings</p> <p>New construction permitted only where institutional uses are identified on the District Plan Map.</p> <p>Replacement structures not to exceed the footprint of the previous contributing principal structure, unless approved by governing authorities in accordance with standards for new construction</p>
Dwellings, multifamily	<p>Three or more residential units in the principal structure on a lot, not to exceed 34.8 dwelling units per acre, as follows:</p> <p>Conversions to multifamily residential uses are permitted in structures where the original use has been determined to be an institutional use.</p> <p>New multifamily residential structures permitted where institutional land uses are identified on the District Plan Map.</p>
Commercial Uses	
Corner Lot Commercial	<p>Corner Lot Commercial Uses, as listed below, are permitted where mapped, subject to the following standards.</p> <p>The following uses are permitted for existing structures, originally built as corner lot commercial buildings, with designated commercial uses limited to on the first floor only. Any floor may be used for office uses as permitted for Neighborhood Center—Transition and/or for residential uses.</p> <p>New construction <u>is</u> permitted only where Corner Lot Commercial uses are identified on the District Plan Map, provided</p>

Land Use Category	Description of Uses Permitted Where Mapped
	<p>total gross floor area of commercial/retail use does not exceed 5,000 square feet on the first floor and is accessible from the public sidewalk. Any floor may be used for office and/or residential uses.</p> <p>Replacement structures shall not to exceed the footprint of the previous contributing principal structure, unless approved by governing authorities in accordance with standards for new construction.</p> <p><u>Corner Lot Commercial Uses</u></p> <ol style="list-style-type: none"> 1. <u>Antique shops</u> 2. <u>Art galleries</u> 3. <u>Art supply stores and crafts shop</u> 4. <u>Athletic facilities (indoor only)</u> 5. <u>Audio/video recording studios, where all activities are in a building, provided the building is sound proof</u> 6. <u>Bakeries retail sales only</u> 7. <u>Banks, credit unions, and savings and loans</u> 8. <u>Barber shops</u> 9. <u>Beauty shops</u> 10. <u>Bicycle sales and service</u> 11. <u>Billiard parlors; game rooms and similar entertainment uses</u> 12. <u>Book stores</u> 13. <u>Clothing, dry goods and notions stores</u> 14. <u>Collectibles shops</u> 15. <u>Colleges, schools and institutions of learning</u> 16. <u>Computer sales and services, (hardware and software), and programming services</u> 17. <u>Confectionery, ice cream, or candy stores, retail only</u> 18. <u>Convenience groceries (Indoor malt beverage sales permitted only with proper ABC license)</u> 19. <u>Dance Instruction (excludes adult entertainment uses as defined within LMCO Chapter 11)</u> 20. <u>Day care centers, day nurseries, nursery schools and kindergartens</u> 21. <u>Delicatessens, retail only</u> 22. <u>Department stores</u> 23. <u>Dressmaking or millinery shops</u> 24. <u>Drug stores (Indoor malt beverage, distilled spirits and wine sales permitted only with proper ABC license)</u> 25. <u>Dry cleaning, dyeing, pressing, and laundry; distributing stations or retail business where no cleaning, dyeing, pressing or laundry is done for other distributing stations or cleaning establishments</u> 26. <u>Electric appliance stores</u> 27. <u>Engraving, watchmaking and jewelry manufacturing, where products sold on premises</u> 28. <u>Entertainment activity (as defined by LDC and is not considered adult entertainment as further defined by LDC) – indoor only.</u> 29. <u>Equipment rental, where all activities are within a building</u> 30. <u>Florists shops</u> 31. <u>Furniture stores</u> 32. <u>Grocery stores, including fruit, meat, fish, and/or vegetable. (Indoor malt beverage sales permitted only with proper ABC license)</u> 33. <u>Hardware and paint stores</u> 34. <u>Health spas</u>

Land Use Category	Description of Uses Permitted Where Mapped
	<p><u>35. Indoor malt beverage sales only with proper ABC license and only in association with a convenience store or a grocery store</u></p> <p><u>36. Indoor malt beverage, distilled spirits and wine sales only with proper ABC license and only in association with a drug store</u></p> <p><u>37. Indoor and outdoor malt beverage, distilled spirits and wine sales and consumption only with proper ABC license and only in association with a restaurant, tea room or cafe.</u></p> <p>38. Interior decorating shops</p> <p><u>39. Jewelry stores</u></p> <p><u>40. Laundry and dry cleaning pick-up shops and self-service laundries</u></p> <p>41. Laundries or laundrettes, self-service</p> <p><u>42. Libraries, museums, historical buildings and grounds, arboretums, aquariums, and art galleries</u></p> <p><u>43. Micro-breweries and micro-distilleries (where production activities occur indoors in a space 5,000 square feet or less) as an accessory use to a restaurant</u></p> <p><u>44. Monument sales, provided that all activities are within a building</u></p> <p>45. Music stores</p> <p><u>46. Music and vocal instructions where all activities are within a building, providing the building is sound proof</u></p> <p><u>47. Nurseries, retail only</u></p> <p><u>48. Pawn Shop</u></p> <p><u>49. Pet grooming, obedience training and related pet activities, provided the operation is conducted within a soundproofed building, no animals are boarded, and there are no runs or pens outside of the building</u></p> <p><u>50. Pet shops</u></p> <p>— Pharmacies</p> <p>51. Photographic shops</p> <p>52. Photography studios</p> <p><u>53. Picture framing</u></p> <p><u>54. Rental businesses offering items whose sale is a permitted use in this district, videocassette and similar products, rental and sales but not constituting an adult video rental center</u></p> <p><u>55. Restaurants, tea rooms and cafes excluding outdoor dancing and entertainment activity (Indoor and outdoor alcohol malt beverage, distilled spirits and wine sales and consumption only with proper ABC license) (no drive-through service permitted)</u></p> <p><u>56. Shoe repair shops</u></p> <p><u>57. Shoe stores</u></p> <p>58. Stationery stores</p> <p><u>59. Tailor</u></p> <p><u>60. Tanning salons</u></p> <p><u>61. Tattoo, body art, and piercing parlors</u></p> <p><u>62. Theaters, enclosed within a building</u></p> <p>63. Toy and hobby stores</p> <p><u>64. Upholstery and furniture repair shops</u></p>

Table 2.7.8 ~~Table 2.2.3~~ Uses Permitted as Conditional Uses in the Neighborhood General

