

# Woodford County Fiscal Court

The Woodford County Fiscal Court has scheduled a Special Meeting for the purpose of meeting as a Committee of the Whole on **Tuesday, January 13, 2026 at 4:00 PM** at the Woodford County Courthouse 103 S. Main St. Versailles, KY. The committee will discuss the following items:

- 1. Call To Order And Roll Call**
- 2. Yokohama Update**
- 3. Proposed Text Amendment To Articles II And VII**

**Documents:**

[ZONINGORDINANCEARTICLE 2 7 SEPT2025 PC RECOMMENDATION 11-13-2025.PDF](#)  
[ZONINGORDINANCEARTICLE 2 7 DOCUMENTS - 12-4-2025.PDF](#)  
[LT EDITS ZONING ORDINANCE ARTICLE 2 7 1-9-2026.PDF](#)

- 4. Adjournment**

This agenda is subject to change. Public attendance is welcome. All meetings are livestreamed to the Woodford County, Kentucky Facebook page and YouTube channel.



**Versailles-Midway-Woodford County Planning Commission**  
**Woodford County Courthouse**  
**103 South Main Street, Room 204**  
**Versailles, KY 40383-1249**

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November 21, 2025

Honorable James Kay  
Woodford County Judge Executive  
103 South Main Street  
Versailles, KY 40383

SUBJECT: Recommendation to Approve Text Amendment to Zoning Ordinance

Dear Judge Kay:

The Versailles-Midway-Woodford County Planning Commission met on November 13, 2025, in the Woodford County Fiscal Court Room with eight (8) members present for this Text Amendment to Articles II and VII of the Versailles-Midway Woodford County Zoning Ordinance. After a public hearing had been conducted over the months of May, June, July, August, September and November, the Planning Commission's vote on November 13<sup>th</sup> was eight (8) yeas for a recommendation for approval to the Woodford County Fiscal Court. This amendment was filed by the Versailles-Midway-Woodford County Planning Commission, as authorized by KRS 100.211.

Please find enclosed the Planning Commission Recommendation to amend Articles II and VII of the Versailles-Midway-Woodford County Zoning Ordinance. Kim O'Reel will provide to the Fiscal Court Clerk the Public Hearing Exhibits and the digital copies of the May, June, July, August, September and November Public Hearing Minutes.

Sincerely,

Steve Hunter, Director  
Versailles-Midway-Woodford County Planning Commission

Enclosures

## ARTICLE II

### DEFINITIONS

#### 200 USE OF TERMS

All words herein used in the present tense shall include the future tense; the singular shall include the plural, and the plural the singular.

The word "shall" is mandatory, not permissive or directory.

The word "used" includes arranged, designed or intended to be used.

#### 201 DEFINED TERMS

Unless otherwise provided, the following words and phrases are defined as follows.

**ACCESSORY BUILDING:** A subordinate building, the use of which is clearly incidental to that of a principal building on the same lot, and which is permanently affixed to the ground. Accessory building shall not include mobile home, bus, travel trailer, RV, trailer, cooler, vehicle, or freight container.

**ACCESSORY STRUCTURE:** A detached, subordinate structure, the use of which is clearly incidental and related to that of the principal structure or use of the land, and which is located on the same lot as that of the principal structure, and which is permanently affixed to the ground. Accessory structure shall not include mobile home, bus, travel trailer, RV, trailer, cooler, vehicle, or freight container.

**ACCESSORY USE:** A use that:

- a. is clearly incidental to and customarily found in connection with a principal use;
- b. is subordinate to and serves a principal building or a principal use;
- c. is subordinate in intent, or purpose to the principal building or principal use served; and
- d. is located on the same lot as the principal building or use served.

~~**ACCESSORY USE (OF BUILDING):** A use customarily incidental hereto and subordinate to the principal use or building and located on the same lot with such principal use or building.~~

**ADMINISTRATIVE OFFICIAL:** Any department, employee, or advisory, elected or appointed body which is authorized to administer any provision of the zoning regulations, subdivision regulations, and if delegated, any provision of any housing or building regulations or any other land use control regulations.

**ADULT ENTERTAINMENT ESTABLISHMENT:** As defined in the City of Midway, City of Versailles and/or Woodford County Fiscal Court Code of Ordinances.

**AGRICULTURAL MARKETING CENTER:** A regulated regional development designed exclusively for the purpose of buying, selling and showing agricultural products, livestock and related farm supplies and equipment. Agricultural Marketing Centers provide a common commercial area for promoting the products produced through the sciences of aquaculture, horticulture, floriculture, viticulture, forestry, dairy, livestock, poultry, bees, and any and all other forms of farm products cultivated, grown or produced by the agrarian community. Centers may include banks, restaurants, gift shops, ~~equine and other~~ livestock pavilions and show rings, veterinarian clinics and farm equipment sales. Other established components include commonly recognized commercial vendors whose commodities are traded through facilities known as farmer's markets; feed, seed and fertilizer sales; and livestock sales facilities, all of which are conducted, operated or managed for profit or non-profit as public markets for agricultural producers, market agencies and buyers.

**AGRICULTURAL USE (KRS 100.111):** Shall mean the use of:

- a. A tract of at least five contiguous acres for the production of agricultural or horticultural crops, including but not limited to livestock, livestock products, poultry, poultry products, grain, hay, pastures, soybeans, tobacco, timber, orchard fruits, vegetables, flowers or ornamental plants, including provision for dwellings for persons and their families who are engaged in the above agriculture use on the tract, but not including residential building development for sale or lease to the public. For purposes of this subsection, "livestock" means cattle, sheep, swine, goats, horses, alpacas, llamas, buffaloes, and any other animals of the bovine, ovine, porcine, caprine, equine, or camelid species;
- b. Regardless of the size of the tract of land used, small farm wineries licensed under KRS 243.155.
- c. A tract of at least five (5) contiguous acres used for the following activities involving horses: Riding lessons; Rides; Training; Projects for educational purposes; Boarding and related care; or Shows, competitions, sporting events, and similar activities that are associated with youth and amateur programs, none of which are regulated by KRS Chapter 230, involving seventy (70) or less participants. Shows, competitions, sporting events, and similar activities that are associated with youth and amateur programs, none of which are regulated by KRS Chapter 230, involving more than seventy (70) participants shall be subject to local applicable zoning regulations; or
- d. A tract of land used for the following activities involving horses: Riding lessons; Rides; Training; Projects for educational purposes; Boarding and related care; or Shows, competitions, sporting events, and similar activities that are associated with youth and amateur programs, none of which are regulated by KRS Chapter 230, involving seventy (70) or less participants. Shows, competitions, sporting events, and similar activities that are associated with youth and amateur programs, none of which are regulated by KRS Chapter 230, involving more than seventy (70) participants shall be subject to local applicable zoning regulations. This paragraph (d) shall only apply to acreage that was being used for these activities before July 13, 2004.

**AGRICULTURAL USE (ARTICLE VII):** ~~The growing and harvesting of crops including grass, legume, hay, grain, fruit and truck or vegetable crops, floriculture, horticulture, growing of mushrooms, nursery and forest planting stock, orcharding, forestry and the operation of greenhouses; the keeping, raising and feeding of livestock and poultry, swine, sheep, beef and dairy cattle, pony and horse productions; fur, game, fish and wildlife farm operation; farm buildings used for growing, harvesting and preparing crop products for market; roadside stands and signs pertaining to the sale or use of the premises or products produced thereon; farm buildings for storing and protecting farm machinery and equipment from the elements, for housing livestock and poultry and preparing livestock and poultry products for market; farm dwellings including mobile homes occupied by farm owners, employees on the farm and members of the immediate family of the farm owner. Provided, however, that such dwellings for the farm owners, employees and members of the immediate family of the farm owner do not exceed a density of one dwelling for each five (5) acres, and shall comply with Section 711.2 of this Ordinance as it relates to employees of the farm on which the mobile home is located, and further it is provided that such dwellings can be subdivided from the farm if it is to be continuously occupied by an immediate family member. It shall be comprised of a lot no smaller than one (1) acre in size, with access to an existing public road through an existing private driveway, to be shared with the original residence, through a platted and recorded access easement of fifteen (15) feet; or, the in-family lot can be comprised of a lot no smaller than five (5) acres in size with frontage on an existing public road or if the nearest property line of any lot is within 400 feet of the centerline of an existing public road; with a limit of no more than two (2) in-family lots fronting on an existing public road and sharing a common entrance; and meets all health and sanitation regulations in effect and contained herein, and provided further that the number of lots be limited to one lot in Woodford County per each immediate family member's lifetime and that such family member shall hold title to the tract so conveyed for at least five (5) years, and if said conveyance is made to a minor, the five (5) year restriction for holding title begins when the minor turns eighteen (18), and should the family members within five (5) years re-convey the tract to anyone other than to the person or persons from whom it was received, then such deed of re-conveyance shall be void, and provided further, that all such deeds from a farm owner to a family member shall contain a restrictive covenant stating clearly the five (5) year restriction for holding title and stating that any conveyance prior to said five (5) year restriction shall be void, and any deed from a farm owner to a family member pursuant to this section that fails to contain said restrictive covenant shall be void ad initio. Provided further, that in the case of a judicial sale the restriction on re-conveyance shall not apply. On farms where in-family conveyances are permitted all lots shall be counted against the sliding scale of "Lots to be Sold" as defined in Section 703.11(A). In no case shall any farm of 100 acres or more be permitted to have more than fifteen (15) lots.~~

~~Mobile homes in Agricultural Districts: It is further provided that mobile homes may be the principal residential structures on farms at least five acres in size. Any additional mobile homes that are used on the farm shall contain a minimum density of one unit for each ten (10) acres except when such is subdivided from the farm and is placed on a lot no less than five (5) acres in size and shall comply with Section 711.2 of this Ordinance as it relates to employees of the farm on which the mobile home is located. Mobile homes shall be provided the same yard requirements as for other types of dwelling units in the A-1 District. Mobile homes must obtain a conditional use permit in order to be placed on any existing lot less than five acres in size. In considering a conditional use permit the Board shall determine whether or not the mobile home will have a deleterious effect upon surrounding properties and that there is no objection from fifty percent (50%) of abutting property owners and provided that the mobile home is placed on a solid foundation and is underpinned.~~

**AGRITOURISM (KRS 247.801):** Agritourism means the act of visiting: a farm or ranch; or any agricultural, horticultural, or agribusiness operation; for the purpose of enjoyment, education, or active involvement in the activities of the farm, ranch, or operation. Agritourism activity" means any activity that: is carried out on a farm, ranch, agricultural operation, horticultural operation, or agribusiness operation; and allows or invites participants to view or participate in activities for recreational, entertainment, or educational purposes. Qualifying activities may include farming, ranching, historic, cultural, civic, or ceremonial activities, including but not limited to weddings and ancillary events; harvest-your-own operations; farmers' markets; or natural resource-based activities. The activities may qualify as agritourism activities whether or not a participant pays to view or to participate in the activity. Agritourism building" means any building or structure or any portion thereof that is used for one or more agritourism activities.

**ALLEY:** Any public or private way set aside for public travel, less than twenty-five (25) feet in width.

**ANIMAL HOSPITAL AND CLINIC:** A medical facility that provides for the examination, care, and treatment of animals that does not include boarding of animals except for those requiring emergency or medical treatment, which may include the storage of medicinal supplies when accessory to the primary use.

**ASSISTED LIVING FACILITY:** A building, establishment, complex, or distinct part thereof which: (a) accepts primarily aged persons for domiciliary care, not nursing or medical care; and (b) provides on-site to its residents private lockable residential spaces; (c) provides on-site to its residents in addition to the residential unit, meal service in a community dining facility and non-medical personal care services appropriate to the resident's respective needs, (d) other than supervision of self-administered medication, medical services are not provided. The facility may provide space for an unrelated Home Health Service or a Medical Doctor's Office for ease of access to those services by the residents, (e) provides linkages with hospital, community services and makes transportation available, (f) provides timely assistance to residents for response to urgent or emergency needs.

**ATHLETIC CLUB FACILITY:** An establishment which provides for indoor and/or outdoor commercial or non-commercial services and facilities which purport to improve the user's physical condition or appearance through participation in sports activities, fitness training, exercise, or body building. The establishment may offer access to the following: gymnasiums, swimming pools, tracks, ball courts, weightlifting equipment, exercise equipment or facilities, saunas, steam baths or whirlpools.

**AUTOMOBILE AND TRUCK REPAIR, MAJOR:** Rebuilding or reconditioning of engines or transmissions, vehicles or trailers; repair and collision service, such as body, frame, or fender straightening; painting; upholstering; auto glass work and the like.

**AUTOMOBILE AND TRUCK REPAIR, MINOR:** Minor repairs including auto inspection lanes, engine tune-ups; adjusting lights and brakes; but not including any operation specified under "Automobile and Truck Repair, Major."

**AUTOMOBILE SERVICE STATION (FILLING STATION):** A building or structure used for minor automobile and truck repair, the retail sale and dispensing of fuel, lubricants, tires, batteries, accessories and supplies, including installation and minor services customarily incidental thereto; facilities for washing and for chassis and gear lubrication are permitted if enclosed in a building.

**AUTOMOBILE SALVAGE YARD (INCLUDES JUNK YARDS AND AUTO WRECKING YARDS):** Any place where three or more motor vehicles not in running condition, or other parts thereof, are stored in the open and are not being restored to operation; or any land, building or structure used for the wrecking or storing of such automobiles or the parts thereof.

**BED AND BREAKFAST ESTABLISHMENT (KRS 219.011):** A one-family dwelling unit, but which also has guest rooms or suites used, rented, or hired out for occupancy or which are occupied for sleeping purposes by persons not members of the single-family unit. The innkeeper shall reside on the premises or property adjacent to the premises during periods of occupancy. The building shall be known as either a bed and breakfast home or a bed and breakfast inn.

**BED AND BREAKFAST HOME (KRS 219.011):** A bed and breakfast establishment having five (5) or fewer guest rooms or suites for occupancy, in which breakfast and other meals may be served to guests and whose innkeeper resides on the premises or property adjacent to the premises during periods of occupancy.

**BED AND BREAKFAST INN (KRS 219.011):** A private inn or other unique residential facility having six (6) or more guest rooms or suites for occupancy, in which breakfast and other meals may be served to guests and whose innkeeper resides on the premises or property adjacent to the premises during periods of occupancy.

**BED AND BREAKFAST, FARMSTAY (KRS 219.011):** A bed and breakfast establishment at a farm location whose focus includes agritourism as defined in KRS 247.801.

**BILLIARDS & POOL HALLS:** Any establishment which has, as part of its operation three (3) or more pool or billiard tables on the premises.

**BOARD (KRS 100.111):** The Board of Adjustments unless the context indicated otherwise.

~~**BOARD:** The Board of Adjustment for Versailles-Midway-Woodford County, required by KRS 100, to administer applications for variances and conditional use permits and to hear appeals.~~

~~**BOARDING OR LODGING HOUSE:** A building other than a hotel which maintains a guest register and provides sleeping rooms and meals or cooking facilities for overnight guests, primarily not transients, for compensation for three (3), but not more than twenty (20) persons. A boarding or lodging house is distinguished from any other type of facility or use in that it is designed to be occupied and used for long term residents who are registered guests for a minimum of three (3) consecutive days and provides no services for non-overnight registered guests. Such a facility must provide off-street parking for all guests. Where kitchen facilities are included in a sleeping room, such room shall be deemed a dwelling unit.~~

**BREEZEWAY:** Any open, unenclosed structure consisting of a roof and its support and used as a connecting roofline between a main residence or building and an accessory building, not a primary building.

**BUFFER:** An area of land, including landscaping, berm, walls, fences, and building setbacks, that is located between land uses of different character and is intended to mitigate negative impacts of the more intense use on the adjacent parcel or right-of-way.

**BUILDING:** A structure, but not a mobile home or trailer, built or constructed for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind and having a fixed base on, or fixed connection to the ground.

~~**BUILDING:** Any structure constructed or used for a residence, business, industry or other public or private purpose, or accessory thereto.~~

**BUILDING CODE:** State mandated regulations that govern building, design, construction and maintenance. (Kentucky Building Code - KBC)

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

**BUILDING LINE, WIDTH:** The distance between the side lot lines measured along the front building line of the lot as determined by the prescribed front yard requirement of the zone in which the lot is located or as designated by the final record plat, whichever is greater.

**BUILDING, PRINCIPAL:** A building, including covered porches, carports, and attached garages in which is conducted the principal use of the lot on which it is situated. In any residential district any dwelling shall be deemed to be the principal building on the lot on which the same is situated. The connection of two buildings by means of an open porch, breezeway, passageway, carport or other such open structure, with or without a roof, shall not be deemed to make them one building.

**BUSINESS COLLEGE, TECHNICAL OR TRADE SCHOOL (WOODFORD CO & MIDWAY):** An educational institution primarily owned and operated by an individual, partnership, or corporation offering training in business, trade, technical or related areas through residence, extension, or correspondence, for which tuition is charged. Such training shall not include any courses or instruction in which the field or occupation would not be a permitted use within the zoning category in which the institution is located.

**BUSINESS COLLEGE, TECHNICAL OR TRADE SCHOOL (VERSAILLES):** An educational institution primarily owned and operated by an individual, partnership, or corporation offering training in business, trade, technical or related areas through residence, extension, or correspondence, for which tuition is charged.

~~**CAMPING TRAILER:** A vehicle intended for seasonal recreational use but not for year-round living accommodations. For purpose of this regulation, no trailer of any kind over twenty-two (22) feet in length shall be considered a camping trailer.~~

**CAMP OR CAMPGROUND:** Tracts of land of a design or character suitable for and used for seasonal, recreational, and other similar living purposes. The tracts may have located on them a structure of a seasonable, temporary or movable nature, such as a cabin, hunting shelter, recreational vehicle or tent. Any permanent structures, such as cabins, must comply with the appropriate requirements for dwellings in that district. The following Standards apply to Camp and Campground:

- a. Minimum Campground Area of Five (5) acres;
- b. Camp and Campgrounds shall only be located in a Conservation (CO-1) zoning district;
- c. Maximum Campsites and/ or cabins: Twenty-Five (25);
- d. All Camp and Campground uses shall conform to appropriate Woodford County Health Department Rules and Regulations; and
- e. All campsites, buildings and structures shall be at least 100 feet from any property line.

**CERTIFICATE OF OCCUPANCY:** A certificate issued by the Building Inspector and Zoning Administrator, after construction has taken place, which certifies that the building meets minimum standards for human occupancy.

~~**CHILD CARE CENTER:** Any facility which provides full or part-time care to at least four (4) children, other than family childcare, day or night, to children who are not the children, grandchildren, nieces, nephews, or children in legal custody of the operator, as regulated by the Commonwealth of Kentucky. The term shall not include childcare facilities operated by religious organizations while religious services are being conducted, or kindergarten or nursery schools which have as their primary function educational instruction.~~

~~**CHILD CARE, FAMILY:** An incidental and subordinate use within a dwelling and not an accessory structure, where full or part time care is provided by a resident of the dwelling, for a fee, to children, as regulated by the Commonwealth of Kentucky.~~

~~**CHURCH: (SEE RELIGIOUS INSTITUTION)** A facility used primarily for religious worship services of an assembly nature that may secondarily provide social or community services such as counseling, childcare, senior services, and educational programs. For the purposes of this ordinance, synagogues, temples, and other places of religious assembly for worship, regardless of the terminology used by a specific faith or denomination, are considered churches pursuant to this definition.~~

**CLINIC, MEDICAL:** A building or part thereof designed and used for the diagnosis and treatment of human patients that does not including overnight care facilities.

**CLUB, PRIVATE:** Buildings and facilities the purpose of which is to render a social, educational, or recreational service to members and their guests and not primarily to render a service customarily carried on as a business or to render a profit. Private clubs shall include country clubs.

~~**COMMERCIAL COMPOSTING:** The aerobic or anaerobic decomposition of solid, organic materials to produce a stabilized, humus-like material that can be recycled to the land as a soil conditioner and low-grade fertilizer and primarily for use or distribution off the production site.~~

**COMMERCIAL GREENHOUSES:** Establishments primarily engaged in propagating and growing plants in containers, in soil or in other growing medium for the purpose of being sold and transplanted. This definition shall include sale of the following items: Plants grown on the premises or tended in a controlled environment of the greenhouse or plant nursery; sale of fungicides, insecticides, chemicals, peat moss, humus, mulches, and fertilizer, all to be used in the soil or upon the live plant to preserve the life and health of the plants sold; landscape counseling, site planning contracting services when not the primary activity and when using plants grown or tended on the premises of the greenhouse or plant nursery. ~~Note: This definition only applies to land use as provided for in the Zoning Ordinance and Subdivision Regulations and is not intended to affect the status of any business with regard to any federal or state tax laws or similar statutes.~~

**COMMERCIAL RESORT:** A resort furnishing lodging, meals, and such recreational facilities as swimming, boating, shuffleboard, horseback riding, and golf. The recreational facilities shall be incidental to the furnishing of lodging and meals.