Land Use Category	Description of Uses Permitted as Conditional Uses
Residential Uses	
Homeless Shelter	<u>Homeless shelters as permitted by Section 4.3.13 of the Land Development Code.</u> Any facility the primary purpose of which is to provide temporary shelter for the homeless. The facility provides overnight sleeping accommodations with or without charge; may provide meals and ancillary social, educational or health services. The facility is staffed.
Transitional Housing	<u>Transitional housing as permitted by Section 4.3.14 of the Land Development Code.</u> A temporary residential living arrangement for persons participating in a program that provides supportive services (such as counseling, education, training, etc.) to help persons achieve personal independence. Staff is available as needed. Transitional housing is not a rehabilitation home. These facilities are not subject to the Uniform Residential Landlord Tenant Act (KRS 383.500 et seq.).
Other Uses	
Bed & Breakfasts Inns	<u>Bed and breakfasts as permitted by Section 4.2.9 of the Land Development Code.</u> The use of a residential structure as a small inn which provides no more than nine (9) guest rooms for hire to short-term guests, in which the only meal served to guests is breakfast, unless the bed and breakfast inn has an additional food service license which allows other meals to be served. The innkeeper resides on the premises or property immediately adjacent to it during periods of occupancy, and the facility has a permit from the Kentucky Cabinet for Health Services to operate as a Bed and Breakfast Inn. Meals, meeting facilities, and other services shall be provided only for guests registered at the bed and breakfast inn.
Community Centers, Parks, and Playgrounds – not for profit	<u>Community centers, parks, and playgrounds – not for profit as permitted by Section 11.5A.1.B of the Land Development Code.</u> Community center is defined as “a facility that is available for public use as a meeting place or for recreation that does not limit access only to members and does not charge membership dues.”
Community Service Facility	<u>Community service facility as permitted by Section 4.2.54 of the Land Development Code.</u> Uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community. They provide the service on-site and have employees at the site on a regular basis. The service is ongoing, not just for special events. These facilities may provide accessory uses such as counseling, education, or training. These facilities are not considered schools (e.g. training schools, business schools, etc.) and do not include a residential occupancy component.
Historic House Museums	<u>Historic house museums as permitted by Section 11.5A.1.B of the Land Development Code. In addition, review shall include a minimum: an analysis of nearby residential uses and potential impacts, screening and buffering needed to protect adjacent residential uses, and limited hours of operation.</u> Residences having historic and/or architectural significance which members of the public may view with or without charge for admission.

Table 2.7.9 Table 2.3.1 Uses Permitted in the Neighborhood Transition-Center

Land Use Category	Description of Permitted Uses
Residential Uses	
Dwellings, Single Family	One dwelling unit per lot, including attached row houses on separate lots and semi-detached dwelling units where each dwelling unit is constructed on its own lot with one zero lot line between dwellings, plus one dwelling unit in the Accessory Structure Area of each lot.
Dwellings, Two-Family	Two dwelling units in the principal structure on a single lot, plus one dwelling unit in the Accessory Structure Area.
Dwellings, Multifamily	Three or more residential units in the principal structure on a lot, not to exceed 53 dwelling units per acre or, for replacement structures, the number of units shall not exceed the previously existing density.
Garages and Accessory Residential Units (Carriage Houses)	Garages, parking or storage, including existing structures originally built as garages. One dwelling unit per Accessory Structure with garage below. A new Accessory Residential Unit located in the Accessory Use area shall be permitted on any lot provided that all design and parking standards are met. Carriage House (an Accessory Structure at the rear of a lot that was originally built to accommodate the storage of carriages, wagons, horse or mule stables, with or without an Accessory Residential Unit; or a new or renovated garage, storage building, or building accommodating another accessory use, with or without an Accessory Residential Unit, that has architectural characteristics similar to those of historic carriage houses).
Office Uses	
Professional or business	Professional offices

Land Use Category	Description of Permitted Uses
offices	
Institutional Uses	
Clubs, private, not for profit, or proprietary, not including fraternities or sororities	
Colleges, schools , and institutions of learning	
Community Centers, Parks, and Playgrounds – not for profit	Community center is defined as “a facility that is available for public use as a meeting place or for recreation that does not limit access only to members and does not charge membership dues.”
Cultural centers and civic buildings	Uses include public halls or other facilities used for cultural (including visual and performing arts), social, and educational activities.
Day care centers, day nurseries, nursery schools, and kindergartens	
Family Care Homes (mini-homes)	
Religious buildings, Churches, synagogues, parish halls, temples, convents, and monasteries	Churches, synagogues, parish halls, temples, convents, and monasteries and ancillary uses Existing structures originally built for assembly use or where institutional uses are identified on the District Plan Map. Replacement structures not to exceed the footprint of the previous contributing principal structure, unless approved by governing authorities in accordance with standards for new construction.
Schools, elementary, middle, and high (public and private)	Nursery, elementary, middle, and high schools. Existing structures originally built as schools or educational buildings or where institutional uses are identified on the District Plan Map New or replacement structures, permitted only where institutional uses are identified on the District Plan Map. Replacement structures shall not exceed the footprint of the previous contributing principal structure, unless approved by governing authorities in accordance with standards for new construction.
Trade, business, or industrial schools	
Commercial Uses	
General Commercial	<u>The uses listed in Section 2.4.4.A for the C-2 zoning district are permitted in the Neighborhood Transition-Center, excluding the following uses, which are prohibited:</u> <u>1. Automobile rental agencies</u> <u>2. Automobile repair garages</u> <u>3. Automobile sales agencies</u> <u>4. Automobile service station</u> <u>5. Boat Sales and related storage</u> <u>6. Car washes having prior approval by the agency responsible for transportation planning</u> <u>7. Outdoor entertainment</u> <u>8. Used car sales areas, provided that no repair or reconditioning of automobiles or storage of parts shall be permitted except when enclosed in a building</u> <u>In addition, the following uses are permitted in the Neighborhood Transition-Center:</u> <u>1. Assisted living residence</u> <u>2. Entertainment activity, indoor only</u> <u>3. Governmental buildings</u>
Miscellaneous Commercial	Accessory Uses. A use which is clearly incidental to, customarily found in association with, and serves a principal use; is subordinate in purpose, area, or extent to the principal use served; and is located on the same building site as the principal use, including parking areas. Original Use of Structure A specific purpose for which an applicant seeks to use a structure that was existing on the property on November 22, 1926, and for which said structure was used on or before that date. Storage sheds, subordinate structures or buildings used primarily for storage purposes, the total square footage of which does not exceed 100 square feet each. Temporary Buildings, Uses, or Activities. Garage and yard sales, and tents, air structures, and other temporary structures (must not be displayed more than 10 days in a calendar year). Existing structures originally built as garages, carriage houses, or storage sheds.