**COMMISSION (KRS 100.111):** Versailles-Midway-Woodford County Planning Commission established pursuant to Chapter 100 of the Kentucky Revised Statutes.

**COMMUNITY CENTER:** Buildings and facilities for a social, educational, or recreational purpose, operated by a non-profit organization, which are generally open to the public and which do not render a service customarily carried on as a business.

**COMPOST (KRS 224.1-010):** Solid waste which has undergone biological decomposition of organic matter, been disinfected using composting or similar technologies, been stabilized to a degree which is potentially beneficial to plant growth and which is approved for use or sale as a soil amendment, artificial topsoil, growing medium amendment, or other similar uses.

**COMPOSTING (KRS 224.1-010):** The process by which biological decomposition of organic solid waste is carried out under controlled aerobic conditions, and which stabilizes the organic fraction into a material which can easily and safely be stored, handled, and used in an environmentally acceptable manner: (a) "Composting" may include a process which creates an anaerobic zone within the composting material; (b) "Composting" does not include simple exposure of solid waste under uncontrolled conditions resulting in natural decay.

**COMPREHENSIVE PLAN:** The adopted plan for Versailles-Midway-Woodford County which serves as a guide for public and private actions and decisions to assure the development of public and private property in the most appropriate relationships. Such plan shall include all elements whether expressed in words, graphics, or other forms.

**CONDITIONAL USE (KRS 100.111):** A use which is essential or would promote the public health, safety, or welfare in one or more zones, but which would impair the integrity and character of the zone in which it is located, or in adjoining zones, unless restrictions on location, size, extent, and character of performance area imposed in addition to those imposed in the zoning regulation.

**CONDITIONAL USE PERMIT (KRS 100.111):** Legal authorization to undertake a conditional use, issued by the administrative official pursuant to authorization by the Board of Adjustment, consisting of two (2) parts: A statement of the factual determination by the Board of Adjustment which justifies the issuance of the permit and A statement of the specific conditions which must be met in order for the use to be permitted.

**CONDOMINIUM:** A form of ownership with the following characteristics:

- a. The unit (the interior and associated exterior areas designated for private use in the development plan) is owned or rented by the occupant; and
- b. All or a portion of the exterior open space and any community interior spaces are owned and maintained in accordance with the Kentucky Revised Statutes Chapter 381.805 and 381.9101 and in accordance with the provisions for open space, roads, or other development features as specified in this Ordinance and the Subdivision Regulations.

**CONTROL MONUMENTS:** Survey markers set in accordance with 201 KAR 18.150 used to locate boundaries and installed Improvements.

**DAY CARE CENTER, ADULT:** An adult care facility which provides part-time care, day or night, but less than 24 hours, to at least 4 adults not related to the operator or the facility by blood, marriage, or adoption.

**DAY CARE CENTER, CHILD:** Any childcare facility which provides full or part-time care, day or night, to at least seven children who are not the children, grandchildren, children in legal custody, nieces, or nephews of the operator.

**DAY CARE CENTER, HOME:** Any childcare facility which provides full or part-time care by a resident of the dwelling, day or night, to at least two, but not more six children who are not the children, grandchildren, children in legal custody, nieces, or nephews of the operator.

**DEMOLITION:** Any act that destroys in whole or in part an existing building or structure, physical feature, or other site improvement.

**DENSITY:** A measure of the intensity of the use of a piece of land expressed in dwelling units, families or housing structures per acre.

**DENSITY:** Number of dwelling units per acre.

**DEVELOPER:** An individual, partnership, corporation, or other legal entity or agent thereof, which undertakes the activities covered by these regulations. In as much as, the subdivision plan drawings are merely a necessary means to the end of assuring development, the term Developer includes subdivider, owner, builder, etc. although the persons and their precise interests may vary at different project stages.

**DEVELOPMENT:** The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any use or change in use of any buildings or land; any extension, landfill, or land disturbance, clearing, or other man induced movements of land.

**DEVELOPMENT CONDITIONS:** Specific items agreed to by the Planning Commission or Board of Adjustments and the developer or owner of real property which are imposed upon a property, development plan, zone change request, conditional use permit or variance application and which control the development and use of the property in question. The conditions may be in writing or by graphic representation.

**DEVELOPMENT PLAN (KRS 100.111):** Written and/or graphic material for the provision of a development, including any or all of the following: location and bulk of buildings and other structures, intensity of use, density of development, streets, ways, parking facilities, signs, drainage of surface water, access points, a plan for screening or buffering, utilities, existing man-made and natural conditions, and all other conditions agreed to by the applicant.

**DRAINAGE PLAN:** A detailed study and design of the storm water flow and control within a designated area that minimizes erosion, sedimentation, and flooding.

**DRIVE-IN or DRIVE-THROUGH EATING AND DRINKING ESTABLISHMENT:** A building or portion thereof where food and/or beverages are sold in a form ready for consumption and where a significant portion of the consumption takes place or is designed to take place outside the confines of the building. Such use often includes an intercom or speaker system, a menu board, and an outside service window. The terms “drive-in” and “drive-through” shall be considered interchangeable.

**DORMITORY:** A building containing sleeping rooms operated by a school for academic instruction, or by a business college, technical or trade school, for which admission to residency is limited exclusively to students of such an institution, school or college. Where kitchen facilities or provisions for such are provided, such rooms shall be deemed dwelling units.

**DUMP:** A lot or tract of land or part thereof used for the disposal by abandonment, dumping, burial, burning, or other means of trash, refuse, junk, discarded machinery, vehicles or parts thereof, or waste material of any kind except garbage.

**DWELLING:** A permanent building used primarily for human habitation but not including mobile homes or facilities for the housing of transient residents, occupied exclusively for residential purposes.

- a. Dwelling, Single Family - A permanent building, separate and free standing, in itself providing living accommodations for one family.
- b. Dwelling, Two Family - A permanent building designed exclusively for occupancy by two families, commonly known as a duplex.
- c. Dwelling, Multiple Family - A permanent building or portion thereof providing separate living accommodations for three or more families.

**DWELLING UNIT:** A single unit, consisting of one room or rooms connected together, providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, kitchen facilities and sanitation.

**FAMILY:** A group of one or more persons occupying a premise and living as a single housekeeping unit, whether or not related to each other by birth, adoption or marriage, but no unrelated group shall consist of more than five persons, as distinguished from a group occupying a boarding or lodging house or hotel.

**FAMILY MEMBER (IMMEDIATE):** One or more persons related to each other by birth, adoption or marriage. For purposes of in-family conveyances this would be parent-to-child, ~~child-to-parent, spouse-to-spouse, sibling-to-sibling, and~~ grandparent to grandchild ~~and grandchild-to-grandparent. Unrelated individuals jointly owning property are not eligible to utilize the in-family conveyance ordinance.~~

**FENCE:** An artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land.

**FILLING STATION (SEE AUTO SERVICE STATIONS)**

**FINAL ACTION:** Any final adjudication of the application for any zoning map amendment, variance, conditional use permit, development plan, or appeal from any administrative official before the Board or Commission, or appeal from the decision of the Board or Commission to any legislative body, or the highest state or Federal court to which any appeals shall be taken.

**FINISHED FLOOR ELEVATION (FFE):** The minimum elevation that can be used for construction of an occupied level of a structure.

**FLAG:** Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols used as a symbol of a government, political subdivision, or other official designated symbol of any institution or business.

**FLOODPLAIN:** Any land area susceptible to be inundated by water from the base flood. The term refers to that area designated as subject to flooding from the base flood (100-year flood) on the "Flood Boundary and Floodway Map" prepared by the Federal Emergency Management Agency (FEMA) U.S. Department of Housing and Urban Development, a copy of which is on file in the planning department.

**FLOODWAY:** The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface more than one foot. The term refers to that area designated as floodway on the "Flood Boundary and Floodway Map" prepared by the Federal Emergency Management Agency (FEMA) U.S. Department of Housing and Urban Development, a copy of which is on file in the planning department.

**FLOOR AREA:** The total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage; without deduction for hallways, stairs, closets, thickness of walls, columns or other features; but, including finished attics, and finished basements.

**FLOOR AREA RATIO:** Floor area of buildings on a lot divided by ground area of the lot on which it is located.

**FRONTAGE:** The length of the front lot line measured at the street right-of-way line.

**GARDEN CENTERS (OFFICE & SALES YARD):** Establishments used primarily for the sale of live plants, including greenhouses and plant nurseries. When accessory to the sale of plants, the sale of the following items shall be allowed: Cut plants, cut trees, and wreaths, bulbs and seeds which may have been transported to the premises for the purpose of resale; ground covers; fungicides, chemicals, peat moss, humus, mulches and fertilizers; lawn statuary, furniture, bird baths, bird feeders, birdhouses and pottery; pots and containers for plants; artificial flowers; home lawn and garden equipment including manual and automatic grass cutting devices, grass seeding devices, mulchers, thatchers, tillers, but not including farm tractors and machinery; garden landscape devices including railroad ties, stepping stones, fencing, edging, trellises, plastic and burlap; hand tools such as sprayers, shovels, dusters, rakes, hoes, and watering devices; firewood; landscape planning and contracting services incidental to the garden center to include contractual services for lawn and garden sprigging, maintenance, fertilizing, spraying and mowing.

**GARAGE, PRIVATE:** An accessory building (including a carport) housing not more than four (4) motor driven vehicles. The building owner may lease vehicle space but shall not provide repairing or servicing of motor vehicles for financial gain.

**GARAGE, PUBLIC:** Any building or premises, except those used as a private or storage garage, used for equipping, repairing, hiring, selling or storing motor driven vehicles.

**GARBAGE:** Any odorous, putrescible or combustible waste materials.

**GREENHOUSES, COMMERCIAL (SEE COMMERCIAL GREENHOUSES)**

**GROUP LIVING:** The residential occupancy of a structure by a group of people who do not meet the definition of Household or Family, but which share a common eating and living area. The residents may receive care, training or treatment, as long as the care givers also reside at the site.

**GROUP OR ROW HOUSE:** A group or row of not more than eight (8) semi-detached single-family dwellings not more than two (2) rooms deep with access to a street as herein defined.

**HAZARDOUS MATERIALS:** Any chemical, biological or radiological compound, gas, oil, gasoline, lubricant or other petroleum products, substances, solution or mixture which because of its quality, quantity, concentration, physical or infectious characteristics, or any combination thereof, when released into the environment, presents or may present harmful or potentially harmful effects to human health or welfare or the environment.

**HEIGHT, BUILDING:** The vertical distance from the grade to the top of the highest roof beam of a flat roof, or to the mean level of the highest gable or slope of a hip roof. When a building faces on more than one street, the height shall be measured from the average of the grades at the center of each street front.

**HELIPORT:** A facility used exclusively for helicopter operations including landing, takeoff, loading, discharging, fueling, maintenance, and/or transient storage of helicopters.

**HELISTOP:** A facility used exclusively for helicopter landing, take-off, loading, discharging, and/or transient storage of helicopters but not including facilities for maintenance, fueling or long-term storage of helicopters.

**HISTORIC, STRUCTURE:** Those structures listed or eligible for listing on the National Register.

**HOME IMPROVEMENT STORE:** A facility of more than 50,000 square feet gross floor area engaged in the retail sale of various basic hardware lines such as tools, builders' hardware and materials, paint and glass, house wares and household appliances, home decorating fixtures and accessories, lawn and nursery materials and supplies and other items generally used in the maintenance, repair or construction of buildings or other structures and property.

**HOME OCCUPATION:** A gainful occupation or profession carried on in a residence such as the studio of an artist or sculptor, dressmaking and tailoring, upholstery, handicrafts, tutoring, individual musical instruction (provided no instrument is amplified) and professional services, provided such home occupation is performed under the following conditions:

- (1) The use is clearly incidental and secondary to use for dwelling purposes and occupies no more than twenty-five percent (25%) or three hundred (300) square feet of the total floor area of the dwelling, whichever is less.
- ~~(2) The use is conducted entirely within a dwelling and not in any accessory building.~~
- (3) The use is carried on only by residents of the dwelling.
- (4) No mechanical equipment is installed or used except as is normally used for domestic or professional purposes.
- (5) No stock and trade are kept or commodities sold except such as are produced by the residents on the premises.
- (6) The use does not require external alteration of the dwelling.
- (7) The use does not adversely affect the uses permitted in the immediate neighborhood by excessive traffic generation or noise.
- (8) No outside signage of any kind shall be displayed on the property which identifies the home occupation.
- (9) No additional blacktop, concrete or gravel parking shall be permitted beyond that normally provided in comparable neighborhood homes.

**HOME OFFICE:** An office for record keeping and administration of work. Such office shall be subject to the following conditions:

- (1) The office shall be clearly incidental and secondary to the use for dwelling purposes with no more than twenty-five percent (25%) nor more than five hundred (500) square feet in any case of the dwelling devoted to the office use.
- ~~(2) The office shall be located in the dwelling unit and not in any accessory building.~~
- (3) The office shall be operated by and shall employ only residents of the dwelling unit.
- (4) No sale of merchandise shall be conducted on the property.
- (5) No commodities or merchandise shall be stored on the property and no storage, as defined herein shall be permitted.
- (6) No signs of any kind shall be displayed on the property which identifies the home office use.
- (7) No visits to the home office by customers, clients, patrons and the general public are allowable.
- (8) The residence shall maintain its residential character and shall not be altered or remodeled so as to change the residential appearance of the building.

**HORIZONTAL PROPERTY (KRS 381.805/ 381.9101):** Property developed under the rules and regulations as defined by Kentucky Revised Statutes in Chapter 381.805 or KRS 381.9101 (Also referred to as Condominiums).

**HOTEL (See Motel)**

**HOTEL (KRS 219.011):** A building or structure kept, used, maintained, advertised, or held out to the public as a place where sleeping accommodations are furnished to the public, and includes motels, tourist homes, and similar establishments, but excludes boarding houses and rooming houses.

**HOUSEHOLD:** A single housekeeping unit with common access to and use of all living and eating areas within the dwelling unit.

**HOUSEHOLD LIVING:** Is the residential occupancy of a dwelling unit by a household. Tenancy is arranged on a month-to-month or longer basis. Uses where tenancy may be arranged for a shorter period are not considered residential; they are considered to be a form of overnight accommodation or lodging.

**HOUSING, BUILDING REGULATION (KRS 100.111):** Means the Kentucky Building Code, the Kentucky Plumbing Code, and any other building or structural code promulgated by the Commonwealth or by its political subdivisions.

**HUD CODE:** The Federal Manufactured Home Construction and Safety Standards for construction, design, and performance of manufactured housing as set forth in the Code of Federal Regulations, Title 24, Part 3280, 3282, 3283, and 42 USC 5401, and as administered by the United States Department of Housing and Urban Development.

**IMPERVIOUS SURFACE:** Surfaces through which rain or other water cannot permeate to the underlying soil strata (roofs, asphalt, concrete, etc.).

**JUNK YARDS:** A lot, land, building, or structure, or part thereof used primarily for the collecting, storage, and/or sale of wastepaper, rags, scrap metal, or discarded material or for the collecting, dismantling, storage, and salvaging of machinery or vehicles not in running condition and for the sale of parts there from.

**KENNEL, COMMERCIAL:** A commercial establishment where dogs or other domesticated animals are groomed, bred, boarded, trained or sold.

**KENNEL, NON-COMMERCIAL:** A non-commercial kennel at, in or adjoining a private residence where dogs or other domesticated animals are kept for the hobby of the householder (i.e. hunting, tracking or exhibiting) is permitted in agricultural and residential zoning districts. The occasional breeding of dogs or other domesticated animals (limited to one litter on the property at a time) by the keeper of a non-commercial kennel shall not change the character of the property and shall not constitute a nuisance to the neighborhood.

~~**KENNEL:** Any place where house pets are kept for purposes other than those customary and incidental to a household.~~

**KRS 100:** Kentucky Revised Statutes that enable cities and counties to enact local planning and land use regulations and specify how planning and zoning shall be administered.

**KITCHEN FACILITIES:** Equipment arranged in a room or some other space in a structure which facilitates the preparation of food including, but not limited to, a combination of two or more of the following--a range, microwave oven, dishwasher, kitchen sink, or refrigerator.

**LANDMARK:** Any site, building, structure, or natural feature that has visual, historic, or cultural significance.

**LANDSCAPE, PLAN:** A scaled drawing, including dimensions and distances, existing and proposed buildings, vehicle use areas, driveways, and the location, size, and description of all landscape materials.

**LANDSCAPE, ARCHITECT:** A qualified person currently licensed by the State Board of Examiners and Registration of Landscape Architects of Kentucky.

**LANDSCAPE, LANDSCAPE BUFFER AREA (LBA):** A strip of land to be set aside to separate incompatible land uses on which shall be placed trees, bushes, ground covers and barriers as necessary to reduce the deleterious effects of the activities.

**LANDSCAPE, LANDSCAPING:** The use of planting material, pavements, walls, fences and earth mounds to enhance the aesthetic and safety characteristics of new and existing development.

**LANDSCAPE, EARTH MOUNDS:** Ridges of piled earth constructed with proper slopes (not to exceed 3:1) and plant material to prevent erosion.

**LANDSCAPE, FENCE:** A barrier constructed of wood, metal, stone, brick or other weatherproof material for the purpose of restricting movement, or screening conflicting activities from sight. In the case of wood fences, slats are to be a minimum 1/2" in thickness and are to be placed on the outside of the fence unless the design is two-sided (shadow-box, etc.). Chain link fencing may not be used to meet the requirements of this ordinance. The height of fences shall be governed as set forth in the Zoning Ordinance. Fences shall not be used for advertising purposes.

**LANDSCAPE, HEDGE:** A row of bushes planted at such interval as to create a continuous mass within two years after planting.

**LANDSCAPE, INCOMPATIBLE LAND USES:** Any facility or use on a property which is incompatible with the adjacent use. For example, parking areas and dumpsters would be incompatible uses, but drainage facilities most likely would not.

**LANDSCAPE, INTERIOR LANDSCAPING AREAS:** Planting areas such as islands or peninsulas within a vehicular use area as required by Section 1105.11 of this Ordinance.

**LANDSCAPE, VEHICULAR USE AREA:** Any open or unenclosed area containing more than 1,800 square feet of area and/or used by six or more of any type vehicle or mobile home including but not limited to parking lots, loading and unloading areas, sales and services area.

**LANDSCAPE, GROUND COVER:** Planting with a mature height of twelve inches (12") or less including but not limited to grass, certain junipers, and ivy. Within LBAs next to a public right-of-way, crushed rock, tree bark or process shale may also be used.

**LANDSCAPE, LOW SHRUBS:** Low lying deciduous or evergreen ground covers.

**LANDSCAPE, SCREENING:** A method of visually or audibly shielding or obscuring an adjacent or nearby structure or use from another by fencing, walls, berms or densely planted vegetation.

**LANDSCAPE, SHRUBS:** Planting materials with a functional mature height of two to twelve feet with foliage for its full height.

**LANDSCAPE, TREES:** Planting materials with a functional mature height of ten or more feet. When used in conjunction with interior landscaping areas, trees should have a minimum clear height of five feet from the ground to the lowest branch.

**LODGING HOUSE (SEE BOARDING HOUSE)**

**LOT:** A piece, parcel, tract or plot of land occupied or to be occupied by one principal building and its' accessory buildings and including the open spaces required under this regulation.

**LOT OF RECORD:** Any lot, the deed of which is on record at the office of the County Clerk of Woodford County at the time of enactment of this resolution.

**LOT AREA, GROSS:** The total area circumscribed by the boundaries of a lot, except when the boundary of the lot extends into a public street right-of-way, then the street right-of-way shall be used in computing the lot area.

**LOT COVERAGE:** The computed portion of ground area occupied by the outside walls of buildings and structures as defined by gross floor areas within a lot.

**MAIL ORDER BUSINESS:** A business engaged in the sale of manufactured products, goods, merchandise and finished products primarily through means of mail or telephone orders, including the administrative offices of such business.

**MANUFACTURED HOME (KRS 219.320 MOBILE HOME PARK):** A single-family residential dwelling constructed in accordance with the National Manufactured Housing Construction in Safety Standards Act, manufactured after June 15, 1976, and designed to be used as a single-family residential dwelling with or without a permanent foundation when connected to the required utilities, and including plumbing, heating, air conditioning, and electrical systems. A manufactured home may also be used as a place of business, profession, or trade by the owner, the lessee, or the assigns of the owner or lessee and may comprise an integral unit or condominium structure. Buildings, the construction of which are not preempted by the National Manufactured Housing Construction in Safety Standards Act, are subject to the building code requirements of KRS Chapter 198B.

**MANUFACTURED HOME (KRS 100.348):** A single-family residential dwelling constructed after June 15, 1976, in accordance with the National Manufactured Home Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq., as amended, and designed to be used as a single-family residential dwelling with or without permanent foundation when connected to the required utilities, and which includes the plumbing, heating, air conditioning, and electrical systems contained therein.