Land Use Category	Description of Permitted Uses
	New structures and additions may be located within the Accessory Structure Area or within the Private Yard Area. Storage sheds over 100 square feet shall be treated as Garages and Accessory Residential Structures. Buildings or uses incidental to active construction.
Commercial uses for existing and new buildings shall be limited to the following:	Antique shops Art and craft galleries Assisted Living Residence Athletic facilities (indoor only) Audio/video recording studios, providing the building is sound proof Bakeries and delicatessens, retail (all products produced to be sold on the premises only) Banks, credit unions, savings and loans and similar financial institutions Beauty salons and barber shops Bicycle and Athletic Equipment – sales and service Book shops and stationery stores Bookbinding Building materials, storage and sales provided all operations are totally enclosed in a building Cleaning, pressing, and dyeing establishments using non-flammable and non-explosive cleaning fluid Clothing stores Coin laundries Computer sales Restricted Commercial Confectionery or candy stores, retail (all products produced to be sold on the premises only) Dancing instruction Department stores Dressmaking or millinery shops Drug stores / Pharmacies Dry cleaning, dyeing, pressing, and laundry; distributing stations or retail business where no cleaning, dyeing, pressing or laundry is done for other distributing stations or cleaning establishments Dry goods and notion stores Electric appliance stores, including radio and television Engraving, watchmaking and jewelry manufacturing, where products are sold on premises Entertainment Activity (as defined by LDC and is not considered adult entertainment as further defined by LDC) – indoor only Equipment rental, where all activities are within a building Extended stay lodging Family day care home Florists and sundry stores Funeral homes Furniture stores Governmental buildings Grocery stores
Commercial uses for existing and new buildings shall be limited to the following:	Hardware and paint stores Health clubs & salons Homes for infirm and aged Hotels and motels Interior decorating shops Jewelry stores Libraries, museums, historical buildings and grounds, arboretums, aquariums, and art galleries Medical laboratories, not including plasma or blood collecting centers Monument sales, provided that all activities are within a building Music and art supply stores Music and vocal instructions Nurseries, retail Nursing homes Pet shops Photocopying, duplicating, paper folding, mail processing and related services Photographic studios and shops Picture framing Printing, lithographing, or publishing establishments, if constructed to insure that there is no noise or vibration evident outside the walls of the buildings Public transportation passenger terminals Restricted Commercial Restaurants, including coffee houses, tea rooms, and cafes, where food and drink may be served or consumed outside or inside (no drive-through service permitted) Retail or wholesale stores or businesses not involving any kind of manufacture, processing or treatment of products other than that which is clearly incidental to the business conducted on the premises, and provided

Land Use Category	Description of Permitted Uses
	that not more than fifty (50) percent of the floor area of the building is used in the manufacture, processing, or treatment of products, and that such operations or products are not objectionable due to noise, odor, dust, smoke, vibration, or other similar causes
	Rubber stamp manufacturing, where products are sold on the premises
	Shoe repair shops
	Shoe stores
	Sign painting
	Stationary stores
	Tailor
	Telephone exchanges
	Temporary buildings, the uses of which are incidental to construction operations being conducted on the same or adjoining lot or tract, and which shall be removed upon completion or abandonment of such construction, or upon the expiration of a period of two years from the time of erection of such temporary buildings, whichever is sooner
	Tents, air structures and other temporary structures intended for occupancy y commercial activities including but not limited to sales, display, and food services, provided that applicable building and fire safety codes are met, and provided further that such structures may not be installed for a period (or periods totaling) more than ten (10) days during a calendar year
	Theaters
	Toy & Hobby stores
	Upholstery and furniture repair shops
	Variety stores
	Veterinary hospital, provided the operations is conducted within a soundproofed building, no animals are boarded, and there are no runs or pens outside of the building
	Other similar neighborhood serving uses as established by the Planning Commission
	Other uses
Restricted Commercial	Existing structures originally built for commercial use or as corner lot commercial buildings, with designated commercial uses limited to the first floor. Any floor may be used for business or professional office or residential use.
	New structures built for commercial use provided designated commercial use is limited to the first floor and accessible from public sidewalk. Any floor may be used for business or professional office or residential use.
	Replacement structures shall not exceed the footprint of the previous contributing principal structure, unless approved by governing authorities in accordance with standards for new construction, provided designated commercial uses are limited to the first floor and no front yard commercial additions shall be permitted for Contributing Structures.

Table 2.7.10 Uses Permitted With Special Standards in the Neighborhood Transition-Center

Land Use Category	Description of Permitted Uses
Residential Uses	
<u>Home Occupations</u>	Home Occupations as permitted by Section 4.4.5 of the Land Development Code
<u>Live / work units</u>	Live / work units as permitted by Section 4.3.19 of the Land Development Code
Other Uses	
<u>Bed and breakfasts</u>	Bed and breakfasts as permitted by Section 4.2.9 of the Land Development Code.
<u>Community gardens</u>	Community gardens as permitted by Section 4.3.17 of the Land Development Code
<u>Market gardens</u>	Market gardens in association with Section 4.3.18 of the Land Development Code

Table 2.3.2 Uses Permitted Where Mapped in the Neighborhood Transition — Center

Land Use Category	Description of Uses Permitted Where Mapped
Transitional Commercial Uses (Edge Transition Only)	
Automobile Rental Agencies	
Automobile Repair Garages	Excludes body work and painting, limited to five (5) service bays, as long as such operations are not objectionable due to noise, odor, dust, smoke, vibration, or other similar causes.
Automobile	Provided that no repair or reconditioning of automobiles or storage of parts shall be permitted except when

Sales Agencies	enclosed in a building.
Automobile Service Stations	
Plumbing and Heating Shops, storage and sales	Provided all operations are totally enclosed in a building
Restaurants with drive-through windows	Provided prior approval received from the agency responsible for traffic engineering
Tavern	Tavern
Entertainment	Entertainment Activity (as defined by LDC and is not considered adult entertainment as further defined by LDC) – indoor and outdoor

Table 2.7.11 Table 2.3.3 Uses Permitted as Conditional Uses in the Neighborhood-Transition Center

Land Use Category	Description of Uses Permitted as Conditional Uses
Residential Uses	
Homeless Shelter	<u>Homeless shelters as permitted by Section 4.3.13 of the Land Development Code.</u> Any facility the primary purpose of which is to provide temporary shelter for the homeless. The facility provides overnight sleeping accommodations with or without charge; may provide meals and ancillary social, educational or health services. The facility is staffed.
Transitional Housing	<u>Transitional housing as permitted by Section 4.3.14 of the Land Development Code.</u> A temporary residential living arrangement for persons participating in a program that provides supportive services (such as counseling, education, training, etc.) to help persons achieve personal independence. Staff is available as needed. Transitional housing is not a rehabilitation home. These facilities are not subject to the Uniform Residential Landlord Tenant Act (KRS 383.500 et seq.).
Commercial Uses	
Entertainment Activity - Outdoor	<u>Entertainment activity – outdoor as permitted by Section 11.5A.B of the Land Development Code. This use may have significant impacts on nearby residential uses, therefore a conditional use permit In addition, review should shall include at a minimum: an analysis of nearby residential uses and potential impacts, screening and buffering needed to protect adjacent residential uses, and limited hours of operation. for outdoor entertainment activity.</u>
<u>Package liquor stores (no on-site alcohol consumption allowed)</u>	<u>Package liquor stores as permitted by Section 11.5A.1.B of the Land Development Code. In addition, review shall include a minimum: an analysis of nearby residential uses and potential impacts, screening and buffering needed to protect adjacent residential uses, and limited hours of operation.</u>
<u>Tavern, bar, saloon</u>	<u>Tavern, bar, saloon as permitted by Section 11.5A.1.B of the Land Development Code. In addition, review shall include a minimum: an analysis of nearby residential uses and potential impacts, screening and buffering needed to protect adjacent residential uses, and limited hours of operation.</u>
Other Uses	
Bed & Breakfast Inns	<u>The use of a residential structure as a small inn which provides no more than nine (9) guest rooms for hire to short-term guests, in which the only meal served to guests is breakfast, unless the bed and breakfast inn has an additional food service license which allows other meals to be served. The innkeeper resides on the premises or property immediately adjacent to it during periods of occupancy, and the facility has a permit from the Kentucky Cabinet for Health Services to operate as a Bed and Breakfast Inn. Meals, meeting facilities, and other services shall be provided only for guests registered at the bed and breakfast inn.</u>
Community Service Facility	<u>Community service facility as permitted by Section 4.2.54 of the Land Development Code.</u> Uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community. They provide the service on-site and have employees at the site on a regular basis. The service is ongoing, not just for special events. These facilities may provide accessory uses such as counseling, education, or training. These facilities are not considered schools (e.g. training schools, business schools, etc.) and do not include a residential occupancy component.
Historic House Museums	<u>Historic house museums as permitted by Section 11.5A.1.B of the Land Development Code. In addition, review shall include a minimum: an analysis of nearby residential uses and potential impacts, screening and buffering needed to protect adjacent residential uses, and limited hours of operation.</u> Residences having historic and/or architectural significance which members of the public may view with or without charge for admission.

Table 2.7.12 Table 2.4.1 Uses Permitted in the Neighborhood Center

Land Use Category	Description of Permitted Uses
<u>Residential Uses</u>	
Dwellings, Two-Family	Two dwelling units in the principal structure on a single lot, plus one dwelling unit in the Accessory Structure Area.
Dwellings, Multifamily	Three or more residential units in the principal structure on a lot, not to exceed 90 dwelling units per acre.
<u>Home Occupations</u>	Home Occupations as permitted by Chapter 4.4.5 of the Land Development Code.
Garages and accessory residential units (Carriage House)	(An Accessory Structure at the rear of a lot that was originally built to accommodate the storage of carriages, wagons, horse or mule stables, with or without an Accessory Residential Unit; or a new or renovated garage, storage building, or building accommodating another accessory use, with or without an Accessory Residential Unit, that has architectural characteristics similar to those of historic carriage houses).
<u>Office Uses</u>	
<u>Professional or business offices</u>	Professional or business offices
<u>Institutional Uses</u>	
Clubs, private, not for profit, or proprietary, not including fraternities or sororities	
Colleges, schools , and institutions of learning	
Community Centers, Parks, and Playgrounds – not for profit	Community center is defined as “a facility that is available for public use as a meeting place or for recreation that does not limit access only to members and does not charge membership dues.”
Cultural centers and civic buildings	Uses include public halls or other facilities used for cultural (including visual and performing arts), social, and educational activities.
Day care centers, day nurseries, nursery schools, and kindergartens	
Family Care Homes (mini-homes)	
<u>Fraternities and sororities</u>	
<u>Religious buildings, Churches, synagogues, parish halls, temples, convents, and monasteries</u>	Churches, synagogues, parish halls, temples, convents, and monasteries and ancillary uses Existing structures originally built for assembly use or where institutional uses are identified on the District Plan Map. Replacement structures not to exceed the footprint of the previous contributing principal structure, unless approved by governing authorities in accordance with standards for new construction.
<u>Schools, elementary, middle, and high (public and private)</u>	Nursery, elementary, middle, and high schools. Existing structures originally built as schools or educational buildings or where institutional uses are identified on the District Plan Map New or replacement structures, permitted only where institutional uses are identified on the District Plan Map. Replacement structures shall not exceed the footprint of the previous contributing principal structure, unless approved by governing authorities in accordance with standards for new construction.
Trade, business, or industrial schools	
<u>Commercial Uses</u>	
Community/ Cultural Centers, and Civic Buildings Uses include meeting halls or other facilities used for cultural (including visual and performing arts), recreational, social, or educational activities.	
<u>General Commercial</u>	<u>The uses listed in Section 2.4.4.A for the C-2 zoning district are permitted in the Neighborhood Center, excluding the following uses, which are prohibited:</u>
	<u>1. Automobile parking areas, public and private</u>
	<u>2. Automobile rental agencies</u>
	<u>3. Automobile rental agencies with no more than 25 rental passenger vehicles stored on site, and no more than two service bays for cleaning or maintenance, and having no repair or storage/dispensing of fuel</u>
	<u>4. Automobile sales agencies</u>
	<u>5. Used car sales areas, provided that no repair or reconditioning of automobiles or storage of parts shall be</u>

Land Use Category	Description of Permitted Uses
	<p><u>permitted except when enclosed in a building</u></p> <p><u>In addition, the following uses are permitted in the Neighborhood Center:</u></p> <p><u>1. Assisted living residence</u></p> <p><u>2. Entertainment activity, indoor or outdoor</u></p>
Commercial uses shall be limited to the following:	<p>Antique and collectibles stores</p> <p>Appliance repair stores, including radios and televisions</p> <p>Appliance/furniture stores</p> <p>Art and craft galleries and supplies</p> <p>Assisted Living Residence</p> <p>Athletic facilities (indoor only)</p> <p>Audio/video recording studios, providing the building is sound proof</p> <p>Bakeries and delicatessens, retail (all products to be sold on the premises only)</p> <p>Banks, credit unions, savings and loans and similar financial institutions</p> <p>Beauty salons and barber shops</p> <p>Bicycle and Athletic Equipment – sales and service</p> <p>Book shops and stationery stores</p> <p>Bookbinding</p> <p>Building materials, storage and sales provided all operations are totally enclosed in a building</p> <p>Cleaning, pressing, and dyeing establishments using non-flammable and non-explosive cleaning fluid</p> <p>Clothing stores</p> <p>Coin laundries</p> <p>Computer sales</p> <p>Confectionery or candy stores, retail (all products sold on the premises only)</p> <p>Dancing instruction</p> <p>Department stores</p> <p>Dressmaking or millinery shops</p> <p>Drug stores / Pharmacies</p> <p>Dry cleaning, dyeing, pressing, and laundry; distributing stations or retail business where no cleaning, dyeing, pressing or laundry is done for other distributing stations or cleaning establishments</p>

Table 2.4.1 (continued) Uses Permitted in the Neighborhood Center

Land Use Category	Description of Permitted Uses
Commercial Uses (cont.)	
Commercial uses shall be limited to the following:	<p>Dry goods and notion stores</p> <p>Engraving, watchmaking and jewelry manufacturing, products are sold on premises</p> <p>Entertainment Activity (as defined by LDC and is not considered adult entertainment as further defined by LDC) – indoor and outdoor</p> <p>Equipment rental, where all activities are within a building</p> <p>Extended stay lodging</p> <p>Family day care home</p> <p>Florists and sundry stores</p> <p>Funeral homes</p> <p>Furniture stores</p> <p>Governmental buildings</p> <p>Grocery stores</p> <p>Hardware and paint stores</p> <p>Health clubs & salons</p> <p>Homes for infirm and aged</p> <p>Hotels and motels</p> <p>Interior decorating shops</p> <p>Jewelry stores</p> <p>Libraries, museums, historical buildings and grounds, arboretums, aquariums, and art galleries</p> <p>Medical laboratories, not including plasma or blood collecting centers</p> <p>Monument sales, provided that all activities are within a building</p> <p>Music supply stores, Music and vocal instructions</p> <p>Nurseries, retail</p> <p>Nursing homes</p> <p>Package liquor stores (where alcohol is not consumed on the premises)</p> <p>Pet shops</p> <p>Photocopying, duplicating, paper folding, mail processing and related services</p> <p>Photographic studios and shops</p>