**MANUFACTURED HOME, QUALIFIED (KRS 100.348):** A Manufactured Home defined under KRS 100.348 that meets all of the following criteria of an off-site constructed HUD home:

- a. Is manufactured on a date not to exceed five (5) years prior to the date of installation and has all parts that operate only during transport removed;
- b. Is affixed to a permanent foundation and is connected to the appropriate facilities and is installed in compliance with KRS 227.570;

- c. Has a width of at least twenty (20) feet at its smallest width measurement or is two (2) stories in height and oriented on the lot or parcel so that its main entrance door faces the street;
- d. Has a minimum total living area of nine hundred (900) square feet; and
- e. Is affixed to a permanent foundation and is connected to the appropriate facilities and is installed in compliance with KRS 227.570;

**MARINA:** A dock providing secure moorings for boats that may include accessory retail facilities for boat owners, crews and their guests.

**MEDICINAL CANNABIS FACILITY:** (a) Means marijuana as defined in KRS 218B.010 when cultivated, harvested, processed, produced, transported, dispensed, distributed, sold, possessed, or used in accordance with KRS 218B; (b) Includes medicinal cannabis products and raw plant material; and (c) Does not include industrial hemp or industrial hemp products as defined in KRS 260.850.

**MERCHANT ELECTRIC GENERATING FACILITY (KRS 278.700):** A merchant electric generating facility is one that is capable of operating at an aggregate capacity of at least 10 megawatts, and which sells the electricity it produces in the wholesale market at rates not regulated by the Public Service Commission (PSC). This term shall include wind and solar electricity-generating facilities.

**MICRO-BREWERY/CLASS B DISTILLER:** A facility within a completely enclosed building which is intended for the production and packaging of up to 25,000 barrels per calendar year of malt beverages, or 50,000 gallons of distilled spirits per calendar year, which may be associated with a restaurant or tasting room, under the terms and conditions specified by KRS 243.157, KRS 243.150, KRS 243.120, KRS 243.0305, and other applicable laws.

**MOBILE HOME (KRS 219.320 MOBILE PARK):** A structure manufactured prior to June 15, 1976, that was not required to be constructed in accordance with the National Manufactured Housing Construction in Safety Standards Act, that is transportable in one (1) or more sections, that, in the traveling mode is eight (8) body feet or more in width and forty (40) body feet or more in length, or when erected on site, four hundred (400) or more square feet, and that is built on a permanent chassis and designed to be used as a dwelling on a temporary or permanent foundation, when connected with the permanent required utilities, including plumbing, heating, air conditioning, and electrical systems and does not meet the definition of Manufactured Home. As used herein, mobile home shall not include camping trailer, travel trailer, recreational vehicle, pickup coach, bus, auto camper, or any unit with a seal which has been determined to be salvage only.

~~**MOBILE HOME:** A structure transportable in one or more sections which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes park trailers, travel trailers, and similar transportable structures placed on a site for 180 consecutive days or longer and intended to improve property.~~

~~**MOBILE HOME PARK:** An area developed as herein specified with accommodations for not less than ten (10) mobile homes.~~

~~**MOBILE HOME SUBDIVISION:** A residential subdivision designed exclusively for and occupied only by mobile homes and similar units designed for transportation in which the homes and the land are owned by the occupants.~~

**MOBILE OR MANUFACTURED HOME COMMUNITY (KRS 219.320 MOBILE HOME PARK):** A parcel of land, under single or multiple ownership and developed specifically for the purpose of leasing two (2) or more residential spaces for the location of manufactured or mobile home dwellings and which contain common facilities and utilities located on the premises as licensed by the cabinet.

**MOBILE OR MANUFACTURED HOME LOT (KRS 219.320 MOBILE HOME PARK):** A parcel of land in a manufactured or mobile home community for the placement of a single manufactured or mobile home.

**MODULAR HOME:** A dwelling unit constructed on-site in accordance with the state code and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation.

**MONUMENTS:** Survey markers set to 201 KAR 18.150 used to locate boundaries and installed Improvements. Intended to be located in an undisturbed area and used to establish reliable control for the area during construction and for future use.

~~**MOTEL OR HOTEL:** A building or group of buildings containing individual sleeping or living units (suites) designed for the temporary occupancy of transient guests and including hotels, motor lodges, motor hotels, or auto courts, but not including boarding or lodging houses. (Must provide off-street parking as specified by this Ordinance)~~

**MOTOR HOME:** A self-propelled vehicle with a dwelling constructed as an integral part of the vehicle. (See more under Recreational Vehicle)

**NONCONFORMING LOT:** A lot of record existing at the effective date of the zoning ordinance (and not created for the purposes of evading the restrictions of this chapter) that does not meet the minimum area requirement of the district in which the lot is located.

**NON-CONFORMING USE OR STRUCTURE:** An activity or a building, sign, structure, or a portion thereof which lawfully existed before the adoption of the zoning ordinance, but which does not conform to all of the regulations contained in the zoning ordinance which pertain to the zone in which it is located.

**NURSING HOME OR REST HOME:** A home for the aged, chronically ill or incurable persons in which three (3) or more persons not of the immediate family are received, kept, or provided with food and shelter and care for compensation, but not including hospitals, clinics, or similar institutions devoted primarily to the diagnoses, treatment, or care of the sick or injured.

**OPEN SPACE:** Outdoor area of a lot or tract which is designated and used for outdoor living, recreation, pedestrian access or planting. Off-street parking and loading areas, driveways, and required front and side street side yard areas do not qualify as useable open space.

**OWNER:** Any person, corporation, partnership or other entity, or any combination thereof, in whom is vested the ownership, dominion or title of property necessary to convey title to such property.

**PARKING AREA:** Any public or private unobstructed land area that has access to a street and which is designed and used for parking motor vehicles. The term includes parking lots, structures, garages, travelways, and private driveways.

**PARKING LOT:** An off-street, ground level area, usually surfaced and improved, for the temporary storage of motor vehicles. This term does not include areas for demolished, wrecked, junked or for sale motor vehicles or where motor vehicle parts are located.

**PARKING SPACE:** The area for the parking of a motor vehicle within a public or private parking area. As used in this Ordinance it is a numerical designation used to determine the size of parking area.

**PARKING, OFF-STREET:** A storage area for a motor vehicle that is located within a parking area which is not located on a dedicated street right-of-way.

**PARKING, ON-STREET:** A temporary storage area for a motor vehicle which is located on a dedicated street right-of-way.

**PEAK HOUR:** The traffic count that represents the highest volume of traffic in a one-hour period.

**PERMANENT FOUNDATION:** A permanent masonry, concrete or other footing approved by the Building Official to which a building, structure, or manufactured home may be affixed.

## **PERMITS**

- (1) Building Permit - A permit issued by the Building Inspector and Zoning Administrator authorizing the construction or alteration of a specific building on a specific lot, submitted and approved per the Kentucky Building Code (KBC) as adopted by jurisdiction.
- (2) Temporary Occupancy Permit - A temporary certificate issued by the Building Inspector for a building or structure, or part thereof, before the entire work covered by the permit has been completed, provided that such portion or portions will be occupied safely prior to full completion of the building or structure without endangering life or public welfare.
- (3) ~~Wrecking Permit~~ (Demolition Permit) - A permit issued by the Building Inspector before a building or structure, or major part thereof is razed.
- (4) Grading/~~Paving~~ Permit - A permit issued by the Zoning Administrator before any stripping, cutting, filling, stockpiling of earth or land grading, excavation, filling or removal of soil, or paving, on any lot or parcel of ground, which significantly affects the permanent drainage characteristics of a site.
- (5) Sign Permit - A permit issued by the Zoning Administrator before any sign is erected, moved, added to, or structurally altered.
- (6) Zoning Permit - A permit issued by the Zoning Administrator that authorizes the recipient to make use of property in accordance with the requirements of this zoning ordinance.

**PERSONAL SERVICES OR PERSONAL SERVICE ESTABLISHMENTS:** Commercial business providing services to individuals such as academic tutoring, music lessons, hair salon, nail salon, cosmetologist, massage therapy, beauty and barber shops, shoe repair, dressing making and tailoring.

**PLANT NURSERY:** An establishment engaged in the outdoor cultivation of only trees and shrubs for transplanting. A greenhouse may be an accessory structure when used to propagate and prepare the trees or plants for planting on the premises.

**PRINCIPAL PERMITTED USE:** A use which is permitted outright in a district for which a zoning certificate may be issued by the Zoning Administrator in accordance with the provisions of the Ordinance.

**PRINCIPAL STRUCTURE:** A building in which is conducted a principal or conditional use. In any residential zone, any structure containing a dwelling unit shall be deemed a principal structure on the lot on which the same is located. Where a non-conforming use is the primary use on the property, the building in which it is located shall be deemed a principal structure.

**PRINCIPAL USE OF STRUCTURE:** The primary use of the land or the main structure on a lot which determines the primary activity that takes place on the land or in the structure.

**PUBLIC FACILITY (KRS 100.111):** The use of land whether publicly or privately owned for transportation, utilities, or communications, or for the benefit of the general public, including but not limited to libraries, streets, schools, fire or police stations, county buildings, municipal buildings, recreational centers including parks, and cemeteries.

**RECORDING PLAT:** Original Plat to be recorded in the Woodford County Clerk's office.

**RECREATIONAL VEHICLE:** A vehicle which is: (a) built on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projection; (c) designed to be self-propelled or permanently towable to a light duty truck; and (d) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

**RECREATIONAL VEHICLE (KRS 186.650):** Means a vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. The basic entities are: travel trailer, camping trailer, truck camper, and motor home.

**RECREATIONAL VEHICLE (RV) PARK:** Tracts of land of a design or character suitable for and used for seasonal, recreational, and other similar living purposes. The tracts may have located on them a structure of a seasonable, temporary or movable nature, such as a cabin, recreational vehicle or tent. Any permanent structures, such as cabins, must comply with the appropriate requirements for dwellings in that district. The following Standards apply to all Recreational Vehicle (RV) Parks:

- a. An RV Park may be established and maintained in accordance with the applicable Zoning District outlined in Article VII and KRS 219;
- b. RV Parks shall only be located in a Highway Interchange Service (B-5) or Light Industry (I-1) zoning district;
- c. Minimum Park Area. Twenty (20) acres;
- d. Maximum RV Spaces, Campsites and/or Cabins: One Hundred (100);

- e. All RV Parks shall be connected to public sanitary sewer and shall conform to appropriate Commonwealth of Kentucky Plumbing Code and Woodford County Health Department Rules and Regulations; and
- f. All campsites, buildings and structures shall be at least 100 feet from any property line.

**REHABILITATION HOME:** A building or group of buildings providing a supervised residence for persons recovering from the effects of drug or alcohol abuse, psychiatric disorders, or as a condition of their parole or probation. Such homes may provide counseling in educational, vocational, or other areas by a paid or volunteer staff and generally have twenty-four (24) hour-a-day supervision.

**RELIGIOUS INSTITUTION CHURCH:** A facility used primarily for religious worship services of an assembly nature that may secondarily provide social or community services such as counseling, childcare, senior services, and educational programs. For the purposes of this ordinance, synagogues, temples, and other places of religious assembly for worship, regardless of the terminology used by a specific faith or denomination, are considered Religious Institutions churches pursuant to this definition.

**RESIDENTIAL CARE FACILITY (KRS 100.982):** A residence operated and maintained by a sponsoring private, non-profit or governmental agency to provide services in a homelike setting for persons with disabilities.

**RESTAURANT:** An eating establishment where food is served and/or consumed primarily within the building and where consumption of food in motor vehicles on the premises is not encouraged. ~~Note: A restaurant may only include drive-through facilities (where food is served to patrons while in their motor vehicle through a window or other facilities and consumption on the premises in motor vehicles is not encouraged) as permitted and regulated in the zone in which the restaurant is located.~~

~~**RESTAURANT, DRIVE-IN:** An eating establishment where food is served by employees or by self-service outside the building and consumed on the premises principally in a motor vehicle.~~

**RETENTION BASIN:** A drainage storage structure that prevents surface runoff from passing to other surface structures or facilities.

**RIGHT-OF-WAY:** A strip of land dedicated to the public to accommodate access and/or utilities to lots or tracts. The usage of the term “right-of-way” for land platting purposes shall mean that every right-of-way shown on a Final Plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels.

**ROADWAY:** That portion of a street intended for vehicular traffic.

**ROOF LINE:** The edge of the roof or the top of the parapet, whichever forms the top line of the building silhouette.

**ROUTINE MAINTENANCE:** To repair or refurbish a sign, structure, or building, or any part of each but not including expansion or total replacement.

**RURAL RESIDENTIAL DISTRICT:** The Rural Residential District is a zoning district classification applicable to residential subdivisions of property located outside existing urban service boundaries of Woodford County ~~and within an A-2 Agricultural district; the number of building lots on any individual property is based on a sliding scale approach which considers the total size of the parcel owned. Eighty percent (80%) of the land in this farm shall be residual farmland or open space utilized for those permitted uses within an A-2 Agricultural District other than single family dwelling units and their accessory structures, except that if there is one existing farm dwelling (as of April 1, 1999) it can remain on the residual farmland and not be subject to Section 803. In the event the residual farmland or open space is thirty acres (30) or less and one farm residence exists or is proposed on the residual, then in that event, the residual farmland or open space shall remain as one undivided parcel; if no farm residence exists or is proposed on the residual farmland, or in the event, that more than thirty (30) acres of residual farmland exists, where a farm residence exists or is proposed, then, in that event, the residual farmland or open space, or in the case when a farm residence exists or is proposed, the excess of the residual farmland over thirty (30) acres may be owned jointly or in common by the owners of the building lots, or an association of the owners of the subdivision or a person or entity who does not necessarily own a dwelling unit within the rural residential subdivision, but who makes a binding commitment to utilize the land for permitted uses other than the construction or maintenance of any dwelling units except one existing farm dwelling as noted above. If one farm dwelling exists or one is proposed on the residual farmland one "Lot to be Sold" shall be reduced from the sliding scale established in 703.11 (A), and all residual farmland acreage up to and including thirty (30) acres of the designated residual farmland shall remain as one undivided parcel.~~

**SCHOOLS FOR ACADEMIC INSTRUCTION:** All schools offering primarily classroom instruction with participation of teachers and students, limited to elementary, junior and middle high schools, high schools, junior colleges, colleges, theological seminaries, bible colleges, and universities; but not including business colleges, technical or trade schools.

**SETBACK:** The required distance between every structure and the lot lines of the lot on which it is located, measured perpendicular to the building (at the eave overhang) and related front, side, or rear property line, exclusive of patio, steps, and HVAC equipment.

**SHORT TERM RENTAL:** A dwelling unit or portion of a dwelling unit that is rented, leased or otherwise assigned for a tenancy of less than 30 consecutive days. This term does not include hotel or motel rooms, extended stay lodging facilities, or bed and breakfast establishments. This may include renting a portion of a dwelling or accessory structure while the resident is present. Short term rentals include the following arrangements: Hosted Home Sharing, where the primary occupant(s) of the residence remains in the dwelling with the guests; and Dedicated Short Term Rentals, where there is not a primary occupant of the dwelling and it is only used by guests. The term Short Term Rental may include home sharing arrangements described as Boarding, Rooming, Vacation or Tourist House/Home.

**SIGN:** Shall mean and include any outdoor announcement, declaration, device, demonstration or insignia used for direction, information, activity, services or any interests.

- a. Banner Sign - Any sign of lightweight fabric or similar material that is permanently mounted to a pole or building by a permanent frame at one or more edges. National flags, state or municipal flags or official flags of any institution or business shall not be considered banners.

- b. Business Sign - A (on-premise) sign which identifies a building or directs attention to a business, product, activity or service manufactured, sold, offered or stored upon the premises as the primary use(s) where such sign is located.
- c. Pennant or Streamer - Any lightweight fabric or similar material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.
- d. Political Signs - A temporary on-premise sign supporting the candidacy for office or urging action on any other matter on the ballot of a state, local or national election or referendum.
- e. Projecting Sign - A sign suspended from or supported by a building or similar structure and projecting outwards.
- f. Sign Structure - The entire area within a single continuous perimeter enclosing all elements of the sign which form an integral part of the display.
- g. Wall Signs - A sign which is attached directly to a building wall and which does not extend more than fifteen (15) inches therefrom nor higher than the roof line of the building, with the exposed face of the sign in place parallel to the building wall.
- h. Free Standing Sign – A permanent sign erected on a framework not attached to any building, and attached to the ground, on one or more uprights or braces in the ground, whose purpose is to identify the name of a single user located on the lot with user.
- i. Monument sign – A permanent Freestanding Sign which is completely self-supporting, has its sign face or base no more than six (6) inches above the ground.
- j. Shopping Center Complex or Industrial Park Sign – A freestanding pylon or monument sign within a commercial or industrial development whose purpose is to identify the name of the development, its tenants and its major vehicular access points.
- k. Project Entrance Sign – A freestanding monument sign within a residential, commercial, or industrial development whose purpose is to identify the name of the development (no tenants) and its major vehicular access points.
- l. On-premise Sign – Any on site sign on a permanent structure located on the premises to which sign pertains.
- m. Off-premise Sign – Any off-site sign, available for rent, on a permanent structure on which the copy is periodically changed and which is not located on the premises which such advertising copy pertains.

**STORAGE:** The keeping, either indoors or outdoors, of equipment, vehicles, or supplies used in the conduct of a trade, business, or profession. Storage does not include the overnight parking in residential zones of a single vehicle weighing no more than two and one-half (2½) tons gross vehicle weight which, although used primarily for business, trade or professional purposes, also provides daily transportation to and from work. (Amended December 2005)

**STORY:** That portion of a building, other than a cellar or mezzanine, included between the surface of any floor and the surface of the floor next above it, or, if there be no floor above it, then the space between the floor and ceiling next above it.

**STREET:** Any public or private right-of-way, twenty-five (25) feet or more in width, dedicated to vehicular and pedestrian movement, and which may also provide space for the location of under or above ground utilities. The word "street" shall include the words "road", "highway", and "thoroughfare."

**STRUCTURE:** Anything constructed or made, the use of which requires permanent location in or on the ground or attachment to something having a permanent location in or on the ground, including buildings, signs, and pools (in ground).

**SUBDIVISION (KRS 100.111):** The division of a parcel of land into three (3) or more lots or parcels except in a county containing a city with a population equal to or greater than eight thousand (8,000) based upon the most recent federal decennial census or in an urban-county government or consolidated local government where a subdivision means the division of a parcel of land into two (2) or more lots or parcels; for the purpose, whether immediate or future, of sale, lease, or building development, or if a new street is involved, any division of a parcel of land; provided that a division of land for agricultural use and not involving a new street shall not be deemed a subdivision. The term includes resubdivision and when appropriate to the context, shall relate to the process of subdivision or to the land subdivided; any division or redivision of land into parcels of less than one (1) acre occurring within twelve (12) months following a division of the same land shall be deemed a subdivision.

~~**SUBDIVISION:** The division of a parcel of land into three (3) or more lots or parcels; for the purpose, whether immediate or future, of sale, lease, or building development, or if a new street is involved, any division of a parcel of land; provided that a division of land for agricultural use and not involving a new street shall not be deemed a subdivision. The term includes resubdivision and when appropriate to the context, shall relate to the process of subdivision or to the land subdivided; any division or re-division of land into parcels of less than one (1) acre occurring within twelve (12) months following a division of the same land shall be deemed a subdivision within the meaning of this section.~~

**SUBDIVISION, MAJOR:** (See Subdivision Regulations)

**SUBDIVISION, MINOR:** (See Subdivision Regulations)

**TEMPORARY EMERGENCY, CONSTRUCTION OR REPAIR RESIDENCE:** A residence (which may be a mobile home) that is: (a) located on the same lot as a residence made uninhabitable by fire, flood, or other natural disaster and occupied by the persons displaced by such disaster, or (b) located on a nonresidential construction site and occupied by persons having construction. (Any such use must be approved by the Board of Adjustment).

**TEMPORARY CONSTRUCTION UNIT:** Any transportable facility built on its own chassis used for offices or storage and which is located on a construction site. No temporary construction unit shall be used for sleeping or residential purposes in whole or in part.

~~**TEMPORARY USE PERMIT:** A permit issued for the temporary use of a mobile home for the purposes of a construction trailer or temporary dwelling.~~

**TENANT HOME:** An accessory residence located in an agricultural zone occupied by a person, other than the owner's family or the farm manager, employed in an agricultural use on the property.

~~**TOURIST DESTINATION:** Tourist Destinations provide for the rehabilitation and productive re-use of structures existing as of (date), in the rural areas of Woodford County, thus promoting tourism and the overall economy, while allowing for the continued use of the subject property for agricultural purposes, if any, and preservation of the landmark or historic structure. Tourist Destinations are allowed as a permitted Principal Use in designated Zoning Districts. Tourist Destination is a unique, regionally recognized existing landmark or historic structure as of~~

~~January 1, 2012, that is primarily known for its existing architectural significance and/or uniqueness, which promote tourism and the overall economy, which naturally draws the general public as a destination that meets the following criteria and limitations:~~

- ~~a. A use or operation must be operated by and located in an existing structure located on land which is occupied by the owner, lessee, or owner's agent.~~
- ~~b. Property must be at least 30 acres in size and have road frontage on a State or Federal Highway.~~
- ~~c. Overnight accommodations to guests are allowed but the number of guest rooms is limited to 10 rooms.~~
- ~~d. A restaurant is allowed and may serve registered overnight guests and/or the public, with the number of seats for patrons limited to 75.~~
- ~~e. Public tours of the structure(s) and grounds are allowed.~~
- ~~f. Gift shops, open to the public, are allowed but must be accessory to other allowed uses.~~
- ~~g. Special events, including charitable events, receptions, parties, corporate picnics, weddings, or any other events/activities which are determined by the Agricultural Advisory Review Committee to be of the same general character as those listed herein, are allowed but the number of such events is limited to 7 per week with no more than 2 held on any one day.~~
- ~~h. Special events and activities must be located at least 300 feet from an adjoining property line.~~
- ~~i. All food preparation must take place in a kitchen inspected, approved, and licensed by the County Health Department.~~
- ~~j. In order to not create noise or lighting conditions detrimental to the surrounding area amplified music shall be prohibited after 11:00 p.m. and outdoor lighting shall be shielded.~~
- ~~k. A current guest register including names, addresses and dates of occupancy of all guests shall be kept on site at all times if overnight accommodations are provided.~~
- ~~l. All business licenses and revenue collection ordinances of Woodford County, Versailles and Midway shall be complied with.~~
- ~~m. The Kentucky Building Code and other applicable local/state laws shall be adhered to.~~
- ~~n. Parking requirements will be as set forth herein in Article VI.~~
- ~~o. All parking areas will be buffered with trees, shrubs, walls, or fences per Article XI-1105.3D.~~
- ~~p. No parking will be allowed for any guest or those attending special events on public road right-of-ways.~~
- ~~q. Overflow parking areas shall remain grass and buffered as provided in section O above.~~
- ~~r. Access to the subject property shall be approved by the appropriate local, state, or federal agency having jurisdiction.~~
- ~~s. Signs shall be limited to one externally illuminated on-premise sign on each existing contiguous public road not to exceed twenty-four (24) square feet in area.~~
- ~~t. Additions to the existing structure and/or additional structures if constructed past the date specified herein shall not be used for operations specified herein but rather used as otherwise allowed.~~
- ~~u. The owner, owner's agent, or lessee shall cooperate with the Woodford County Tourist Commission to display, without charge, information on other tourist destinations within Woodford County.~~
- ~~v. A site plan drawn to scale as specified in Article III, Section 301.3 (B) is required for review and approval prior to establishing uses specified herein.~~

**~~TOURIST DESTINATION EXPANDED:~~** ~~Tourist Destinations provide for the rehabilitation and productive re-use of structures existing as of (date), in the rural areas of Woodford County, thus promoting tourism and the overall economy, while allowing for the continued use of the subject property for agricultural purposes, if any, and preservation of the landmark or historic structure. Tourist Destinations may be allowed only as a Conditional Use in designated Zoning Districts and subject to any conditions imposed. A Tourist Destination is a unique, regionally recognized existing landmark or historic structure that is primarily known for its existing architectural significance and/or uniqueness, which promote tourism and the overall economy, which naturally draws the general public as a destination that meets the following criteria and limitations:~~

- ~~a. Overnight accommodations to guests may be permitted by the Board of Adjustment, with the number of guest rooms exceeding 10 but as stipulated and approved by the Board of Adjustment.~~
- ~~b. A restaurant serving registered overnight guests and/or the public, with the number of seats for patrons exceeding 75 but as stipulated and approved by the Board of Adjustment.~~
- ~~c. Special events, including charitable events, receptions, parties, corporate picnics, weddings, or any other events/activities which are determined by the Agricultural Advisory Review Committee to be of the same general character as those listed herein, are allowed but the number of such events may exceed 7 per week or with more than 2 held on any one day as stipulated and approved by the Board of Adjustment.~~

**TOWNHOUSE:** A group or row of attached single family dwellings in which each unit has its own front, rear, or side access to the outside and each unit is separated from any other unit by one or more common fire-resistant walls and is capable of being subdivided into separate units.

**TRACT:** A lot. The term tract is used interchangeably with the term lot, particularly in the context of subdivision, where one "tract" is subdivided into several "lots." (See Lot)

**TRAFFIC IMPACT STUDY:** The collection, processing and report of data showing current and future conditions of vehicular movement.

**TRUCK STOP** - A facility with direct access from a major transport route, that provides a range of rest, service and fueling facilities for the drivers of heavy duty and long-haul vehicles and trucks, but does not include Overnight Accommodations or Overnight Parking Facilities.

**USE:** The purpose or activity for which a building, structure, or land is occupied or maintained.

**USE, PERMITTED:** Any use allowed in a zoning district and subject to the restrictions applicable to the zoning district.

**USE, TEMPORARY:** A use of land that is designed, operated and occupies a site for a specified period of time, with the intent to discontinue such use upon the expiration of such time and does not involve the construction or alteration of any permanent structure.

**UTILITY FACILITIES:** Any above-ground structures or facilities (other than buildings, unless such buildings are used as storage incidental to the operation of such structures or facilities) owned by a governmental entity, a nonprofit organization, a corporation, or an entity defined as a public utility for any purpose (by the appropriate provision of state law) and used in

connection with the production, generation, transmission, delivery, collection, or storage of water, sewage, electricity, gas, oil, or electronic signals.

**VARIANCE (KRS 100.111), DIMENSIONAL:** A departure from dimensional terms of the zoning regulation pertaining to the height, width, or location of structures, and the size of yards and open spaces where such departure meets the requirements of KRS 100.241 to 100.247.

**VEHICLE USE AREA:** Any area occupied in whole or in part by motorized vehicles, including, but not limited to, parking lots, parking stalls, driveways, service areas, and roadways.

**WOODLOT, COMMERCIAL:** Premises, or portions thereof, used for seasoning and storage of firewood and for cutting and splitting of timber to produce firewood for later resale.

~~**YARD:** An open space on the same lot with a principal building, open, unoccupied, and unobstructed by buildings except as otherwise provided in this ordinance~~

~~A. Yard, Front – The yard extending across the entire width of the lot between the principal building and the right-of-way line or street line which the building faces.~~

~~B. Yard, Rear – The yard extending across the entire width of the lot between the rear lot line and the nearest part of the building.~~

~~C. Yard, Side – The yard extending along the side lot line from the front yard to the rear yard and lying between the side lot line and the nearest part of the principal building.~~

~~**YARD:** That portion of a lot that is unobstructed by buildings or structures, from the ground to the sky.~~

~~**YARD, FRONT:** A space extending the full width of the lot between any building and the front lot and measured perpendicular to the building at the closest point to the front lot line. In case of corner or through lots, front yards shall be provided on all frontages.~~

~~**YARD, REAR:** A space extending across the full width of the lot between the principal building and the rear lot line and measured perpendicular to the building to the closest point of the rear lot line.~~

~~**YARD, SIDE:** A yard extending along the side lot line from the front yard to the rear yard and lying between the side lot line and the nearest portion of the principal building. In the case of through lots, side yards shall extend from the rear lot lines to the front lot line.~~

~~**ZERO LOT LINE:** The location of a building on a lot in such a manner that one of the building's sides rest directly on a property line.~~

~~**ZONING DISTRICT:** A classification of areas or parcels of land to which specific land use regulations apply.~~

~~**ZONING ORDINANCE:** The Zoning Ordinance of Woodford County and the cities of Versailles and Midway.~~

# ARTICLE VII

## ZONING DISTRICTS

### 700 Zoning District Regulations Schedule of Zones

Section	Zone	District Title
701	A-1	Agricultural
702	<del>CO-1</del> <del>A-2</del>	<del>Conservation District</del> <del>Agricultural</del>
703	RR / <del>RF</del>	Rural Residential / <del>Residual Farmland</del>
704	<del>SC</del> <del>A-4</del>	<del>Small Community</del>
705	R-1A	Low Density Single Family Residential
706	R-1B	Low Density Single Family Residential
707	R-1C	Low Density Single Family Residential
708	R-2	Two Family Residential
709	R-3	Medium Density Residential
710	R-4	High Density Residential
711	M-1	Mobile/ <del>Manufactured</del> Home District
712	P-1	Professional Office
713	B-1	Neighborhood Business District
714	B-2	Central Business District
716	B-4	Highway Business District
717	B-5	Highway Interchange Service
718	I-1	Light Industrial
719	I-2	Heavy Industrial
720	HD	Historic Overlay District
<del>721</del>	<del>CO-1</del>	<del>Conservation District</del>

**700.1** To facilitate public understanding of this ordinance and for the better administration thereof the regulations limiting the use, buildings and arrangement of buildings are for the most part set forth in the following schedule for each of the districts established by Section 500 of this ordinance. Such schedule is hereby adopted and declared to be a part of this ordinance hereinafter referred to as the schedule and may be amended in the same manner as any other part of this ordinance. Wherever in such schedule there appear the words "same as in (symbol of district) above:" such words shall be construed to include the specific limitations set forth in the same column for the district thus referred to. Otherwise, all limitations as to uses permitted, permissible height, required yard, and minimum sizes thereof and other requirements shall be those set forth in such schedule. The following applies to all Zoning Districts:

- A. All area regulations are subject to the Supplemental District provisions of Article V, Section 504.
- B. All area regulations are subject to the provisions of Article V, Section 503.4 where public sewer system is not accessible.
- C. Minimum Front Yard Dimension is from the street right-of-way line.

**700.2 Transitional Provisions - District Conversion Table**

The District names and standards in effect immediately prior to the effective date of this Article are hereby converted as follows:

<b>OLD</b>	<b>BASE DISTRICT</b>	<b>NEW</b>	<b>PAGE</b>
<u>A-2</u>	<u>Agriculture District</u>	<u>A-1</u>	<u>7-11</u>
<u>A-4</u>	<u>Small Community District</u>	<u>SC</u>	<u>7-28</u>

## 701 AGRICULTURAL (A-1)

~~701.1 Intent~~— This zone is established to preserve the rural character of the agricultural service area by promoting agriculture and related uses, and by discouraging all forms of urban development except for a limited amount of conditional uses.

### 701.1 Purpose and Intent - The Agricultural District is intended to:

- A. Maintain, preserve and enhance the prime agriculture lands of Woodford County;
- B. Preserve the natural beauty and open space character of the rural countryside.
- C. Protect the decreasing supply of prime agriculture lands in Woodford County in order to maintain one of the county's principal economic resources; the agriculture economy of the county;
- D. Discourage urban growth on land best suited for agriculture purposes;
- E. Minimize urban-type development in rural areas by discouraging all forms of urban development except for a limited amount of conditional uses;
- F. Right to Farm Policy - In addition to the purposes and intent set out above, there is hereby established a "Right-to-Farm" policy.
  - 1. Any agricultural operation or practice that is historical, traditional, legitimate and reasonable shall be protected. Any new or expanded agricultural operation or practice that is legitimate and reasonable shall be encouraged.
  - 2. Agriculture, as a way of life, benefits all residents of Woodford County. It is an important part of the economy and adds intrinsic value to life in Woodford County. Agriculture, as a business, brings with it noise, odors, dust, mud, smoke and other inconveniences such as equipment and livestock on public roads, odors from manure and feeds, lights and noises at all hours of the day and night, and on-farm processing and marketing of crops and livestock. To maintain this way of life, Woodford County intends to protect agricultural operators from unnecessary, intrusive litigation. Therefore, no inconvenience shall be considered a nuisance as long as it occurs as a part of non-negligent and legal agricultural practice.

### 701.2 Principal Uses

- A. Agriculture Uses (KRS 100.111 & Article II, Section 201);
- B. Riding Stables, and Fishing Lakes;
- C. ~~Public~~ Parks, Playgrounds, ~~public or privately owned~~ Golf Courses, Forests and Conservation Areas;
- D. Single Family Detached Dwellings;

~~E. Tourist Destinations (See Article II, Definitions)~~

F. Greenhouses and Nurseries;

G. Safety Services;

H. Basic Utilities and Telecommunication Facilities.

**701.3 Accessory Uses and Structures - Accessory uses, buildings and structures shall be subject to the following regulations:**

A. Accessory uses and structures customarily incidental to any principal use located on the same lot ~~therewith such as agricultural structures, tenant homes, private garages, private stables or parking areas, not including any business, trade or industry.~~

B. Accessory uses, buildings and structures include the following: farm/tenant homes, accessory dwellings, private garages, private stables or parking areas, not including any business, trade or industry.

C. Home Offices and Home Occupations are permitted as Accessory Uses in the Agricultural District (See Article II - Definitions).

D. Office of a resident physician, farm manager or equine trainer are permitted as an Accessory Use in the Agricultural District. Office of a resident physician, architect, or similar professional person when located within this dwelling.

E. Roadside Stand offering for sale agricultural products produced in Woodford County.

F. On-Farm Markets in existing or new on-farm buildings offering for sale agricultural products produced in Woodford County or value-added products made from agricultural or other natural resource products primarily from Kentucky.

G. Accessory buildings/structures shall be permanently affixed to the ground and shall not include mobile home, bus, travel trailer, RV, trailer, cooler or vehicle.

H. Fences. For the purpose of determining yard setback, the accessory structure setback shall not apply to fences.

I. Swimming Pools. All swimming pools shall require a Building or Zoning Permit. 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.

J. Solar Panels. A ground-mounted solar panel system is not permitted as the principal use of a property in the Agricultural District on tracts greater than 10 acres in size.

#### 701.4 Conditional Uses

- A. Agritourism Uses (KRS 247.801)\*\*;
- B. Bed and Breakfast Home, Bed and Breakfast Inn, and Bed and Breakfast Farmstay Establishment\*\*;
- C. Short Term Rental Establishment: Hosted Home-Sharing and Dedicated Short Term Rental Establishments;
- D. Religious Institution Facility;
- E. Schools for Academic Instruction (All structures less than 20,000sf);
- F. Sportsmen Farm;
- G. Commercial Kennel;
- H. Private Airstrips;
- I. Cemetery;
- J. Mine, Quarry or Borrow Pit;
- K. Plant Nursery, Sod and Tree Farms\*\*;
- L. Animal Hospital & Veterinary Clinic (All structures less than 10,000sf);
- M. Agricultural Related Research Facility\*\*.
- N. In-Family Conveyance Lots (less than 30 acres in size), see Special Provision 701.9.D (below).

\*\* Agricultural Advisory Review Committee Application required to be submitted and reviewed prior to Board of Adjustments Conditional Use Permit Review.

~~Airport, cemeteries, art or antique shops, quarries and gravel pits, and horse sales.~~

~~Schools for academic instruction.~~

~~Public buildings and properties.~~

~~Commercial golf and driving ranges on a temporary and revocable certificate provided adjacent areas are predominantly undeveloped.~~

~~Garbage or refuse disposal by City or County.~~

~~Animal Hospitals & Clinics.~~

~~Research Facilities.~~

~~Sportsmen Farms and Kennels.~~

~~Agritourism Uses (KRS 247.801), (based on findings and recommendations~~

~~from the Agricultural Advisory Review Committee).~~

~~Bed and Breakfast Home, Bed and Breakfast Inn, and Bed and Breakfast Farmstay Establishments.~~

~~Short Term Rental Establishments: Hosted Home Sharing and Dedicate Short Term Rental Establishments.~~

~~Churches (Amended November 2003)~~

~~Plant Nursery (Amended December 2005)~~

~~Tourist Destination Expanded (Amended February 2013)~~

~~A unique, regionally recognized existing landmark or historic structure that is primarily known for its existing architectural significance and/or uniqueness, that promotes tourism and the overall economy, which naturally draws the general public as a destination that meets the criteria of a Tourist Destination as defined herein with the following special allowances:~~

~~a. Overnight accommodations to guests may be permitted by the Board of Adjustment, with the number of guest rooms exceeding 10 but as stipulated and approved by the Board of Adjustment.~~

~~b. A restaurant serving registered overnight guests and/or the public, with the number of seats for patrons exceeding 75 but as stipulated and approved by the Board of Adjustment.~~

~~c. Special events, including charitable events, receptions, parties, corporate picnics, weddings, or any other events/activities which are determined by the Agricultural Advisory Review Committee to be of the same general character as those listed herein, are allowed but the number of such events may exceed 7 per week or with more than 2 held on any one day as stipulated and approved by the Board of Adjustment.~~

#### **701.5 Prohibited Uses**

All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal, accessory, or conditional uses shall be prohibited.

**701.6 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, Qualified;

D. Manufactured Home;

E. Farm Dwelling/Tenant Home (See Special Provision 701.9.B); and

F. Accessory Dwelling (See Special Provision 701.9.C)

**701.7 Property Development Standards**

- A. Dimensional standards for this District are found in the following table.
- B. Only one principal Single Family Detached Dwelling shall be permitted per platted lot.

**Agricultural District (A-1)**

<b><u>Lot Area (minimum)</u></b>	<b><u>30 Acres</u></b>
<b><u>Lot Width (minimum at 75-foot front setback line)</u></b>	<b><u>200 ft</u></b>
<b><u>Lot Frontage (minimum)</u></b>	<b><u>150 ft</u></b>
<b><u>Lot Coverage (maximum)</u></b>	<b><u>25%</u></b>
<b><u>Setback (minimum)</u></b>	
<u>Front Yard</u>	<b><u>75 ft</u></b>
<u>Side Yard</u>	<b><u>25 ft</u></b>
<u>Rear Yard</u>	<b><u>50 ft</u></b>
<b><u>Accessory Structure</u></b>	
<u>Front</u>	<b><u>25 ft</u></b>
<u>Rear</u>	<b><u>10 ft</u></b>
<u>Side</u>	<b><u>10 ft</u></b>
<b><u>Height (max Principal Structure)</u></b>	<b><u>42 ft</u></b>
<b><u>Off-Street Parking Spaces</u></b>	<b><u>2</u></b>

**701.7 Lot, Yard and Height Requirements**

Minimum Lot Size	30 acres
Minimum ROW Frontage	150 feet
Minimum Width at Building Line	200 feet
Minimum Front Yard	80 feet
Minimum Each Side Yard	25 feet
Minimum Rear Yard	50 feet
Maximum Height of Building	1-1/2 stories or 35 feet
Maximum Density	One Dwelling (See 701.7.C below)

**701.8 Signs** - Signage is allowed within Agricultural District on a limited basis and in accordance with the following table. Non-residential uses and properly permitted conditional uses in the Agriculture District may have a maximum of one freestanding sign (monument) and limited wall signage. No sign shall be internally illuminated.

	A-1
<u>Freestanding Signs Allowed?</u>	<u>Yes</u>
<u>Maximum Number</u>	<u>1</u>
<u>Maximum Face Area</u>	<u>24 sf</u>
<u>Maximum Height</u>	<u>8 ft</u>
<u>Structure Type</u>	<u>Monument</u>
<u>Wall Signs Allowed?</u>	<u>Yes</u>
<u>Maximum Face Area</u>	<u>12 sf</u>

A. Temporary On-Premise Signs shall not require a permit. These signs are allowed provided they otherwise comply with the following standards:

1. 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.
2. The maximum sign face per Temporary Sign shall be 4 square feet in total. Maximum height shall be 4 feet.

B. All permitted signs in the Agricultural District shall also comply with all the General Sign Development Standards in Article V.

## 701.9 Special Provisions

- A. ~~Farm uses need only to comply with the front yard requirements.~~ All other non-agricultural uses shall be a distance at least one hundred (100) feet from any lot in any residential district or any lot adjacent to a dwelling, school, church, or institution for human care.
- B. ~~Farm Dwellings/Tenant Homes: Other Accessory Farm Dwellings to be occupied by farm owners, employees of the farm or members of the immediate family of the farm owner are permitted in the Agricultural A-1 District. Parcels containing Accessory Farm Dwellings are permitted on conforming tracts of at least thirty (30) acres in size shall not exceed a density of one accessory dwelling for each ten (10) acres. All Accessory Farm Dwellings shall have access to an existing public road through an existing driveway or through a platted and recorded access easement. So long as land remains in this district it shall not be eligible for subdivision, except as provided by the definition of "Agricultural Uses" in Article II of the Ordinance.~~
- C. ~~Accessory Dwellings in the Agriculture District: An Accessory Dwelling is permitted in the Agricultural A-1 District. An Accessory Dwelling may be attached or detached from the principal residence. The floor area of the accessory Dwelling may not exceed 50 percent of the floor area of the principal~~

structure. Accessory Dwellings 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.