Land Use Category	Description of Permitted Uses
	<p>Picture framing</p> <p>Printing, lithographing, or publishing establishments, if constructed to insure that there is no noise or vibration evident outside the walls of the buildings</p> <p>Public transportation passenger terminals</p> <p>Restaurants, including coffee houses, tea rooms, and cafes, where food and drink may be served or consumed outside or inside (no drive-through service permitted)</p> <p>Retail or wholesale stores or businesses not involving any kind of manufacture, processing or treatment of products other than that which is clearly incidental to the business conducted on the premises, and provided that not more than fifty (50) percent of the floor area of the building is used in the manufacture, processing, or treatment of products, and that such operations or products are not objectionable due to noise, odor, dust, smoke, vibration, or other similar causes</p> <p>Rubber stamp manufacturing, where products are sold on the premises</p> <p>Shoe repair shops</p> <p>Shoe stores</p> <p>Sign painting</p> <p>Stationary stores</p> <p>Tailor</p> <p>Tavern</p> <p>Telephone exchanges</p> <p>Temporary buildings, the uses of which are incidental to construction operations being conducted on the same or adjoining lot or tract, and which shall be removed upon completion or abandonment of such construction, or upon the expiration of a period of two years from the time of erection of such temporary buildings, whichever is sooner</p> <p>Tents, air structures and other temporary structures intended for occupancy commercial activities including but not limited to sales, display, and food services, provided that applicable building and fire safety codes are met, and provided further that such structures may not be installed for a period (or periods totaling) more than ten (10) days during a calendar year.</p> <p>Theaters</p> <p>Toy & Hobby stores</p> <p>Upholstery and furniture repair shops</p> <p>Variety stores</p> <p>Veterinary hospital, provided the operations is conducted within a soundproofed building, no animals are boarded, and there are no runs or pens outside of the building</p> <p>Video stores</p> <p>Other similar neighborhood serving uses as established by the Planning Commission</p>
Other Uses	
Accessory uses	A use which is clearly incidental to, customarily found in association with, and serves a principal use; is subordinate in purpose, area, or extent to the principal use served; and is located on the same building site as the principal use, including parking areas.
Original use of structure	A specific purpose for which an applicant seeks to use a structure that was existing on the property on November 22, 1926, and for which said structure was used on or before that date.
Storage sheds	Subordinate structures or buildings used primarily for storage purposes, the total square footage of which do not exceed 100 square feet each.
Temporary buildings, uses, or activities	<p>Garage and yard sales, and tents, air structures, and other temporary structures (must not be displayed more than 10 days in a calendar year).</p> <p>Buildings or uses incidental to active construction.</p>

Table 2.7.13 Uses Permitted With Special Standards in the Neighborhood Center

Land Use Category	Description of Permitted Uses
Residential Uses	
<u>Home Occupations</u>	Home Occupations as permitted by Section 4.4.5 of the Land Development Code
<u>Live / work units</u>	Live / work units as permitted by Section 4.3.19 of the Land Development Code
Other Uses	
<u>Community gardens</u>	Community gardens as permitted by Section 4.3.17 of the Land Development Code
<u>Market</u>	Market gardens in association with Section 4.3.18 of the Land Development Code

Land Use Category	Description of Permitted Uses
gardens	

Table 2.7.14 Table 2.4.2 Uses Permitted Where Mapped in the Neighborhood Center

Land Use Category	Description of Uses Permitted Where Mapped
Institutional Uses	
Religious buildings, parish halls, convents, and monasteries Churches, synagogues, temples,	Religious institutions, church buildings, synagogues, temples, mosques, and ancillary uses.

Table 2.7.15 Table 2.4.3 Uses Permitted as Conditional Uses in the Neighborhood Center

Land Use Category	Description of Uses Permitted as Conditional Uses
Residential Uses	
Homeless Shelter	<u>Homeless shelters as permitted by Section 4.3.13 of the Land Development Code.</u> Any facility the primary purpose of which is to provide temporary shelter for the homeless. The facility provides overnight sleeping accommodations with or without charge; may provide meals and ancillary social, educational or health services. The facility is staffed.
Transitional Housing	<u>Transitional housing as permitted by Section 4.3.14 of the Land Development Code.</u> A temporary residential living arrangement for persons participating in a program that provides supportive services (such as counseling, education, training, etc.) to help persons achieve personal independence. Staff is available as needed. Transitional housing is not a rehabilitation home. These facilities are not subject to the Uniform Residential Landlord Tenant Act (KRS 383.500 et seq.).
Other Uses	
Bed & Breakfast Inns	<u>Bed and breakfasts as permitted by Section 4.2.9 of the Land Development Code.</u> Residential structured used by a resident thereof as a small inn which provides 8 or fewer temporary rooms for hire to short-term guests, and includes a breakfast for the guest or guests at a daily fixed price for the room and breakfast. Meals, meeting facilities, and other services shall be provided only for guests registered at the bed and breakfast inn.
Community Service Facility	<u>Community service facility as permitted by Section 4.2.54 of the Land Development Code.</u> Uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community. They provide the service on-site and have employees at the site on a regular basis. The service is ongoing, not just for special events. These facilities may provide accessory uses such as counseling, education, or training. These facilities are not considered schools (e.g. training schools, business schools, etc.) and do not include a residential occupancy component.
Historic House Museums	<u>Historic house museums as permitted by Section 11.5A.1.B of the Land Development Code. In addition, review shall include a minimum: an analysis of nearby residential uses and potential impacts, screening and buffering needed to protect adjacent residential uses, and limited hours of operation.</u> Residences having historic and/or architectural significance which members of the public may view with or without charge for admission.