D. **In-Family Conveyance Lots** (in the Woodford County unincorporated area only): The minimum lot area for A-1 district may be reduced to less than 30 acres only after obtaining a Conditional Use Permit from the Board of Adjustments. The following standards shall be required to create an In-Family Conveyance Lot from an existing parcel which has existed in the same configuration since January 1, 2026:

1. An Agricultural Use Affidavit shall be submitted as part of an In-Family Conveyance Plat Application.
2. All In-Family Conveyance Lots shall be at least two (2) acres in size.
3. One (1) In-Family Conveyance Lot may be created for existing parcels 32-49 acres in size; Two (2) In-Family Conveyance Lots may be created for existing parcels 50 acres and greater in size. The remaining parcel for an In-Family Conveyance shall be a minimum of thirty (30) acres. If the remaining parcel is less than thirty (30) acres, it shall be added by plat to an adjoining tract of land where the resulting acreage of the adjacent parcel is thirty (30) acres or greater.
4. In-Family Conveyance Lots are required to meet all other District Dimensional Standards (Lot Frontage, Lot Width, Lot Setbacks and Lot Coverage).
5. The primary parcel shall be held for at least 5 years and the conveyed parcel shall be held for at least 10 years after recordation of the deed conveying the In-Family Conveyance Lot. Exception to this restriction shall be a transfer between the parties of the original In-Family Conveyance Plat Application pursuant to Court Order or arising from substantial hardship.
6. In-Family Conveyance Lots shall only be conveyed from parent to child (natural or legally adopted), or grandparent to grandchild. Properties in LLCs, Trusts or Estates are prohibited from creating In-Family Conveyance Lots.
7. The In-Family Conveyance Lots restrictions in paragraph number 5 above, along with a note of ineligibility for further in-family conveyance, shall be recorded on the Plat and set forth in the Deed. The 5-year and 10-year requirement commences upon recordation of the Deed.

~~It shall be provided that in-family conveyances shall be permitted at a density that shall not exceed one (1) dwelling for each five (5) acres. In-family conveyance shall be defined as a tract to be continuously occupied by an immediate family member. It shall be comprised of a lot no smaller than one (1) acre in size, with access to an existing public road through an existing private driveway to be shared with the original residence, through a platted and recorded access easement of fifteen (15) feet, or, the in-family lot can be comprised of a lot no smaller than five (5) acres in size with frontage on an existing public road or if the nearest property line of any new lot is within four hundred (400') feet of the centerline of an existing public road; with a limit of no more than two (2) in-family lots fronting on an existing public road and sharing a common entrance; and which meets all health and sanitation~~

~~regulations in effect contained herein, and provided further that the number of lots be limited to one lot in Woodford County per each immediate family member's lifetime and that such family member shall hold title to the tract so conveyed for at least five (5) years, if said conveyance is made to a minor, the five (5) year restriction for holding title begins when the minor turns eighteen (18), and should the family member, within five (5) years, re-convey the tract to anyone other than to the person or persons from whom it was received, then such deed of re-conveyance shall be void, and provided further, that all such deeds from a farm owner to a family member shall contain a restrictive covenant stating clearly the five (5) year restriction for holding title and stating that any conveyance prior to said five (5) years shall be void, and any deed from a farm owner be provided further that in the case of a judicial sale the restriction on re-conveyance shall not apply. On farms where in-family conveyances are permitted, all lots shall be counted against the sliding scale of "Lots to be Sold" as defined in Section 703.11 (A). In no case shall any farm of 100 acres or more be permitted to have more than fifteen (15) in-family conveyance lots.~~

### 701.10 Agricultural Related Definitions

~~Agri-tourism enterprise - Refers to a commercial enterprise at a working farm, ranch or agricultural plant conducted for the enjoyment of visitors that generates supplemental income for the owner.~~

~~Agricultural tourism - Refers to the act of visiting a working farm or any agricultural, horticultural, or agribusiness operation for the purpose of enjoyment, education, or active involvement in the activities of the farm or operation.~~

- A. Natural Resource Products - Commodities or products derived from the natural environment including, but not limited to: wood, water, wild plants, and non-domesticated animals.
- B. On-Farm Markets - Refers to the sale of agricultural or natural resource products or value-added agricultural or natural resource products, directly to the consumer from a site on a working farm or any agricultural, horticultural, or agribusiness operation.
- C. Roadside Stands - Also known as farm stands, refers to any activity where the farmer sells agricultural and value-added products directly to consumers at a stand or kiosk located on or near the farm.
- D. Value-Added - Any activity or process that allows farmers to retain ownership and that alters the original agricultural or natural resource products or commodity for the purpose of gaining a marketing advantage. Value-Added may include bagging, packaging, bundling, pre-cutting, cooking, chilling, etc.

~~Agricultural plant - A facility where the value-added processing of agricultural and/or other natural resources occurs.~~

~~Commercial enterprise - A formal business or an activity that involves the buying and selling of goods and services.~~

## **702 CONSERVATION DISTRICT (CO-1)**

### **702.1 Purpose and Intent Preamble**

The Conservation District (CO-1) is intended to promote and protect significant natural features, wooded areas, water courses, existing and potential lake sites, other recreation and conservation resources, wildlife habitat, present and future water supplies, and to minimize erosion of soil, siltation and pollution of streams and lakes.

### **702.2 Permitted Uses**

Within any CO-1 Conservation District, no building or premises shall be used or arranged, or designed to be used except for one or more of the following uses which shall be subject to all regulations and requirements for permit of this ordinance.

- A. Lakes (artificial).
- B. Public or private picnic grounds, beaches, bridle and bicycle paths.
- C. Public parks and forest preserves.
- D. Agriculture and agricultural buildings.
- E. Single family dwellings.

### **701.3 Accessory Uses and Structures - Accessory uses, buildings and structures shall be subject to the following regulations:**

- A. Accessory uses and structures customarily incidental to any principal use located on the same lot.
- B. Accessory uses, buildings and structures include the following: accessory dwellings, private garages, private stables or parking areas, not including any business, trade or industry.
- C. Home Offices and Home Occupations are permitted as Accessory Uses in the Conservation District (See Article II - Definitions).
- D. Accessory buildings/structures shall be permanently affixed to the ground and shall not include mobile home, bus, travel trailer, RV, trailer, cooler or vehicle.
- E. Fences. For the purpose of determining yard setback, the accessory structure setback shall not apply to fences.
- F. Swimming Pools. All swimming pools shall require a Building or Zoning Permit. 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.

- G. Solar Panels. A ground-mounted solar panel system is not permitted as the primary use of a property in the Conservation District on tracts less than 10 acres in size.
- H. Accessory Dwelling: An Accessory Dwelling may be attached or detached from the principal residence. The floor area of the accessory apartment may not exceed 25 percent of the floor area of the principal structure. Accessory Dwellings 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. If attached to the principal residence, any entrance into the Accessory Dwelling shall be located on the side or rear facade(s) of the building. The Accessory Dwelling must not alter the character of the residence or the development pattern of the neighborhood. A minimum of 1 parking space (in addition to the parking required for the primary residence) shall be provided for Accessory Dwelling. The number of bedrooms located within Accessory Dwelling shall not exceed two (2).

**702.4 Conditional Uses**

The following uses may be permitted as conditional uses in the CO-1 District by the Board of Adjustment after public hearing. Such conditional uses shall be subject to any requirements the Board of Adjustment feels necessary to further the purpose of the Conservation District as stated in the preamble.

- A. Public utility substations, booster stations, radio and television relay towers, repeater stations, etc., but not including power generation or gas manufacturing plants.
- B. Camp/ Campground (See Special Provision 702.7.D)
- ~~C. Mobile Homes of a temporary, seasonal nature.~~
- D. Bed and Breakfast Home, Bed and Breakfast Inn, and Bed and Breakfast Farmstay Establishments.
- E. Short Term Rental Establishments: Hosted Home-Sharing and Dedicated Short Term Rental Establishments.
- F. Marinas.

**702.5 Prohibited Uses**

All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal accessory or conditional uses shall be prohibited.

**702.6 Lot, Yard, and Height Requirements**

Minimum Lot Size	<del>5</del> 30 Acres
Minimum ROW Frontage	150 feet
Minimum Width at Building Line	200 feet
	<u>(minimum at 75-foot front setback line)</u>
Minimum Front Yard	<del>75</del> 80 feet

Minimum Each Side Yard	25 feet
Minimum Rear Yard	50 feet
Maximum Height of Building	<del>42 feet</del> 1–2 stories or 35 feet
Maximum Density	<del>1 dwelling per 5 acres</del>

~~\*A tract of land that is at least a minimum of 5 30 acres in size, and that is partially zoned A-1 (Agricultural) and partially zoned CO-1 (Conservation), is also considered to meet the minimum lot size requirements of this zone.~~

**Permitted Residential Unit Types**

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

	CO-1
Single-Family Detached	YES
Modular Home	YES
Manufactured Home, Qualified	YES
Manufactured Home	YES
Mobile Home	NO
Accessory Dwelling	YES

**702.7 Special Provisions**

- A. No building shall be erected within fifty (50) feet of the right-of-way of any public street, road or highway, nor within fifteen (15) feet, or one foot for each foot of building height, whichever is the greater, of any lot line.
- B. Any building to be located in possible floodplain shall be so placed as to offer the minimum obstruction to flow of waters and shall be firmly anchored to prevent the building from being moved or destroyed by the flow of water (See Article X).
- C. A Rural Residential shall only be allowed in a CO-1 zone provided rezoning application has been made to, and approved by, the Versailles-Midway-Woodford County Planning and Zoning Commission. (See Section 703).
- D. The following Standards apply to Camp and Campground:
  - 1. Minimum Campground Area of Five (5) acres;
  - 2. Camp and Campgrounds shall only be located in a Conservation (CO-1) zoning district;
  - 3. Maximum Campsites and/ or cabins: Twenty-Five (25);
  - 4. All Camp and Campground uses shall conform to appropriate Woodford County Health Department Rules and Regulations; and

5. All campsites, buildings and structures shall be at least 100 feet from any property line.

~~It shall be provided that in-family conveyances shall be permitted at a density that shall not exceed one (1) dwelling for each five (5) acres. In-family conveyance shall be defined as a tract to be continuously occupied by an immediate family member. It shall be comprised of a lot no smaller than one (1) acre in size, with access to an existing public road through an existing private driveway to be shared with the original residence, through a platted and recorded access easement of fifteen (15) feet, or, the in-family lot can be comprised of a lot no smaller than five (5) acres in size with frontage on an existing public road or if the nearest property line of any new lot is within four hundred (400') feet of the centerline of an existing public road; with a limit of no more than two (2) in-family lots fronting on an existing public road and sharing a common entrance; and which meets all health and sanitation regulations in effect contained herein, and provided further that the number of lots be limited to one lot in Woodford County per each immediate family member's lifetime and that such family member shall hold title to the tract so conveyed for at least five (5) years, if said conveyance is made to a minor, the five (5) year restriction for holding title begins when the minor turns eighteen (18), and should the family member, within five (5) years, re-convey the tract to anyone other than to the person or persons from whom it was received, then such deed of re-conveyance shall be void, and provided further, that all such deeds from a farm owner to a family member shall contain a restrictive covenant stating clearly the five (5) year restriction for holding title and stating that any conveyance prior to said five (5) years shall be void, and any deed from a farm owner be provided further that in the case of a judicial sale the restriction on re-conveyance shall not apply. On farms where in-family conveyances are permitted, all lots shall be counted against the sliding scale of "Lots to be Sold" as defined in Section 703.11 (A). In no case shall any farm of 100 acres or more be permitted to have more than fifteen (15) in-family conveyance lots.~~

~~702 — AGRICULTURAL (A-2)~~

~~702.1 — Intent~~

~~This zone is established to be comprised of all property outside of the A-1 zone, Small Community, and all other zones in Woodford County.~~

~~702.2 — Principal Uses — Same as A-1 (See 701.2)~~

~~702.3 — Accessory Uses — Same as A-1 (See 701.3)~~

~~702.4 — Conditional Uses — Same as A-1 (See 701.4)~~

~~702.5 — Prohibited Uses — All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal, accessory, or conditional uses shall be prohibited.~~

~~702.6 — Lot, Yard and Height Requirements~~

~~Minimum Lot Size — Thirty (30) acres (except with zone change as provided in "Other Provisions" of this chart, and except those tracts platted on the "Bishop" property on Scotts Ferry Road, (which tracts need a road frontage of only one hundred thirty five (135) feet) and all other deeds of record for tracts less than thirty (30) acres filed prior to February 9, 1989, (which tracts shall have no minimum road frontage), or tracts that were platted and the plats recorded prior to February 9, 1989 (which tracts need a road frontage of only one hundred thirty five (135) feet), and any ten (10) acre tracts deeded or platted and recorded after February 9, 1989, and before the effective date of this amendment, September 20, 1990 (which tract needs a road frontage of only one hundred thirty five (135) feet).~~

<del>Minimum Lot Size</del>	<del>30 acres</del>
<del>Minimum ROW Frontage</del>	<del>100-150 feet</del>
<del>Minimum Width at Building Line</del>	<del>200 feet</del>
<del>Minimum Front Yard</del>	<del>75-80 feet</del>
<del>Minimum Each Side Yard</del>	<del>25 feet</del>
<del>Minimum Rear Yard</del>	<del>50 feet</del>
<del>Maximum Height of Building</del>	<del>42-35 feet</del>
<del>Maximum Density</del>	<del>One Dwelling (See 702.7.C below)</del>

~~702.7 — Special Provision~~

~~A. — Rural Residential shall only be allowed in an A-2 zone provided rezoning application has been made to, and approved by, the Versailles-Midway-Woodford County Planning and Zoning Commission. (See Section 703)~~

## 703 RURAL RESIDENTIAL RR / RESIDUAL FARMLAND (RF) DISTRICT

### 703.1 Purpose and Intent Preamble

The purpose and intent of the Rural Residential / Residual Farmland District is to provide for the preservation of prime farmland, greenspace and watersheds; to allow residential developments; 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.

~~The Rural Residential District (Rural Residential) is intended to maintain the rural and scenic qualities of Woodford County by preserving farmland and significant open lands while allowing landowners a reasonable return on their holdings. It is further intended to provide for controlled rural residential growth beyond the limits of the urban service districts of Woodford County, while maintaining the viability of existing Woodford County agricultural activities, providing for farming opportunities for future farmers, allowing current farmers to realize the monetary value of their land, protecting historic, scenic or environmentally sensitive areas, and ensuring that rural residential growth can be adequately served by public roadways, fire and police protection, and public schools, without requiring unplanned and/or inordinate public expenditures. To achieve this intent, the Rural Residential District is designated to (a) maximize the clustering of rural residential lots on the least number of acres located on existing farmlands and significant open lands, and (b) minimize the loss of farmlands and significant open lands to residential uses through the establishment of contiguous parcels of non-residential acres.~~

### ~~703.2 Definitions~~

~~For purposes of Section 703 of the ordinance, the following terms are expressly defined:~~

~~Farm—Any tract of land in unincorporated Woodford County within the A-1 or A-2 or CO-1 zones on an approved Comprehensive Plan Land Use Map and existing as of July 16, 1990.~~

~~Lot to be Sold—Any division of a farm in Woodford County that existed as of July 16, 1990 constitutes a "lot to be sold" for the express purpose of determining the number of lots eligible for rural residential development under the sliding scale established in Section 703.11 (A), provided however the following divisions shall not be counted as a lot to be sold: a) any out conveyances that are consolidated by deed or plat with another existing contiguous farm; (b) any in-family conveyance that is consolidated back with the parent farm prior to a request for Rural Residential development and which has no residential structure located thereon at the time it is reconsolidated. (Any in-family conveyance consolidated back with the parent farm which has a residential structure on it shall be counted as a Lot to be Sold).~~

### 703.3 Principal Uses

- A. Single Family Dwellings.
- B. ~~Non-commercial horticultural or agricultural uses and buildings, including greenhouses.~~

~~C. Non-commercial kennels, riding stables, fishing lakes.~~

~~D. Parks, playgrounds, golf courses, forest, and conservation areas and governmental facilities.~~

#### 703.4 Prohibited Uses

All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal, accessory, or conditional uses shall be prohibited.

#### 703.5 Accessory Uses

- A. Accessory uses and structures customarily incidental to any principal use located on the same lot.
- B. ~~Accessory uses, buildings and structures include the following: accessory structures, private garages, or parking areas. Living quarters for persons employed on the premises without cooking facilities, and not rented.~~
- C. ~~Accessory buildings/structures shall be permanently affixed to the ground and shall not include mobile home, bus, travel trailer, RV, trailer, cooler or vehicle. Private garages and parking areas.~~
- D. ~~Private swimming pools not to exceed eight and one half (8) feet in height and located no closer than eight (8) feet from the side and/or rear lot lines, when they meet yard requirements for principal buildings and when adequately fenced to prevent the free access of small children. Private swimming pools when they meet yard requirements for principal buildings and when adequately fenced.~~
- E. ~~Home Office Incidental home occupation, provided that no stock or trading products are kept or commodity sold except that which is produced on the premises; roadside stands for sale of agricultural products produced on the premises.~~
- F. ~~Office of a resident physician, architect or similar professional person when located within his dwelling, provided that no more than one person, not a resident in said dwelling, is employed in such office. Solar Panels. Roof-mounted and ground-mounted solar panel systems shall comply with the following:~~
  - 1. ~~Solar panel systems shall be permitted on the roof of a building provided that the panels located on a front or side roof slope facing any public street do not cause glare or light trespass onto adjoining residential properties.~~
  - 2. ~~Solar panel systems shall have a top edge that is parallel to the roof ridge and shall conform to the slope of the roof. Solar panel systems shall be positioned on the roof so as not to extend above or beyond the edge of any ridge, hip, valley, or eave.~~
  - 3. ~~A ground-mounted solar panel system is not permitted as the primary use of a property.~~

4. Ground-mounted solar panel systems shall comply with the maximum square footage and minimum setback requirements for residential accessory buildings and structures.
5. Ground-mounted solar panel systems shall not be located between a property line abutting a street and the building.
6. The maximum height of ground mounted solar panel systems should not exceed the height of eight (8) feet.
7. Supporting equipment for solar panel systems, including power conditioning equipment such as batteries for electricity storage and stand-by generators shall be screened by an opaque screening device, except that wall-mounted inverters may be located next to the electric meter. Long lengths of conduit and wiring associated with the system's connection to the primary electrical panel shall be placed underground.

**703.6 Conditional Uses**

- A. Home Occupation Churches (with the provision that a Final Development Plan is approved by the Planning Commission).

**703.7 Property Development Standards**

- A. Dimensional standards for residential lots this District are found in the following table.

**Rural Residential District (RR)**

<u>Lot Area (minimum)</u>	<u>2 Acres</u>
<u>Lot Width (minimum at 50-foot front setback line)</u>	<u>100 ft</u>
<u>Lot Frontage (minimum)</u>	<u>100 ft</u>
<u>Lot Coverage (maximum)</u>	<u>35%</u>
<u>Setback (minimum)</u> <u>Front Yard</u> <u>Side Yard</u> <u>Rear Yard</u>	<u>50 ft</u> <u>25 ft</u> <u>25 ft</u>
<u>Accessory Structure</u> <u>Front</u> <u>Rear</u> <u>Side</u>	<u>25 ft</u> <u>10 ft</u> <u>10 ft</u>
<u>Height (maximum)</u>	<u>42 ft</u>
<u>Off-Street Parking Spaces</u>	<u>2</u>

**703.7 Lot, Yard and Height Requirements**

Minimum Lot Area	1 acre
Minimum ROW Frontage	100 feet
Minimum Width at Building Setback Line	150 feet
Minimum Front Yard	50 feet
Minimum Rear Yard	75 feet
Least Side Yard	25 feet
Minimum Sum of Side Yards	50 feet
Maximum Building Height	35 feet

**Permitted Residential Unit Types**

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

	RR
Single-Family Detached	YES
Modular Home	YES
Manufactured Home, Qualified	YES
Manufactured/ Mobile Home	NO
Accessory Dwelling	NO

**703.8 Plats**

All plats for lots in the Rural Residential District shall state whether the lot fronts on a public or private road. ~~For purposes of Section 703.11A (a) below, any division of a farm tract occurring after July 16, 1990, which fronts on an existing public road, shall be classified as a "lot on an existing public road".~~

**703.9 Locational Standards**

- A. Rural Residential District classification may be granted for parcels containing floodplains, slopes in excess of twelve percent (12%), high concentrations of sink holes, sinkhole drainage areas, areas of Karst topography and aquifers or aquifer recharge areas, lakes, wooded lands, stone (rock) fences or designated historic structures if these features are specifically designated to be a part of the non-dwelling unit portion of the subject property.
- B. Public water shall be available to the subject site, with the providing utility verifying in writing of its ability to provide sufficient water service and water pressure to ensure an adequate supply for private use.
- C. Complete individual onsite sewage treatment systems must be appropriate for the subject site, with the Woodford County Health Department verifying in writing the suitability of the site for such systems, while retaining final approval of the proposed sewage treatment system. ~~Furthermore, no proposed lot in the Rural Residential District containing less than five (5) acres shall be approved for a zone change under this section without first providing a sub-surface septic system approved by the Woodford County Health Department.~~

~~Surface, Wetland, or other experimental on-ground sewage treatment systems shall not meet this requirement on lots containing less than five (5) acres.~~

- D. Permitted development of rural residential should be in conformance with the Versailles-Midway-Woodford County Comprehensive Plan, ~~its population projections and land use plan.~~

### 703.10 Design Standards

In addition to the requirements contained in the Versailles-Midway-Woodford County Subdivision Regulations, the following minimum standards shall be met in order to grant the designation of a Rural Residential District and approve the conceptual Development Plan. In cases of conflict between this ordinance and the Subdivision Regulations, this ordinance will take precedence.