Table 2.7.16 Uses Permitted in the Neighborhood Center Transition: Edge Transition

Land Use Category	Description of Permitted Uses
Residential Uses	
Dwellings, Single Family	One dwelling unit per lot, including attached row houses on separate lots and semi-detached dwelling units where each dwelling unit is constructed on its own lot with one zero lot line between dwellings, plus one dwelling unit in the

Land Use Category	Description of Permitted Uses
	Accessory Structure Area of each lot.
Dwellings, Two-Family	Two dwelling units in the principal structure on a single lot, plus one dwelling unit in the Accessory Structure Area.
Dwellings, Multifamily	Three or more residential units in the principal structure on a lot, not to exceed 90 dwelling units per acre.
Garages and accessory residential units (Carriage House)	(An Accessory Structure at the rear of a lot that was originally built to accommodate the storage of carriages, wagons, horse or mule stables, with or without an Accessory Residential Unit; or a new or renovated garage, storage building, or building accommodating another accessory use, with or without an Accessory Residential Unit, that has architectural characteristics similar to those of historic carriage houses).
Office Uses	
Professional or business offices	Professional or business offices
Institutional Uses	
Clubs, private, not for profit, or proprietary, not including fraternities or sororities	
Colleges, schools , and institutions of learning	
Community Centers, Parks, and Playgrounds – not for profit	Community center is defined as “a facility that is available for public use as a meeting place or for recreation that does not limit access only to members and does not charge membership dues.”
Cultural centers and civic buildings	Uses include public halls or other facilities used for cultural (including visual and performing arts), social, and educational activities.
Day care centers, day nurseries, nursery schools, and kindergartens	
Family Care Homes (mini-homes)	
Fraternities and sororities	
Religious buildings, Churches, synagogues, parish halls, temples, convents, and monasteries	Churches, synagogues, parish halls, temples, convents, and monasteries and ancillary uses Existing structures originally built for assembly use or where institutional uses are identified on the District Plan Map. Replacement structures not to exceed the footprint of the previous contributing principal structure, unless approved by governing authorities in accordance with standards for new construction.
Schools, elementary, middle, and high (public and private)	Nursery, elementary, middle, and high schools. Existing structures originally built as schools or educational buildings or where institutional uses are identified on the District Plan Map New or replacement structures, permitted only where institutional uses are identified on the District Plan Map. Replacement structures shall not exceed the footprint of the previous contributing principal structure, unless approved by governing authorities in accordance with standards for new construction.
Trade, business, or industrial schools	
Commercial Uses	
Community/ Cultural Centers, and Civic Buildings Uses include meeting halls or other facilities used for cultural (including visual and performing arts), recreational, social, or educational activities.	
General Commercial	<u>The uses listed in Section 2.4.4.A for the C-2 zoning district are permitted in the Neighborhood Center Transition: Edge Transition.</u> <u>In addition, the following uses are permitted in the Neighborhood Center:</u> <u>1. Assisted living residence</u> <u>2. Entertainment activity, indoor or outdoor</u>

Table 2.7.17 Uses Permitted With Special Standards in the Neighborhood Center
Transition: Edge Transition

Land Use Category	Description of Permitted Uses
Residential Uses	
Home	Home Occupations as permitted by Section 4.4.5 of the Land Development Code

Land Use Category	Description of Permitted Uses
Occupations	
Live / work units	Live / work units as permitted by Section 4.3.19 of the Land Development Code
Other Uses	
Community gardens	Community gardens as permitted by Section 4.3.17 of the Land Development Code
Market gardens	Market gardens in association with Section 4.3.18 of the Land Development Code

**Table 2.7.18 Uses Permitted as Conditional Uses in the Neighborhood Center
Transition: Edge Transition**

Land Use Category	Description of Uses Permitted as Conditional Uses
Residential	
Homeless Shelter	Homeless shelters as permitted by Section 4.3.13 of the Land Development Code.
Transitional Housing	Transitional housing as permitted by Section 4.3.14 of the Land Development Code.
Other Uses	
Bed & Breakfast Inns	Bed and breakfasts as permitted by Section 4.2.9 of the Land Development Code.
Community Service Facility	Community service facility as permitted by Section 4.2.54 of the Land Development Code.
Historic House Museums	Historic house museums as permitted by Section 11.5A.1.B of the Land Development Code. In addition, review shall include a minimum: an analysis of nearby residential uses and potential impacts, screening and buffering needed to protect adjacent residential uses, and limited hours of operation.

**Table 2.7.19 Table 2.5.1 Uses Permitted in the Neighborhood General Campus Edge
Transition**

Land Use Category	Description of Permitted Uses
Residential Uses	
Dwellings, Multifamily	Three or more residential units in the principal structure on a lot, not to exceed 90 dwelling units per acre.
Office Uses	
Professional or business offices	Professional or business offices (Combined with Institutional Uses, not to exceed 25% of area mapped as store front commercial)
Institutional Uses	
Colleges, schools, and institutions of learning	Colleges, schools, and institutions of learning (Combined with Office Uses, not to exceed 25% of area mapped as store front commercial)
Commercial Uses	
Commercial uses shall be limited to the following:	Antique and collectibles stores
	Appliance repair stores, including radios and televisions
	Appliance/furniture stores
	Art and craft galleries and supplies
	Athletic facilities (indoor only)
	Audio/video recording studios, providing the building is sound proof
	Bakeries and delicatessens, retail (all products to be sold on the premises only)
	Banks, credit unions, savings and loans and similar financial institutions
	Beauty salons and barber shops
	Bicycle and Athletic Equipment – sales and service
	Book shops and stationery stores
	Bookbinding
	Cleaning, pressing, and dyeing establishments using non-flammable and non-explosive cleaning fluid

Land Use Category	Description of Permitted Uses
	Clothing stores
	Coin laundries
	Computer sales
	Confectionery or candy stores, retail (all products sold on the premises only)
	Dancing instruction
	Department stores
	Dressmaking or millinery shops
	Drug stores / Pharmacies
	Dry cleaning, dyeing, pressing, and laundry; distributing stations or retail business where no cleaning, dyeing, pressing or laundry is done for other distributing stations or cleaning establishments
	Dry goods and notion stores
	Engraving, watchmaking and jewelry manufacturing, products are sold on premises
	Equipment rental, where all activities are within a building
	Florists and sundry stores
	Furniture stores
	Grocery stores
	Hardware and paint stores
	Health clubs & salons
	Interior decorating shops
	Jewelry stores
	Music supply stores, Music and vocal instructions
	Neighborhood pubs and live music in restaurants
	Nurseries, retail
	Pet shops
	Photocopying, duplicating, paper folding, mail processing and related services
	Photographic studios and shops
	Picture framing
	Printing, lithographing, or publishing establishments, if constructed to insure that there is no noise or vibration evident outside the walls of the buildings
	Restaurants, including coffee houses, tea rooms, and cafes, where food and drink may be served or consumed outside or inside (no drive-through service permitted)
	Retail or wholesale stores or businesses not involving any kind of manufacture, processing or treatment of products other than that which is clearly incidental to the business conducted on the premises, and provided that not more than fifty (50) percent of the floor area of the building is used in the manufacture, processing, or treatment of products, and that such operations or products are not objectionable due to noise, odor, dust, smoke, vibration, or other similar causes
	Rubber stamp manufacturing, where products are sold on the premises
	Shoe repair shops
	Shoe stores
	Sign painting
	Stationary stores
	Tailor
	Temporary buildings, the uses of which are incidental to construction operations being conducted on the same or adjoining lot or tract, and which shall be removed upon completion or abandonment of such construction, or upon the expiration of a period of two years from the time of erection of such temporary buildings, whichever is sooner
	Theaters
	Toy & Hobby stores
	Upholstery and furniture repair shops
	Variety stores
	Video stores
	Other similar neighborhood serving uses as established by the Planning Commission
	Other similar neighborhood or campus serving uses as established by the Planning Commission
Other Uses	
Accessory Uses	Garage and yard sales, and tents, air structures, and other temporary structures (must not be displayed more than 10 days in a calendar year).

**Table 2.7.20 Uses Permitted With Special Standards in the Neighborhood General
Campus Edge Transition**

Land Use Category	Description of Permitted Uses
Residential Uses	
Live / work	Live / work units as permitted by Section 4.3.19 of the Land Development Code

Land Use Category	Description of Permitted Uses
units	
Other Uses	
Community gardens	Community gardens as permitted by Section 4.3.17 of the Land Development Code
Market gardens	Market gardens in association with Section 4.3.18 of the Land Development Code

**Table 2.7.21 Table 2.5.2 Uses Permitted as Conditional Uses in the Neighborhood
General Campus Edge Transition**

Land Use Category	Description of Uses Permitted as Conditional Uses
Residential Uses	
Homeless Shelter	Any facility the primary purpose of which is to provide temporary shelter for the homeless. The facility provides overnight sleeping accommodations with or without charge; may provide meals and ancillary social, educational or health services. The facility is staffed.
Transitional Housing	A temporary residential living arrangement for persons participating in a program that provides supportive services (such as counseling, education, training, etc.) to help persons achieve personal independence. Staff is available as needed. Transitional housing is not a rehabilitation home. These facilities are not subject to the Uniform Residential Landlord Tenant Act (KRS 383.500 et seq.).
Other Uses	
Community Service Facility	Uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community. They provide the service on-site and have employees at the site on a regular basis. The service is ongoing, not just for special events. These facilities may provide accessory uses such as counseling, education, or training. These facilities are not considered schools (e.g. training schools, business schools, etc.) and do not include a residential occupancy component.

Table 2.5.2 Permitted Uses with Special Standards within TNZD

Land Use Category	Description of Uses Permitted as Conditional Uses
These uses require compliance with special standards as listed in Chapter 4, Part 3 of the Land Development Code in order to be permitted.	
Transitional Housing	A temporary residential living arrangement for persons participating in a program that provides supportive services (such as counseling, education, training, etc.) to help persons achieve personal independence. Staff is available as needed. Transitional housing is not a rehabilitation home. These facilities are not subject to the Uniform Residential Landlord Tenant Act (KRS 383.500 et seq.).
Homeless Shelter	Any facility the primary purpose of which is to provide temporary shelter for the homeless. The facility provides overnight sleeping accommodations with or without charge; may provide meals and ancillary social, educational or health services. The facility is staffed.

B. 2.6 — Site Design Standards

Site design standards of the Traditional Neighborhood Form District shall apply to the Old Louisville/Limerick TNZD except as modified in Table 2.6 below.

Table 2-6 2.7.22 Site Design Standards

	Neighborhood General	Neighborhood Transition Center and Neighborhood Center Transition: Edge Transition	Neighborhood Center	Neighborhood General Campus Edge Transition
Lot size	Maintain historic lot patterns; no minimum lot sizes.	Maintain historic lot patterns; no minimum lot sizes.	No minimum lot sizes.	No minimum lot sizes.
Lot coverage		Buildings shall cover no more than 60% of the area of their lots. Coverage calculations shall exclude open porches and accessory buildings.	Buildings shall cover no more than 90% of the area of their lots. Coverage calculations shall exclude open porches and accessory buildings.	Buildings shall cover no more than 90% of the area of their lots. Coverage calculations shall exclude open porches and accessory buildings.
Setbacks			<p>All street-facing facades shall be built to the property lines abutting the public right-of-way.</p> <p>REAR YARD SETBACK - minimum of 5 feet to the rear facade of the principal structure.</p> <p>SIDE YARD SETBACK - minimum of zero feet to a common wall.</p> <p><i>Stoops, balconies and porches may encroach into setbacks. Arcades and awnings may encroach upon the right-of-way up to one foot from the curb line with the approval of the Director of Works.</i></p>	<p>All street-facing facades shall be built to the design review guidelines as adopted by the Old Louisville Preservation District of the Landmarks Commission.</p> <p>REAR YARD SETBACK - minimum of 5 feet to the rear facade of the principal structure.</p> <p>SIDE YARD SETBACK - minimum of zero feet to a common wall.</p> <p><i>Stoops, balconies and porches may encroach into setbacks. Arcades and awnings may encroach upon the right-of-way up to one foot from the curb line with the approval of the Director of Works.</i></p>
Building façade			The building facade shall extend no less than 80% of the linear lot frontage. A minimum 4 ft. high solid wall that continues the façade plane along the lot line may be substituted for the facade for 50% of the linear frontage.	The building facade shall extend no less than 80% of the linear lot frontage.
Building Height	New buildings in an undeveloped block shall not exceed 3.5 stories and 45 ft.	New buildings shall not exceed 4 stories and 51 ft.	Buildings shall not exceed 4.5 stories and 60 ft. nor be less than 2 stories.	Buildings shall not exceed 4.5 stories and 60 ft. nor be less than 2 stories.

C. 2.7 Building Design Standards

Building design standards of the Traditional Neighborhood Form District within Chapter 5 of the Land Development Code, together with the Design Review Guidelines as adopted for the Old Louisville and Limerick Preservation Districts, shall apply to the Old Louisville/Limerick TNZD to ensure compatibility of building types and to relate new buildings to the building traditions of the neighborhood. To the extent that design standards of the Form District conflict with Preservation District Guidelines, the more restrictive requirement shall prevail.

D. 2.8 Parking and Loading

- 1.** The provisions of the Motor Vehicle and Bicycle Parking and Loading Standards for Traditional Neighborhood Form Districts as established in chapter 9 of the Land Development Code shall apply to the Old Louisville/Limerick TNZD, except as modified below.
- 2.** Parking lots may not be adjacent to a street intersection or a square and may not occupy lots that terminate a street vista. Parking lots otherwise located adjacent to a street or a residential use shall be screened in accordance with the standards of the Land Development Code. The sole access to all off-street surface parking shall be from the alley where an alley abuts the lot. Where existing alley design or configuration limits or significantly impedes access to the proposed parking; or when the addition of the proposed parking will significantly increase traffic on the affected alley, the Planning Commission can grant exceptions to this rule.
- 3.** New Accessory Residential Units (Carriage Houses) on residential lots shall not be considered as additional units for the calculation of minimum parking requirements but shall provide one additional parking space for the accessory residential unit.
- 4.** Parking for commercial uses in the Neighborhood Center and Neighborhood Transition – Center zones, as well as for corner commercial structures in the Neighborhood General, shall not exceed the parking minimum requirements established by Chapter 9 of the Land Development Code. Uses in the Neighborhood Center may provide required parking anywhere in the Neighborhood Center without application for a waiver, provided that all site design standards are met. Shared parking facilities are encouraged in the Neighborhood Center, Neighborhood Transition – Center, **Neighborhood Center Transition: Edge Transition**, and the Neighborhood General Campus Edge Transition.
- 5.** Table **2.8. 2.7.23**, “Parking Requirements by Zone and Use,” describes minimum parking requirements for the TNZD.