- A. Privately owned streets may be permitted only with the dedication of a minimum right-of-way easement of thirty (30) feet, ~~provided; however, it may be less than thirty (30) feet upon good cause shown and approval by the Planning and Zoning Commission.~~ Any future streets prior to acceptance by the County must be upgraded to county standards at the expense of the homeowners or homeowners' association and any plat showing a street right-of-way of less than fifty (50) feet shall contain a note that the street is not suitable for acceptance into the Woodford County Road System.
- B. ~~Street Driveway or new road~~ (whether private or publicly dedicated) access onto a publicly maintained road shall be spaced a minimum distance of five hundred (500) feet from center to center of access, or as approved by the Woodford County Engineer or Kentucky Department of Transportation.
- C. Lots should be laid out to the greatest extent feasible to achieve the following objectives:
1. On the most suitable soils for onsite sewage treatment systems (in unsewered areas only);
  2. On the least fertile soils for agricultural uses, and in a manner which maximizes the usable area remaining for such agricultural use;
  3. Within any woodland contained in the parcel, or along the far edges of the open fields adjacent to any woodland (to reduce impact upon agriculture, to provide summer shade and shelter from winter wind, and to enable new construction to be visually absorbed by natural landscape features);
  4. In locations least likely to block or interrupt scenic vistas, as seen from the public roadway (s);
- D. Sidewalks need not be constructed.
- E. ~~For proposals containing four (4) or more lots,~~ property perimeter screening/buffering shall be provided between residential and agricultural uses. This screening/buffering requirement recognizes that agricultural and residential zones may not be visually or functionally compatible. Thus, this

screening/buffering requirement is intended to meet the following three objectives:

1. Screening/buffering shall provide for visual screening of the dwelling units from the public thoroughfares and adjacent properties.
2. Screening/buffering serves to reduce the transfer of farm chemicals, lawn chemicals, pesticides, fertilizers and similar potentially dangerous substances from the adjoining agricultural land to the residential land or transfer from the residential land to the adjoining agricultural land.
3. Screening/buffering greatly reduces other hazards and conflicts which are likely to occur when a residential zone abuts an agricultural zone. (For example, either zone may produce unpleasant odors, sound, and lighting which would likely have a negative impact on the adjoining zone).

The screening/buffering shall occur in a platted landscape buffer area. The landscape screening/buffer area shall be located on each lot. The landscape screening/buffer area shall be a minimum of fifty (50) feet wide where any proposed lot adjoins any property that is not zoned R.R. (Rural Residential). When a R.R. (Rural Residential) property owner purchases an adjoining, non-R.R. tract prior to the required installation of the screening/buffering on the earlier-acquired tract, the Planning Director may allow for deviation from the normal standards, so that the screening/buffering meets the three objectives with regard to public thoroughfares and neighboring properties yet allows for unfettered access by the owner across the contiguous tracts. When the acquisition of additional non-R.R. property occurs after the screening/buffering requirement has been met, the Planning Director may allow for partial removal or changes to the existing screening/buffering to allow access between the two contiguous tracts.

### **Alternative Native Screening/Buffering**

When screening/buffering is required, the requirements of the design standards for screening/buffering will be considered to have been met by any conceptual development plan for a Rural Residential District so long as the conceptual development plan satisfies all three screening/buffering objectives listed above, and the following special conditions:

Condition 1. All species planted must be native to Kentucky and need not be only trees. (Eastern Red-cedar, black locust, and blackberry briars have been proven effective on a wide variety of soils.) No one species shall be utilized for more than 25% of the proposed landscaping.

Condition 2. The alternative screening/buffering must exist, and continue to exist, on a platted screening/buffering area, minimum width 50 feet, though not necessarily on each individual lot. The only required maintenance is whatever maintenance may be necessary to allow the planted species to survive and mature and achieve the objectives listed above.

A one hundred fifty (150) foot building setback on the R.R. (Rural Residential) lot shall be required in any case where any proposed lot adjoins a property owner other than the applicant and that adjoining property owner's land is zoned either A-1, A-2, CO-1 or Rural Residential/Residual Farmland; or in any

case where any portion of a proposed lot is within one hundred fifty (150) feet of a property owner other than the applicant and that adjoining property owners land is zoned either A-1, A-2, CO-1 or R.R./Residual Farmland. Otherwise, the minimum yard requirements for lots in the R.R. (Rural Residential) District shall be the same as set forth in Section 703.7. The required fifty (50) foot landscape buffer area can be within any required building setback area. These screening and setback requirements may be waived or modified by the Commission, upon good cause shown by the applicant or subsequent property owner. In evaluating good cause, the Commission shall consider such factors as pre-existing, vegetative buffering; natural topography; the history of past plantings; and poor soil conditions in general locations where buffers would otherwise be required to be placed. Any waiver or modification granted may thereafter be rescinded by the Commission upon a showing by the Planning Director that the pre-existing conditions have changed, and the requisite natural buffering no longer exists or is no longer adequate. In the event of such a finding by the Commission, the screening and setback requirements of this provision shall be deemed to control. No principal or accessory structures may be constructed within any designated landscape buffer area.

Property Perimeter Screens refer to plantings placed in the required landscape buffer areas and are used to minimize the impact between conflicting land uses. Acceptable plants shall meet opacity requirements and height requirements as defined herein. Potential plants shall be either large or medium evergreen shrubs; large evergreen trees; and may be combined with native grasses and seedlings or medium or large deciduous trees. The plants shall have a minimum opacity of 70% during the summer and 50% during other times of the year.

1. Plant Size and Spacing: All plants shall equal or exceed the minimum acceptable size as required. Plant height shall be measured before pruning with branches in normal position. All measurements will be taken at the time of planting. All deciduous trees shall have a minimum height of five (5) feet or a minimum caliper of 1". Evergreen trees shall be a minimum of 5 feet in height with a minimum 1" caliper. Species which are native to Kentucky and designated as such on the Commission's species list (see item #6 below), may be planted as seedlings. No trees shall be planted within 30 feet of an adjoining property owner, other than the applicant. No one species shall be utilized for more than 25% of the proposed landscaping. Deciduous trees shall be spaced a maximum of 40 feet on center plus a continuous 6-foot-high planting, hedge, fence, or wall, or evergreen trees shall be spaced a maximum of 15 feet on center or fraction thereof and shall be deemed to meet the requirements for the above referenced trees and continuous planting.
2. Quality: All plant material shall be living plants and shall conform to the standards of the American Association of Nurserymen and shall have passed any inspections required under State regulations.
3. Maintenance and Installation: All landscaping materials required under this section shall be installed in a sound, workmanship like manner, and according to accepted, good construction and planting procedures. Any landscape material which fails to meet the minimum

requirements of this Section at the time of installation shall be removed and replaced with acceptable materials. Landscape materials must be installed within six (6) months of occupancy. This time frame will allow the owner to choose the most appropriate time to plant trees and other landscaping to ensure the survival of the plants. The person in charge of or in control of the property whether as owner, lessee, tenant, occupant, or otherwise shall be responsible for the continued proper maintenance of all landscaping materials and shall keep them in a proper, neat, and orderly appearance, free from refuse and debris, at all times. All unhealthy or dead plant material shall be replaced within one year, or by the next planting period, whichever comes first; while other defective landscape material shall be replaced or repaired within three (3) months. Topping trees or the severe cutting of limbs to stubs larger than three (3) inches in diameter within the tree crown to such a degree as to remove the normal canopy shall not be considered proper or permitted for the maintenance of trees. Violation of these installation and maintenance provisions shall be grounds for the Planning Director to require replacement of landscape material or institute legal proceedings to enforce the provisions of this Ordinance as set forth in Article III, Section 304.

4. Plan Submission and Approval: Whenever any property is affected by these landscape requirements, the property owner or developer shall submit a landscape plan to the Planning Commission at the time the Zone Change Application is filed. For any property, the landscape plan shall be prepared and sealed by a landscape architect licensed to practice in the State of Kentucky. The landscape architect shall certify the following statement by notation on the sealed plat: "The selected species are appropriate for the site as pertaining to the soil depth, soil fertility, and other relevant site evaluation factors." The requirements of this Ordinance shall be followed in approving or disapproving any landscape plan required by this Ordinance.

Plan Content - The contents of the plan shall include the following: (a) plot plan, drawn to an easily readable scale, showing and labeling by name and dimensions, all existing and proposed property lines, easements, buildings, and other structures, water outlets and landscape material (including botanical name and common name, installation size, on center planting dimensions where applicable, and quantities for all plants used) including at least one alternate species for each species selected; (b) title block with the pertinent names and addresses (property owner, person drawing plan, and person installing landscape material), scale, date north arrow (generally orient plan so that north is to top of plan), and zone.

5. Temporary Certificate of Occupancy and Certificate of Occupancy: A Temporary Certificate of Occupancy may be issued allowing the person responsible to install the required plant material during the next optimum planting period after initial occupancy. The period is to be determined by the Planning Director and shall not exceed six (6) months from the date of issuance of the Temporary Certificate of Occupancy. Where landscaping is required, no Certificate of Occupancy shall be issued until the required landscaping is completed

as certified by an on-site inspection by the landscape contractor in the presences of the Planning Director.

6. Plant Material List: A list of acceptable species of plants to be utilized in the landscape and buffer area shall be located in the Planning and Zoning office for public inspection. Consideration should be given to the adjoining property use since some species can be toxic to livestock. Other species than those listed may be selected, but prior approval must be obtained from the Planning Director.

~~F. The submitted plan shall designate the location of those features identified in Section 703.10(A). The provisions of Article V, Section 503.4(F) shall apply to approved rural residential subdivisions.~~

~~G. For proposals containing four (4) or more dwelling units, a fire hydrant shall be provided for the subject property which shall comply with the design standards for fire hydrants established under the Subdivision Regulations adopted by the Versailles-Midway-Woodford County Planning and Zoning Commission, which hydrants shall be for the purpose of refilling tank trucks only, unless the Woodford County Fire Protection District and the appropriate water district states in writing that such fire hydrant is not needed nor would same be a benefit to the residence dwelling units proposed.~~

**703.11 Permitted Development - The following Standards apply to all Rural Residential / Residual Farmland Developments:**

A. An existing property must consist of a minimum one-hundred (100) acres in order to utilize the Rural Residential Subdivision Development Standards.

B. Maximum number Residential Lots per Development - Ten (10)

C. All Residential Lots shall be served by an internal street network.

~~A farm shown as Planned A-2 and/or rural residential on an approved Comprehensive Plan Land Use Map shall be considered as one unit based on their acreage size as of July 16, 1990, and may be subdivided, upon being rezoned Rural Residential, in accordance with the following schedule or sliding scale:~~

<del>A. Acres in Farm</del>	<del>Lot to be Sold*</del>
<del>15-30</del>	<del>2</del>
<del>31-65</del>	<del>4</del>
<del>66-99</del>	<del>7</del>
<del>100 &amp; above</del>	<del>10 (if any lot is on an existing public road) 15 (if the nearest property line of a new lot is at least 400' from the centerline of the existing public road)</del>

~~1. \*Any division of land from a farm in an A-1 or CO-1 zone after July 16, 1990, which has been deeded and recorded or platted and recorded, shall be charged as a lot to be sold against the balance of the farm owned by the person making such divisions.~~

- ~~2. When a farm shown as Planned A-2 and/or Rural Residential on an approved Comprehensive Plan Land Use map is, at any time, divided in such a manner that further development rights as permitted under this ordinance exist, it shall be presumed absent a provision in the deed conveying such land that the remaining development rights are to be divided in proportion to the tract size deeded or retained; such proportional division shall always be rounded to the lowest whole number for purposes of applying the sliding scale. Further, nothing herein shall be construed to allow more Rural Residential lots to be developed from a farm than permitted by the sliding scale.~~
3. At the time a zoning map amendment is requested, for every proposed Rural Residential Lot, Rural Residential / Residual Farmland shall be reserved in accordance with a ratio of eighty percent (80% residual farmland) to twenty percent (20%) (residential lot) and the residual farmland so designated shall also be rezoned to Rural Residential; for example, for every one (1) acre contemplated to be developed as a residential lot, four (4) acres must also be rezoned to Rural Residential (Residual Farmland, RF) and designated on the plat to be recorded as Rural Residential / Residual Farmland which cannot be further designated on the plat to be recorded as Rural Residential / Residual Farmland and which cannot be further developed for Rural Residential purposes ~~and shall be utilized only in such manner as is permitted within the A-2 zoning classification as principal uses other than single family detached dwellings and their accessory structures. However, one existing farm dwelling or one proposed farm dwelling may be located on the residual farmland. If an existing farm dwelling, as of April 1, 1999 is to remain, which includes remodeling or rebuilding, or if a farm dwelling is to be constructed on the residual farmland that has not previously existed then one Lot to be Sold must be reduced from the sliding scale designated in 703.11 (A). In either case, it must be so noted and designated on the development plan, preliminary plan and final plat. If a farm residence (existing or proposed) is to be utilized on the residual farmland all residual farmland acreage up to and including thirty acres of the residual farmland must remain as one undivided parcel. Only one farm residence on the residual farmland will be permitted per application.~~ The Rural Residential / Residual Farmland may be sold or transferred provided that the use restrictions for Residual Farmland continues to apply; ~~except that, in those instances where an existing farm dwelling or proposed farm dwelling has been selected in lieu of a lot to be sold, such would also become a permitted use.~~ Rural Residential / Residual Farmland shall be clustered whenever possible to maximize its agricultural use.
4. Property zoned ~~to A-2 but not zoned to Rural Residential or~~ and designated as Rural Residential / Residual Farmland may be utilized in any manner consistent with Agriculture Uses (KRS 100.111 & Article II, Section 201) ~~the uses allowed for A-1 property, excluding including residential uses; provided however, that the proper density required under the ordinance is maintained.~~
- ~~5. In the event any division is sought for a tract of land which contains thirty (30) acres or less for the purpose of creating a Rural Residential~~

~~lot, the entire tract of land must be rezoned to Rural Residential to avoid creation of a non-conforming lot in the A-1 or A-2 districts. Further, no Rural Residential zone change shall result in a tract of land remaining in the A-2 zone which is less than thirty (30) acres.~~

- ~~6. Rural Residential development as set forth in this section shall not be permitted for any farm on which a Small Community (A-4) District has been previously approved.~~
- ~~B. No more than two new lots to be sold per farm may front on an existing public road; provided, however, that an existing residence which fronts on an existing road shall be allowed as a separate lot in addition to such new lots. These two lots to be sold must be a minimum of five (5) acres each. If the nearest property line of any new lots is within 400 feet of the centerline of an existing public road it shall be considered as "fronting on an existing public road" and must be a minimum of five acres.~~
- ~~C. All Rural Residential lots developed under this schedule shall share a common entrance onto the prior existing public road and shall contain no more than one single family dwelling unit per lot.~~
- ~~D. Where the acreage in the farm to be divided is one hundred (100) acres or more, then no more than eight (8) lots may receive a building permit in any one calendar year calculated from the date the plat of the lots is recorded in the Office of the Woodford County Clerk.~~
- ~~E. The owner of the balance of any farm divided under this schedule shall be precluded from utilizing the in-family exception in Article II, Section 203, Agricultural Uses, or utilizing this schedule for the division of any of the remaining property in the farm.~~

### **703.12 Procedure**

- ~~A. The owner or owners of a tract of land which meets the required minimum lot size and location standards of this section shall submit to the Planning and Zoning Commission a zone change application with a preliminary development plan prepared in accordance with established subdivision regulation requirements and with this section of the Zoning Ordinance. The Preliminary Development plan shall indicate but not be limited to the following:~~
- ~~1. The size in acres of the farm tract as of July 16, 1990, for which the zone change request is made.~~
  - ~~2. A listing of every division to this farm tract made since July 16, 1990, identified by grantee and acreage. Copies of all deeds reflecting such division shall be submitted.~~
  - ~~3. The existing size in acres of the farm tract at the time the current zone change request is made.~~
  - ~~4. The number of acres to be a part of the current zone change request.~~
  - ~~5. A statement of the number of acres of the farm tract as of July 16, 1990, which remain eligible for a rural residential district zone change request.~~

- ~~6. A Statement of Intent regarding which tract (s) retain the future development rights permitted by this ordinance.~~
- ~~B. Following submission of the zone change request and conceptual development plan a public hearing shall be held and the request considered in accord with customary procedures.~~
- ~~C. For proposals containing two or fewer lots, not including the parent farm, a prima facie application may be submitted by the applicant which shall show:~~
- ~~1. Water availability with written proof from either the appropriate water district or the Woodford County Board of Health as may be applicable. If utilizing public water, the water district must certify that water is available to provide sufficient water service and pressure to ensure an adequate supply for private use.~~
  - ~~2. An encroachment permit from the appropriate agency where the drive will be placed on either a County or State Road.~~
  - ~~3. Onsite sewage treatment system approval from the Woodford County Board of Health. Furthermore, no proposed lot in the Rural Residential District containing less than five (5) acres shall be approved for a zone change under this section without first providing a sub-surface septic system approved by the Woodford County Health Department. Surface, Wetland, or other experimental on ground sewage treatment systems shall not meet this requirement on lots containing less than five (5) acres.~~
  - ~~4. Evidence that the proposed development meets the dimensional requirements of the Rural Residential District.~~
- ~~A. Proof of the above four items shall be prima facie proof that the proposed development is suitable for a zone change to Rural Residential and shall be so approved and recommended by the Planning and Zoning Commission without delay, and inaction by the Planning and Zoning Commission for a period of more than sixty (60) days from the first Planning and Zoning Commission meeting following submission of the completed application including Items 1 thru 4 of this section, Paragraph C, shall be deemed approval for recommendation to the Fiscal Court and shall be forwarded forthwith to the Fiscal Court for action.~~
- ~~B. If, at a later date, additional tracts are subdivided from the original tract from which lots are approved pursuant to this section, then such additional tracts may not be approved pursuant to this section.~~
- ~~C. For any prima facie application, the applicant shall submit a conceptual development plan that will indicate the applicant's intentions regarding further Rural Residential development including location of such Rural Residential lots and R.R./Residual Farmland. In the event that such a conceptual development plan is not submitted for a proposal containing two or less lots and the request is approved, the applicant shall be precluded from submitting another application for Rural Residential development for twelve (12) months from the date such prima facie application was approved by the Fiscal Court.~~

## 704 SMALL COMMUNITY DISTRICT (SC A-4)

### 704.1 Purpose and Intent Intent Preamble

The purpose of the Small Community District (~~A-4~~) is to provide for limited rural scale development low-density residential expansion in rural settlements recognized by the Comprehensive Plan. The communities of Millville, Mortonsville, and Nonesuch, have through their residents, stated their desire to have the benefit of the Small Community Regulations to provide houses in those communities and in order to maintain a continued vitality, property values, and community spirit in those places.