TABLE 2.8 2.7.23 Parking Requirements by Zone and Use

LAND USE CATAGORY	Tnzd-Zone-Neighborhood General	Tnzd-zone Neighborhood Transition Center and Neighborhood Center <u>Transition: Edge Transition</u>	Tnzd-zone-Neighborhood Center	Tnzd-zone-Neighborhood General Campus Edge Transition
<i>Single Family/Duplex Residential</i>	No minimum number of spaces required*	No minimum number of spaces required*	No minimum number of spaces required*	N/A
<i>Permitted or Permitted where Mapped Multifamily Residential</i>	.75 spaces per dwelling unit.	.75 spaces per dwelling unit.	.75 spaces per dwelling unit.	.90 spaces per bedroom.
<i>Permitted or Permitted where Mapped Institutional</i>	No new parking spaces required for existing contributing structures. New structures to provide spaces as required in Appendix 3.11.*	No minimum number of spaces required.	No minimum number of spaces required.	N/A
<i>Mapped Corner <u>Lot</u> Commercial</i>	No minimum number of spaces required.	N/A	N/A	N/A

LAND USE CATAGORY	Tnzd Zone-Neighborhood General	Tnzd-zone Neighborhood Transition Center and Neighborhood Center Transition: Edge Transition	Tnzd-zone-Neighborhood Center	Tnzd-zone-Neighborhood General Campus Edge Transition
<i>Non-Residential Uses <u>Except as Listed Below</u></i>	N/A	No minimum number of spaces required.	No minimum number of spaces required	As required by chapter 9 of the LDC for Traditional Neighborhood Form District.**
<i>Bed & Breakfast</i>	.75 spaces per bedroom.*	.75 spaces per bedroom.*	No minimum number of spaces required	N/A
<i>Historic Houses Museums</i>	No minimum number of spaces required.*	No minimum number of spaces required.	No minimum number of spaces required	N/A
<i>Community Centers</i>	No new parking spaces required for existing contributing structures. New structures to provide spaces as required in Appendix 3.11.*	No minimum number of spaces required.	N/A	N/A

Table 2-8 2.7.23 Notes

* Parking shall be limited to the accessory structures area of the lot, except with the approval of the Louisville Landmarks Commission or the Planning Commission.

** Parking reductions applicable in the Traditional Neighborhood Form District shall apply in the Neighborhood General Campus Edge Transition.

E. 2-9 Signs

The sign standards applicable within the Traditional Neighborhood Form District, as set forth in Chapter 8, and as contained in the Design Review Guidelines for the Old Louisville and Limerick Preservation Districts shall apply to the TNZD, except as modified below.

1.A. Outdoor advertising signs (off-premises signs), as defined in the Land Development Code, are not permitted within the TNZD.

2.B. All signs within the TNZD shall be attached, awning, canopy, marquee, or projecting signs. Freestanding signs are not permitted, except ~~for real estate rent/sale signs and Bed and Breakfast Inns~~ as provided for monument-style signs in paragraph **2.8.e. 6** below and small freestanding on-premises signs (e.g. A-frame and sandwich board signs) in accordance with chapter 8 of the LDC.

3.C. Signs shall conform to the building design standards of the TNZD.

4.D. Corner Lot Commercial structures shall have not more than one ~~lighted or non-lighted illuminated or non-illuminated~~ attached, awning, or canopy sign facing each street, which shall not exceed 12 sq. ft. in area and shall not extend more than 12" from the face of the façade. A projecting sign having a maximum area of 6 sq. ft. and projecting not more than 42" from the façade may be used in lieu of an attached, awning, or canopy sign.

5.E. Bed and breakfasts ~~Inns~~ and ~~General/Business or~~ professional or business offices (where these uses are permitted, and excluding Home Occupations) shall have a maximum of one attached sign not to exceed **6 12** sq. ft. in area located on the principal façade or porch adjacent to the principal building entrance.

6. A Corner Lot Commercial structure, a bed and breakfast, or a business or

professional office may have a sign, in addition to those permitted in paragraphs 4 and 5 above, on a façade of the building that is not adjacent to the street provided that the sign has a maximum area of 24 square feet.

7. ~~Exception: Bed and Breakfast Inns~~ A nonresidential or mixed use property may have one freestanding monument-style sign, in lieu of any attached other permitted sign type, excluding signature signs on certain properties as set forth in paragraph 11 below, in accordance with the following standards:

a. The monument-style sign ~~which~~ shall not exceed 6 20 sq. ft. in area and shall be located within 6 feet of the principal façade of the structure.

b. The maximum overall height of the monument-style sign shall be 4 feet.

c. There shall be a minimum separation of 15 feet between the front right-of-way line and the principal façade of the structure.

d. The monument-style sign shall be set back a minimum of 15 feet from any side property line.

8.F. No sign shall be mounted above the sill of the second floor windows of a structure.

9.G. All lighted signs shall either only be externally illuminated, or, if internally illuminated, such signs shall have opaque, non-illuminated face panels. Only the individual letters and / or logos may be back-lit, not the entire surface of the sign.

10. One internally illuminated window sign per entrance may be located on the first floor of a nonresidential or mixed use structure. The internal illumination may be from a neon source. The maximum area of the window sign shall be five square feet.

11. In addition to a permitted monument-style sign, a nonresidential or mixed use property that is a minimum of one-half acre in area may have signature signs as set permitted in Section 4.4.3.

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Chapter 8 Part 1 On-premise Sign Regulations General Provisions

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8.3 Permanent On-Premises Signs

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8.3.3 Permanent On-premises Signs for Non-residential Uses

A. Attached, Awning, Canopy and Marquee Signs

1. There shall be no more than a total of three (3) of any of the following types of permanent on-premises signs; attached, or awning, or canopy, or marquee signs on any one façade of a building, subject to the total maximum sign area requirement set forth below, except that multiple use buildings may have one sign for each business. First floor awning, canopy and marquee signs are excluded from the number of awning, attached, canopy or marquee signs permitted on any one façade of a building, subject to the total maximum sign area requirement set forth below in Table 8.3.2; attached signs, canopy signs, marquee signs and awning signs are permitted for all non-residential zoning uses unless otherwise regulated within the form district regulations. ~~Commercial uses permitted within a TNZD district may include~~

~~attached, awning, canopy or marquee signs as authorized in this section, subject to additional limits established in the applicable TNZD Plan Report.~~

~~* * * * *~~

- B. Freestanding On-premises Signs: In addition to the attached signs allowed above, illuminated or non-illuminated freestanding business signs are allowed subject to the following restrictions:
1. Freestanding on-premises signs are allowed for all non-residential uses unless otherwise restricted within the applicable form district sign restrictions. **Commercial uses permitted within a TNZD district may include freestanding business signs in accordance with the restrictions of the Traditional Neighborhood Form District as listed in this section, subject to additional limits established in the applicable TNZD Plan Report.**