### 704.2 Small Community Districts

~~The Small Community District at Millville shall consist of all property located within the Small Community Land Use District Map as shown in the Woodford County Comprehensive Plan. a circle having its center at the intersection of McCracken Pike (KY 1659) and Watts Ferry Road (KY 1964), Coordinate Point: N 1474572.00000, E 226107.92200, with a radius of one and one half (1.5) miles; the Small Community at Mortonsville shall consist of all property located within a circle having its center at the intersection of Carpenter Pike (Clear Creek Road) and Delaneys Ferry Road (KY 1965), Coordinate Point: N 1494064.37525, E 1494064.37525, with a radius of one (1) mile; the Small Community at Nonesuch shall consist of all property located within a circle having its center at the intersection of Cummins Ferry Road and Fords Mill Road (KY 1965), Coordinate Point: N 1494635.50011, E 148307.30610 with a radius of one (1) mile. The Versailles-Midway-Woodford County Planning and Zoning Map shall reflect the above descriptions of the Small Communities of Millville, Mortonsville and Nonesuch.~~

~~No division of land in a Small Community District, into a tract smaller than thirty (30) acres, shall be made without prior zone change approval of the Planning and Zoning Commission and finding that the division is in compliance with all applicable requirements in an A-4 District, provided that in family conveyances pursuant to Article II, definitions, Section 202, Agricultural Uses, are not subject to the requirements for this section.~~

~~Land designated for Agricultural Preservation as recognized in the Rural Policy Plan adopted June 13, 1991, shall not be permitted to be rezoned to A-4. Small community (A-4) development as set forth in this section shall not be permitted for any farm, as defined in Section 703.2 of this ordinance, on which a Rural Residential (Rural Residential) development has been previously approved.~~

### 704.3 Principal Uses

- A. Single-Family Dwelling;
- B. Home Office/Home Occupation
- C. Religious Institution Facility
- D. Parks

### **704.3 Principal Uses**

- ~~A. Single family detached dwellings.~~
- ~~B. General horticultural and non-commercial uses.~~

### **704.4 Accessory Uses**

~~Any use on the same lot and of a nature customarily incidental and subordinate to the principal use, shall be permitted as an accessory use in the Small Community District (A-4).~~

**Accessory Uses and Structures** - Accessory uses, buildings and structures shall be subject to the following regulations:

- A. Accessory uses and structures customarily incidental to any principal use located on the same lot.
- B. Accessory uses, buildings and structures include the following: accessory apartments, private garages, or parking areas.
- C. Accessory buildings/structures shall be permanently affixed to the ground and shall not include mobile home, bus, travel trailer, RV, trailer, cooler or vehicle.
- D. Fences. For the purpose of determining yard setback, the accessory structure setback shall not apply to fences.
- E. Swimming Pools. All swimming pools shall require a Building or Zoning Permit. 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.
- F. Accessory Dwelling: An Accessory Dwelling may be attached or detached from the principal residence. The floor area of the accessory apartment may not exceed 25 percent of the floor area of the principal structure. Accessory Dwellings 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. If attached to the principal residence, any entrance into the Accessory Dwelling shall be located on the side or rear facade(s) of the building. The Accessory Dwelling must not alter the character of the residence or the development pattern of the neighborhood. A minimum of 1 parking space (in addition to the parking required for the primary residence) shall be provided for Accessory Dwelling. The number of bedrooms located within Accessory Dwelling shall not exceed two (2).
- G. Solar Panels. Roof-mounted and ground-mounted solar panel systems shall comply with the following:
  - 1. Solar panel systems shall be permitted on the roof of a building provided that the panels located on a front or side roof slope facing any public street do not cause glare or light trespass onto adjoining residential properties.

2. Solar panel systems shall have a top edge that is parallel to the roof ridge and shall conform to the slope of the roof. Solar panel systems shall be positioned on the roof so as not to extend above or beyond the edge of any ridge, hip, valley, or eave.
3. A ground-mounted solar panel system is not permitted as the primary use of a property.
4. Ground-mounted solar panel systems shall comply with the maximum square footage and minimum setback requirements for residential accessory buildings and structures.
5. Ground-mounted solar panel systems shall not be located between a property line abutting a street and the building.
6. The maximum height of ground mounted solar panel systems should not exceed the height of eight (8) feet.
7. Supporting equipment for solar panel systems, including power conditioning equipment such as batteries for electricity storage and stand-by generators shall be screened by an opaque screening device, except that wall-mounted inverters may be located next to the electric meter. Long lengths of conduit and wiring associated with the system's connection to the primary electrical panel shall be placed underground.

#### **704.5 Conditional Uses**

- A. ~~Churches.~~
- B. ~~Parks~~
- C. ~~Home Occupations.~~
- D. Bed and Breakfast Home, Bed and Breakfast Inn, and Bed and Breakfast Farmstay Establishments.
- E. Short Term Rental Establishments: Hosted Home-Sharing and Dedicated Short Term Rental Establishments.
- F. Convenience type stores provided that the primary items sold or rented are gasoline, household items, or food products for human consumption provided that the stores gross square footage floor area does not exceed four thousand (2500) square feet.
- G. Health Care Facility, Dental Offices and Clinic provided that the stores gross square footage floor area does not exceed four thousand (2500) square feet.
- H. Schools for Academic Instruction
- I. Private Clubs and Lodges.
- J. Eating Establishment (No Drive-Through) provided that the stores gross square footage floor area does not exceed four thousand (2500) square feet.
- K. Day Care Center, Child
- L. Day Care Center, Adult

**704.6 Property Development Standards**

B. Dimensional standards for this District are found in the following table.

**Small Community District (SC)**

<b><u>Lot Area</u></b> (minimum Residential)	<u>1 Acre</u>
<b><u>Lot Area</u></b> (minimum Non-Residential)	<u>3 Acres</u>
<b><u>Lot Width</u></b> (minimum at 50-foot front setback line)	<u>150 ft</u>
<b><u>Lot Frontage</u></b> (minimum)	<u>150 ft</u>
<b><u>Lot Coverage</u></b> (maximum)	<u>35%</u>
<b><u>Setback</u></b> (minimum)	
<u>Front Yard</u>	<u>50 ft</u>
<u>Side Yard</u>	<u>25 ft</u>
<u>Rear Yard</u>	<u>25 ft</u>
<b><u>Accessory Structure</u></b>	
<u>Front</u>	<u>25 ft</u>
<u>Rear</u>	<u>10 ft</u>
<u>Side</u>	<u>10 ft</u>
<b><u>Height</u></b> (maximum)	<u>42 ft</u>
<b><u>Off-Street Parking Spaces</u></b>	<u>2</u>

**704.6 Lot, Yard and Height Requirements**

<u>Minimum Lot Area</u>	<u>1 Acre</u>
<u>Minimum ROW Frontage</u>	<u>150 feet</u>
<u>Minimum Lot Width at Building Line</u>	<u>150 feet</u>
<u>Minimum Front Yard</u>	<u>50 feet</u>
<u>Minimum Rear Yard</u>	<u>50 feet</u>
<u>Minimum Side Yard</u>	<u>15 feet</u>
<u>Maximum Building Height</u>	<u>35 feet</u>

**Permitted Residential Unit Types**

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

	SC
Single-Family Detached	YES
Modular Home	YES
Manufactured Home, Qualified	YES
Manufactured/ Mobile Home	NO
Accessory Dwelling	YES

### 704.7 Special Provisions

- A. Approval of the ~~A-4~~ Small Community Zoning District shall be contingent upon, but not limited to the following:
1. If utilizing a public water source, certification by the Water District of its ability to provide sufficient water service and pressure to ensure an adequate supply for private use and fill-up for fire trucks; or; If utilizing a private water source, certification approving the water supply by the Woodford County Health Department in accordance with Woodford County Board of Health regulations;
  2. Certification that a site evaluation for each of the lots has been completed by the Woodford County Health Department in accordance with Woodford County Board of Health regulations to ensure that individual on-site sewage treatment systems can be installed and used safely and efficiently for wastewater treatment. ~~Furthermore, no proposed lot in the A-4 District containing less than five (5) acres shall be approved for a zone change under this section without first providing a sub-surface septic system approved by the Woodford County Health Department. Surface, Wetland, or other experimental on-ground sewage treatment systems shall not meet this requirement on lots containing less than five (5) acres.~~
- B. Each lot occurring within the Small Community ~~(A-4)~~ zone shall be required to have frontage on county or state roads which exist as of the effective date of this amendment.
- C. Approved encroachment permit(s) for each lot proposed ~~within the A-4 zone~~ shall be required prior to the approval of the zoning district to ensure that entrances can be installed and used safely and efficiently for vehicular ingress and egress.
- D. ~~In cases where portions of the property fall outside the radius, eighty percent (80%) of the property must lie within the radius.~~
- E. ~~It shall be provided that in-family conveyances shall be permitted at a density that shall not exceed one (1) dwelling for each five (5) acres. In-family conveyance shall be defined as a tract to be continuously occupied by an immediate family member. It shall be comprised of a lot no smaller than one (1) acre in size, with access to an existing public road through an existing~~

~~private driveway to be shared with the original residence, through a platted and recorded access easement of fifteen (15) feet, or, the in-family lot can be comprised of a lot no smaller than five (5) acres in size with frontage on an existing public road or if the nearest property line of any new lot is within four hundred (400') feet of the centerline of an existing public road; with a limit of no more than two (2) in-family lots fronting on an existing public road and sharing a common entrance; and which meets all health and sanitation regulations in effect contained herein, and provided further that the number of lots be limited to one lot in Woodford County per each immediate family member's lifetime and that such family member shall hold title to the tract so conveyed for at least five (5) years, if said conveyance is made to a minor, the five (5) year restriction for holding title begins when the minor turns eighteen (18), and should the family member, within five (5) years, re-convey the tract to anyone other than to the person or persons from whom it was received, then such deed of re-conveyance shall be void, and provided further, that all such deeds from a farm owner to a family member shall contain a restrictive covenant stating clearly the five (5) year restriction for holding title and stating that any conveyance prior to said five (5) years shall be void, and any deed from a farm owner be provided further that in the case of a judicial sale the restriction on re-conveyance shall not apply.— On farms where in-family conveyances are permitted, all lots shall be counted against the sliding scale of "Lots to be Sold" as defined in Section 703.11 (A). In no case shall any farm of 100 acres or more be permitted to have more than fifteen (15) in-family conveyance lots.~~

## ~~721~~ ~~CONSERVATION DISTRICT (CO-1)~~ (MOVED TO SECTION 702)

### ~~721.1~~ ~~Preamble~~

~~The Conservation District (CO-1) is intended to promote and protect significant natural features, wooded areas, water courses, existing and potential lake sites, other recreation and conservation resources, wildlife habitat, present and future water supplies, and to minimize erosion of soil, siltation and pollution of streams and lakes.~~

### ~~721.2~~ ~~Permitted Uses~~

~~Within any CO-1 Conservation District, no building or premises shall be used or arranged, or designed to be used except for one or more of the following uses which shall be subject to all regulations and requirements for permit of this ordinance.~~

- ~~A. Lakes (artificial).~~
- ~~B. Public or private picnic grounds, beaches, bridle and bicycle paths.~~
- ~~C. Public parks and forest preserves.~~
- ~~D. Agriculture and agricultural buildings.~~
- ~~E. Single family dwellings.~~

### ~~721.3~~ ~~Accessory Uses~~

~~Accessory uses and structures customarily incidental to any principal use located on the same lot therewith such as agricultural structures, tenant homes, private garages, private stables or parking areas, not including any business, trade or industry.~~

### ~~721.4~~ ~~Conditional Uses~~

~~The following uses may be permitted as conditional uses in the CO-1 District by the Board of Adjustment after public hearing. Such conditional uses shall be subject to any requirements the Board of Adjustment feels necessary to further the purpose of the Conservation District as stated in the preamble.~~

- ~~A. Public utility substations, booster stations, radio and television relay towers, repeater stations, etc., but not including power generation or gas manufacturing plants.~~
- ~~K. Private Camps/ Campgrounds~~
- ~~L. Mobile Homes of a temporary, seasonal nature.~~
- ~~M. Bed and Breakfast Home, Bed and Breakfast Inn, and Bed and Breakfast Farmstay Establishments.~~
- ~~N. Short Term Rental Establishments: Hosted Home-Sharing and Dedicated Short Term Rental Establishments.~~
- ~~O. Marinas.~~

## **721.5 Prohibited Uses**

All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal accessory or conditional uses shall be prohibited.

## **721.6 Lot, Yard, and Height Requirements**

Minimum Lot Size	30 Acres*
Minimum ROW Frontage	100-150 feet
Minimum Width at Building Line	150-200 feet
Minimum Front Yard	75-80 feet
Minimum Each Side Yard	25 feet
Minimum Rear Yard	50 feet
Maximum Height of Building	2 stories or 35 feet
Maximum Density	1 dwelling per 5 acres

\*A tract of land that is at least a minimum of 30 acres in size, and that is partially zoned A-1 (Agricultural) and partially zoned CO-1 (Conservation), is also considered to meet the minimum lot size requirements of this zone.

## **721.7 Special Provisions**

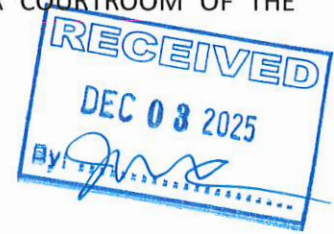
- A. No building shall be erected within fifty (50) feet of the right-of-way of any public street, road or highway, nor within fifteen (15) feet, or one foot for each foot of building height, whichever is the greater, of any lot line.
- B. Any building to be located in possible flood lands shall be so placed as to offer the minimum obstruction to flow of waters and shall be firmly anchored to prevent the building from being moved or destroyed by the flow of water (See Article X).
- C. A Rural Residential shall only be allowed in a CO-1 zone provided rezoning application has been made to, and approved by, the Versailles-Midway-Woodford County Planning and Zoning Commission. (See Section 703).
- D. It shall be provided that in-family conveyances shall be permitted at a density that shall not exceed one (1) dwelling for each five (5) acres. In-family conveyance shall be defined as a tract to be continuously occupied by an immediate family member. It shall be comprised of a lot no smaller than one (1) acre in size, with access to an existing public road through an existing private driveway to be shared with the original residence, through a platted and recorded access easement of fifteen (15) feet, or, the in-family lot can be comprised of a lot no smaller than five (5) acres in size with frontage on an existing public road or if the nearest property line of any new lot is within four hundred (400') feet of the centerline of an existing public road; with a limit of no more than two (2) in-family lots fronting on an existing public road and sharing a common entrance; and which meets all health and sanitation regulations in effect contained herein, and provided further that the number of lots be limited to one lot in Woodford County per each immediate family member's lifetime and that such family member shall hold title to the tract so conveyed for at least five (5) years, if said conveyance is made to a minor, the five (5) year restriction for holding title begins when the minor turns eighteen (18), and should the family member, within five (5) years, re-convey the tract

~~to anyone other than to the person or persons from whom it was received, then such deed of re-conveyance shall be void, and provided further, that all such deeds from a farm owner to a family member shall contain a restrictive covenant stating clearly the five (5) year restriction for holding title and stating that any conveyance prior to said five (5) years shall be void, and any deed from a farm owner be provided further that in the case of a judicial sale the restriction on re-conveyance shall not apply. On farms where in-family conveyances are permitted, all lots shall be counted against the sliding scale of "Lots to be Sold" as defined in Section 703.11 (A). In no case shall any farm of 100 acres or more be permitted to have more than fifteen (15) in-family conveyance lots.~~

DRAFT

ON THURSDAY, NOVEMBER 13, 2025, THE VERSAILLES-MIDWAY-WOODFORD COUNTY PLANNING AND ZONING COMMISSION HELD A MEETING AT 6:30 PM IN THE 2nd FLOOR COURTROOM OF THE COURTHOUSE.

Madam Chair Perry called the meeting to order at 6:30 p.m.



**PLEDGE OF ALLEGIANCE**

**Members Present:** Chad Wells, Patty Perry, Rich Schein, Tim Middleton, Whitney Stepp, Floyd Greene, Randal Bohannon, Chris Sharp, Doug Curl.

PC Staff attorney Henry Smith was present.

**MINUTES:** Motion was made by Ms. Stepp, as seconded by Mr. Greene to approve the October 9, 2025 minutes, as submitted. Motion carried with seven (9) aye votes.

**NON-PUBLIC HEARING ITEMS**

Woodford County Fire Protection District have applied for an approval of a Subdivision (Consolidation Plat) on tracts of land containing 0.855 acres, located 61 & 107 Big Sink Road, Versailles, KY. The property is zoned Single-Family Residential (R-1C).

Madam Chair called upon Steve Hunter, Planning Director for comments. Mr. Hunter noted that Kim O'Reel would be presenting the non-public hearing plats. Ms. O'Reel noted that the Fire District had acquired 107 Big Sink Road and wanted to consolidate their three tracts together to make one large lot. The plat went to TRC and no deficiencies were found. No further comments.

Madam Chair asked if anyone was prepared to take action.

**Motion was made by Ms. Stepp, as seconded by Mr. Wells to approve Application 2025-028 Woodford County Fire Protection District Subdivision (Consolidation Plat) on tracts of land containing 0.855 acres, located 61 & 107 Big Sink Road, Versailles, KY. The property is zoned Single-Family Residential (R-1C). No further discussion. Motion carried with nine (9) aye votes.**

Robert and Sheila Wade have applied for an approval of a Subdivision (Consolidation Plat) on tracts of land containing 16.800 acres, located 5088 Delaney Ferry Road, Versailles, KY. The property is zoned Agricultural (A-1 & A-2).

Madam Chair called upon Ms. O'Reel for comments. Mr. Hunter shared aerials and zoning map on the monitors. Ms. O'Reel described the proposed plat and noted that it went through TRC and all deficiencies had been corrected and was in order for approval. No further comments.

Madam Chair asked if anyone was prepared to take action.

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**Motion was made by Mr. Wells, as seconded by Mr. Greene to approve Application 2025-029 Robert and Sheila Wade Subdivision (Consolidation Plat) on tracts of land containing 16.800 acres, located 5088 Delaney Ferry Road, Versailles, KY. The property is zoned Agricultural (A-1 & A-2). No further discussion. Motion carried with nine (9) aye votes.**

2001 Lexington Road LLC have applied for an approval of a Subdivision (Minor Plat) on tracts of land containing 120.370 acres, located at 1851 & 2001 Lexington Road, Versailles, KY. The property is zoned Single-Family Residential (R-1A, R-1B & R-1C) and Two-Family Residential.

Madam Chair called upon Ms. O'Reel for comments. Mr. Hunter shared aerials and zoning map on the monitors. Ms. O'Reel described the proposed plat and noted that it was a non-building tract for the purpose of selling it. The plat went through TRC and all deficiencies had been corrected and Ms. O'Reel noted that the address of the lot was 462 Abingdon Avenue. The plat was in order for approval. Mr. Hunter added that Unit 1 was to the south of the proposed tract and Unit 2 was in the center and Unit 3 was north close to US 60. Mr. Hunter noted that Ball Homes was working in Unit 1 and working on about 130 homes out of the 200. Mr. Hunter noted that the entire development was approved for 518 homes and was zoned years ago. Mr., Hunter noted that this subdivides 120 acres into a 40 and 80 acre tracts. Mr. Hunter noted that construction plans had been filed for the entire project. Ms. Stepp noted that this was administrative because the zone change occurred many years ago.

Madam Chair asked if there were any further questions. Hearing none, Madam Chair asked if anyone was prepared to take action.

**Motion was made by Mr. Wells, as seconded by Ms. Stepp to approve Application 2025-030, 2001 Lexington Road LLC Subdivision (Minor Plat) on tract of land containing 120.370 acres, located at 462 Abingdon Avenue, Versailles, KY. The property is zoned Single-Family Residential (R-1A, R-1B & R-1C) and Two-Family Residential. No further discussion. Motion carried with nine (9) aye votes.**

#### **PUBLIC HEARING ITEMS**

Tony & Natalee Bays have filed an application to rezone a tract of land containing 0.456 acres located at 341 Winter Street, Midway KY. The requested zone change is from Two-Family Residential (R-2) to Medium Density Residential (R-3).

Madam Chair opened the public hearing and called up Mr. Hunter for comments. Mr. Hunter shared the aerials and zoning map on the monitors and reviewed/summarized his staff report. Mr. Hunter noted that the applicant was requesting to zone from R-2 to R-3 to create three single family building lots. Mr. Hunter noted that there was recently a zone change to the south of this property to R-3. Mr. Hunter noted that based on the Comprehensive Plan it was in the Traditional Neighborhood District and that "this land use district is intended for existing neighborhoods constructed prior to 1968. In part, these neighborhoods have unique development pattern characterized by grid pattern of streets, houses located close to the street and a mix of housing types". Generally, these neighborhoods would develop at higher overall density than contemporary neighborhoods. Mr. Hunter noted that due to the size of the lot, the general development plan was basically a preliminary plat, but not the official plat. Mr. Hunter noted that the lot was not large enough to create three lots in the R-2 zone but going to the R-3 zone it allows 6,000 square foot lots.

Madam Chair asked if there were any questions for Mr. Hunter. Mr. Schein questioned if they could have requested R-1C except they were 20 feet short in width. Mr. Hunter confirmed that was correct. Mr. Hunter noted that the term general development plan was changed in the past year or so and it was the commitment of what the applicant was planning to do.

Natalee Bays, applicant, noted that they were asking for a zone change for two lots that they have, one was 50x135 and the other 65x100. Ms. Bays noted that when she reviewed the Comprehensive Plan it looked like they had met quite a bit of the objectives. Ms. Bays believed that they were not asking for anything that is different than what exists on North Winter Street. The property that faces First Street was in comparison to other lots on First Street. Ms. Bays noted that the existing house was in disrepair and they will tear it down and build two homes facing North Winter and one facing First Street. Mr. Schein questioned if the driveways would come off of North Winter. Ms. Bays noted that they would for the homes facing that street.

Madam Chair asked if anyone from the public wished to speak.

Robin Berry, neighbor, noted that she lives next door. Ms. O'Reel noted that Ms. Berry had submitted a letter into the record and all commissioners had received it. Ms. Berry noted that she looks at the lot and knows the lot and it was a lot to ask for three homes on that piece of land.

Isabell Cherolis questioned the size of the homes that were planning to be built. Ms. Bays noted they would not be any wider than 24-27'. Ms. Cherolis questioned if Woodford County had a minimum square footage for houses. Ms. Perry noted that they do not. Ms. Cherolis questioned the proposed square footage of the homes and could they be 600 square feet.

No further comments. Madam Chair closed the public hearing. Ms. Stepp questioned the owner if there was any intention to apply for a Conditional Use Permit for short term rentals or bed and breakfast. Ms. Bays noted that they were not looking to do that. Ms. Stepp questioned if there were intentions to sell them or rent them out. Ms. Bays noted they would sell only. Mr. Schein asked if the owner/applicant would be willing to stipulate that there would be no short term rentals or bed and breakfast in the papers. Ms. Bays noted that they would agree to that.

Madam Chair asked if there were any further questions. Hearing none, Madam Chair asked if anyone was prepared to take action.

**Motion was made by Mr. Schein, as seconded by Mr. Bohannon to approve and forward Application 2025-031, Zone Map Amendment for Tony & Natalee Bays a tract of land containing 0.456 acres located at 341 Winter Street, Midway KY., from Two-Family Residential (R-2) to Medium Density Residential (R-3) with a condition upon the general development plan submitted by the applicant and with the addition of the restriction against short term rentals and furthermore the application conforms with the Comprehensive Plan as laid out on Staff Report pages 3-7, and particularly Traditional Neighborhood Policy numbers 1 and 3 relating to infill and to lot size conforming with the surroundings. No further discussion. Motion carried with nine (9) aye votes.**

**TABLED ITEM FROM PRIOR MEETING** - The Versailles-Midway-Woodford County Planning Commission has filed a Zoning Ordinance Text Amendment related to Articles II & VII of the Versailles-Midway-Woodford County Zoning Ordinance.

Madam Chair noted that the item had been tabled from several prior meetings and called upon Mr. Hunt for comments. Mr. Hunter shared a power point with the Commissioners that he had presented to a group of neighbors in the south part of the County on Tuesday night. Mr. Hunter noted that the Commission made it through the Ag district of the ordinance in the September meeting and there's twenty zones in Chapter VII. The changes made to the Ag zone and in-family conveyance were not in print for the Commissioners to view so that is what the Power Point did. Mr. Hunter addressed the changes made in Chapter II and VII relating to the City side. Mr. Hunter noted that this had been in the works for two years. Mr. Hunter explained that this started with our comprehensive plan update in 2023. We went out on the road four days in the county to talk about the comprehensive plan, had listening sessions and we walked through some exercises. When we were out at that meeting, as several planning commissioners remember, we heard a lot of stuff about in-family conveyances, rural lot cuts, low water pressure, development in verses, urban service boundary. Mr. Hunter noted that we heard a lot of stuff at that comprehensive plan meetings and in September, we did a parcel analysis report at this planning commission in September of 2023. So over two years ago, we did a breakdown of what was going on out in the county after we heard all these things about how many lots we've been creating and houses had been built. Mr. Hunter noted that the Commission looked at the map from 2016 and map from 2023 and was amazed at the number of parcels created out in the county. That's when staff and the Commission began looking at the number of in-family cuts based on the size of the farm. The Agricultural Advisory Board looked at the document and concluded there was a problem and wanted the county to issue a moratorium. Mr. Hunter noted that the Ag Review Board stated "this is an unintended consequence of decisions in the mid 1990's that created the rural residential zone and continued to permit the in-family conveyances. The purpose of these two decisions were to protect our most valued and productive resource, our agricultural land for future food and animal production while maintaining the tradition of family farming in Woodford County. Yet the evidence is clear these strategies have failed". Mr. Hunter noted that the Fiscal Court did not grant the moratorium request, they said figure out a solution and bring it back to them. The Advisory Committee met in December of 2023 after they received the rejection directive and then paused things to work on the Comprehensive plan and then summer construction season began. They came back together in September and October of 2024 to work on the text amendment. In December of 2024, the Commission had a similar hearing on Articles II and VII, but at that time only the county zones were reviewed and not the city zones. Mr. Hunter noted that since the request for the moratorium, there had been thirty lots created and the lot size had continued to decline for the Ag zone. Mr. Hunter shared maps on the monitors that showed number of lots that could be maxed out if everyone used their in-family conveyances and what it would be if their changes get adopted (8,000 vs. 900). Mr. Hunter noted that the proposed changes in 2024 were in line with the Comprehensive Plan Goals and Objectives. Mr. Hunter noted that 321 homes had been constructed county side from 2016 to 2025. Mr. Hunter noted that hearings had been going on for about seven months to allow the public to give input; only a handful of people spoke. Mr. Hunter noted that the City of Versailles had been waiting on several text amendments and upon their request in September he met with the Advisory Committee and they put all of the amendments together in Article VII. Mr. Hunter noted that a directive from the City of Versailles in 2020 to address accessory dwelling units still needed to be reviewed and they tried to

address affordable housing. Mr. Hunter reviewed all other directives received from the City of Versailles as noted in his power point. Mr. Hunter noted that the big domino was the city had an affordability housing task force that was created that he served on as ex-officio along with Mr. Sharp and about 15-18 people. The mayor put forward and had city council members on it and the whole goal was to look at housing affordability. That group worked for several months and came up with a whole bunch of verbiage related to manufactured homes, lot sizes, setbacks, density. The whole goal was to tweak the zoning ordinance, look at everything across the board in the hope that we could achieve some affordable housing opportunities. That directive came from the City in September 2024, over a year ago. What's in the text amendment now, was exactly what the City asked the Commission to do; didn't change a single page of any of these standards. The amendments were placed in Chapter VII and there is a new state law on manufactured homes where we can no longer discriminate where they can go; if a stick built home is allowed then a manufactured home is allowed in any zoning district. The law becomes effective July 2026. Mr. Hunter noted that there were nineteen new definitions added to Chapter II that Mr. Hunter said needed to match State law. Mr. Hunter noted that there were a lot of missing terms in the definitions that were in state law and in the Zoning Ordinance and the term agricultural use was revised to match state law. Mr. Hunter noted that the committee added the following definitions: campground/camp, family member, group living, manufactured home, mobile homes, modular home, medical cannabis, solar farms, RV park, residential care facility, "deleting tourist destination and tourist destination expanded" because they added agritourism and truck stop. Mr. Hunter noted that there was not a definition for truck stop only for a convenience store. Mr. Hunter noted that a truck stop was not coming to Versailles and there had not been a zone change or project submitted; this was an online rumor of one going south of town. Mr. Hunter noted that a definition for truck stops was added but they can only go in the Industrial zone and the Comprehensive Plan did not allow it in the entryway corridor.

Ms. Stepp left the meeting at 7:16 p.m. and rejoined via Zoom.

Mr. Hunter described the new layout of Article VII cover page and noted that the Conservation zone was being moved up because he was converting the A-2 back to A-1 and a new single family zone that was a directive from the City of Versailles. Mr. Hunter noted that when looking up the A-2 zone it tells you to go to A-1, there is no change, it's a 30 acre zone. Mr. Hunter added a conversion table. Mr. Hunter noted that A-4 was being renamed to SC (Small Community). Mr. Hunter noted that building width line was revised to building line setback and it was done to get rid of flag pole lots as shown on the monitors. Changes were also made to accessory building setbacks and signage for CUP's in the Ag zone. Mr. Hunter noted that another 27 lots had been created in the last year and the lot size continued to drop; big farms are getting chopped up into 30's and small farms are getting chopped up by way of in-family conveyance. Mr. Hunter noted that 321 new homes had been created outside the Urban Service Boundary since 2016. Mr. Hunter reviewed the changes to the in-family amendment that was done in September 2025. Mr. Hunter reiterated that with the current in-family ordinance, there could be potentially 8,200 lots created, and with the proposal that goes down to 1433. Mr. Hunter noted that the in-family conveyance rule only benefitted 1,300 property owners (eligible today) and that would go down to 943. Mr. Hunter noted that Kenneth Johns produced new county zone maps.

Mr. Hunter introduced the changes made in the City side zones. There are currently three single family residential zones R-1A, R-1B, R-1C; they're different sizes, different minimum lot square footages. Mr.

Hunter noted that one of the things done to this zone was the cleanup language related to accessory buildings, fences, swimming pools, solar panels, again directly from that directive, prior directive from the city. Reorganized the list of conditional use permits to tighten those up for single family. Revised the yard, lot and height requirements and we added manufactured homes and we added accessory dwelling units. Mr. Hunter noted that the accessory dwelling units have not been allowed here and it allows someone to do something above their garage or build a dwelling in their rear yard to let their kid move in or bring grandma back and could even be rented out. Mr. Hunter noted that it allows us to use our land more efficiently and creates dwelling opportunities to benefit affordable housing. Mr. Hunter noted that in R-1A, those dwelling units would be limited to 25% of the footprint of the principal structure. Mr. Hunter noted that the minimum lot sizes in R-1A, R-1B, R-1C were proposed to be changed along with changing the width and setbacks of the lots. Mr. Hunter noted that the changes came from the City's Housing Task Force and the Planning Commission's Advisory Committee did not tweak them. A new Single Family Residential zone was created and titled R01D to entice affordable housing opportunities. The R-1D zone would be a 3,500 square foot lot and 50 feet wide which comes out to 12 units to the acre. Mr. Hunter noted that a zone change would be required to develop R-1D lots. Mr. Hunter noted that the changes in the R-2 zone consisted of 10,000 square foot lot and the setbacks decreased along with allowing taller structures. Mr. Hunter noted that the changes in the R-3 zone consisted of deleting the side setbacks based on height and sum of sides and go to smaller setbacks; the density changed from 8 units an acre to 16 units (doubling of the density). Mr. Hunter noted that this was in line with the Comprehensive Plan. The changes in the R-4 zone doubles the density from 16 to 32 units an acre. Mr. Hunter noted that R-4 would be exclusively for multi-family use only. Mr. Hunter noted that the manufactured and mobile home subdivision section was truly housekeeping and noted that they were governed under the health department and noted they weren't a very efficient use of land. Mr. Hunter noted that terms were cleaned up in the office zone and lowered the density option to the R-3 standard. Mr. Hunter noted that the crematorium issue was addressed as well as Conditional Use Permits. Mr. Hunter reviewed the changes in B-1 zone (Neighborhood Business) and tighten up CUP's. Mr. Hunter noted that when he came here he had to sit on an existing downtown business committee, that the previous director had been on, and their focus was to look at the downtown area of Versailles and make sure they were keeping the storefronts full. Mr. Hunter noted that in the current ordinance, a hotel or church was permitted in the downtown zone; a CUP is required to do the things that traditionally have been in downtown for a long time. One of the directives from Versailles was to allow residential use downtown. Mr. Hunter noted that he and Mr. Johns came up with a concept about a year and half ago where you can look at the zone and know what type of service can be done there. Mr. Hunter noted that he created a residential restrictive area for first floor retail and second and third floor residential. Mr. Hunter noted that outside Main Street in the traditional core, if a person wants to run a business or live there, they are good either way. Mr. Hunter showed the aerial maps for Versailles and Midway, denoting where a person could live on the first floor. Mr. Hunter noted that he made changes to the entire list of uses in the B-2 zone. Mr. Hunter noted that in the B-4 zone he cleaned up terms and CUP's and moved some things to CUP's and the things you can do by right kind of fit what is happening in B-2. Mr. Hunter noted that in the B-5 zone he defined the difference between a campground and an RV Park. The RV Parks are proposed to only be in the Industrial zone and capped it at 100 lots. Mr. Hunter noted that he made some definition and CUP changes in the Industrial zones. Mr. Hunter noted that when doing text amendments it's always important to go back and look at the Comprehensive Plan and review the Goals and Objectives. Mr. Hunter noted that there was an objective in the Comprehensive Plan that encourages future residential growth be located within

the urban service boundary and small community while discouraging residential subdivision growth that is scattered outside the urban service boundary. Mr. Hunter noted that it was spot on why we restricted the RR zone and curbing the in-family; tells us what we're supposed to be doing out in the agricultural area. We're supposed to be providing and protecting or to provide sufficient agricultural land and we're supposed to be protecting agriculture prime farmlands preserving the integrity preserving the character. Mr. Hunter looked at the comprehensive plan and he had a hard time understanding how we even have an in-family conveyance policy and why we do rural cluster developments, because when he read the agricultural goals its spot on. Mr. Hunter noted that he felt the amendments were good to go but some citizens who latched onto it last minute may have questions.

Madam Chair asked if any Commissioner's had questions for Mr. Hunter. Mr. Sharp asked for a little more clarity on the manufactured home compared to the stick built home and if a developer restricts a manufactured home from being placed then you can't do a manufactured home in that subdivision. Mr. Hunter noted that the new state law will prohibit Planning Commission from restricting manufactured homes.

Madam Chair asked if anyone from the public wished to speak.

Joe Johnson, Cedar Ridge HOA President and highly engaged citizen, thanked Mr. Hunter for his presentation on Tuesday night at Troy Presbyterian Church providing his detailed knowledge of the zoning amendments and for sharing his wisdom with the rural south rural Woodford County. Mr. Johnson noted that he was made aware of the 117 page text amendment change in the Zoning Ordinance of Articles II and VII on November 6<sup>th</sup> when someone knocked on his door. Mr. Johnson noted that he was not aware of the proposed changes nor were the citizens of Versailles. Mr. Johnson noted that it had been referred to as last minute and he understood that the Commission had just seen certain component as well. Mr. Johnson asked that the 117 page amendment to Articles II and VII of the Zoning Ordinance be tabled until two specific occurrences happen. Number one, is that the Planning Commission receives and assesses the housing study that they commissioned before any vote occurs on the 117 page amendment to Zoning Ordinance Articles II and VII. The second one, is to schedule a public educational meeting at Simmons Elementary with Mr. Hunter for the citizens of Versailles. Mr. Hunter has knowledge, expertise, and the wisdom to help the citizens of Versailles to truly understand the sweeping changes that are being put before the Commission to vote on. Mr. Johnson noted that if we take the time to do that education on the front end, that's going to save the other two other three bodies of having to be bombarded with citizens and questions and the debate. Mr. Johnson proposed that it be tabled until the two items have occurred. Mr. Johnson submitted written comments into the record for Bennett Williams, Debbie Cooper, John Sorman, Karen Isberg, Ms. Williams, and Lorie Sorman.

Jim Mansfield of Troy Pike noted that they had a great meeting on Tuesday night as it was very informative. Mr. Mansfield noted that his concern and a lot of others in South Woodford, is that if we keep going the way we're going, we're going to ruin what we have. Mr. Mansfield did not understand why having 30 acres needed to have an exception to that for farmers because there are other things built into the ordinance for the opportunity to build another house for family member or employee or a tenant. And now there is a proposal to add accessory dwelling so the younger people could have a house and when the time comes to take over the farm, mom and pop can move to the smaller home and the younger

people can have the bigger house. Mr. Mansfield noted that you can always cut off 30 acre tracts, so there are things already built in so why automatically allow more lots.

Jason DeBold of Versailles thank the Commission and noted that he was a fifth generation Woodford Countian. Mr. DeBold noted having worked with the existing text for thirty years noted that this proposal really concerned him in many ways. With regards to the farmers, the in-family conveyance had always been an ordeal and with occupancy, proximity to the existing home on the property, there's lots of ways to make that where it can't be abused. Mr. DeBold noted that he didn't know how often it had been abused and did not have a problem trying to strengthen it for our farmers. We can't tell a farmer what he can or can't do with his land' our land is what makes the county unique; they call this the asparagus bed of Kentucky when they came here 250 years ago because of the soil. Mr. DeBold noted that in regards to Rural Residential, he believed we did a bad job, getting down to a single zone or single two zones. Once an in-family conveyance or rural residential happens, that residual farmland needs to have its own zone so that can't be done again. Mr. DeBold noted that his bigger concerns as a city resident and as an investment property owner are the densities being proposed are more comparable to surrounding towns. The R-4 zone density would double from 16 units an acre to 32, which will have an impact on the existing community; and then you can have a five story building that can be 10 feet off the property line and with a 10 foot rear yard and that could be Rose Hill, Wooldridge Lane, Macey Avenue, and Virginia Avenue. You could go out to Stonegate and there is R-4 in a cul-de-sac and build apartments were there are really nice homes and if one burns down someone could build six condos instead of building a house back. Mr. DeBold noted that the proposal would change the fabric of the communities and will put a magnet for developers to come into the community. Mr. DeBold acknowledged that we were trying to create housing that every member of our community could afford, but he would be better off tearing down 30 apartments to build back 60. We want to make it more affordable and we want our kids to be able to live here; there is a small percentage of people who grew up her that are able to live here, it's a privilege. Mr. DeBold noted that to make it more affordable or cheaper, that is something that's got to come from low interest loans and government assistance on down payment. Mr. DeBold submitted his comments into the record and asked the Commission to not take action on the amendment.

Vernon Azevedo of Rumsey Circle in the City of Versailles noted that he had submitted his written comments in opposition to the proposed revision to Article II and VII of the Zoning Ordinance. Mr. Azevedo noted that while these amendments appeared to focus solely on land use metrics within the respective residential city side zoning classification, their adoption represents an unacceptable risk to the public's health, safety and welfare, and a profound change to the character and quality of life in Woodford County. Mr. Azevedo asked why the need for the changes? What's the basis? The dimensional changes contained in these amendments cannot be reasonably explained and implemented without verified data confirming the need and that the existing infrastructure could support the increased density and associated demand. No comprehensive growth study had been completed in coordination with the Fiscal Court, the City of Versailles and the City of Midway to assess cumulative impacts of increased growth and development density on government services including schools, police, fire, Emergency services, water and sewer infrastructure, storm water infrastructure, traffic infrastructure and parks. The proposed dimensional changes in lot size, roadway frontage, front, side, and rear yard requirements combined with increased building heights will fundamentally alter the character of our neighborhoods and negatively impact the quality of life in our community. The combined effects of decreased lot size, decreased yard

setbacks, decreased roadway frontage, and increased building heights create an undesirable and overly cramped housing environment. This results in decreased privacy, diminished access to the natural environment, increased noise pollution, and a loss of community aesthetic appeal. There's no study or documentation to confirm that the current water distribution and sanitary sewer systems have the capacity to serve the increased population densities. Having a water line underground does not guarantee adequate pressure, domestic flow or fire flows in the area to be serve; the same goes with sanitary sewer. Failure to consider these needs may result in the inability to meet prescribed and regulated levels of service, may cause health concerns, and ultimately will create a need for expensive system upgrades, the cost of which will be borne by existing customers. Increased density and decreased yard requirements inherently lead to a loss of permeable surfaces and an increase in runoff. There's been no study to document the potential impact of on existing properties due to flooding and the associated costs to correct off-site improvements, off-site problems from the increased development density. No analysis has been completed to determine the capacity of the existing roadway network to absorb traffic increase that will result from allowing more lots per acre. Implementing these changes without a traffic study will inevitably lead to increased congestion, increased commute times, and compromised emergency vehicle access. While the pursuit of affordable housing is a laudable goal, the Woodford County Housing Study dated September 2022 provides no quantitative amount of affordable housing that is needed in Woodford County. Nor does the study recommend any specific means to achieve affordable housing. There's no specific recommendation in that study that says the way to get affordable housing is through across the board dimensional text amendments. Policies decisions of this magnitude must be driven by recommendations based upon solid data, not speculative claims or general assumptions. The proposed zoning text amendments constitute an ill-advised, premature, and potentially injurious course of action. The amendments prioritize theoretical development capacity over verified infrastructure capability and community impact. Mr. Azevedo repeated that statement. The amendments prioritize theoretical development capacity over verified infrastructure capability and community impact. Mr. Azevedo asked again why the need for these changes? What will be accomplished with these changes? Mr. Azevedo urged the planning commission to reject the proposed changes until full impact studies have been completed documenting that no negative impact on our community will occur with their implementation. Mr. Azevedo entered his document into the record.

Mark Pearson of Rose Ridge Subdivision noted that most of the things said by the other speakers were in his written document which he submitted into the record. Mr. Pearson noted that the meeting out in the county with Madam Chair and Mr. Hunter was a real eye opener for him because he would like to get more engaged with what is going on the county and city. Mr. Pearson noted that in his work at University of Kentucky he wanted to impress upon the students to get involved and engage and make the courtroom full every time there is a meeting and there would not be surprises or misinformation about a truck stop.

Kathy Bachman thanked the Commissioners for their service and time and noted that she had heard about the truck while getting her haircut today. Ms. Bachman noted that the public just doesn't know and gets alarmed because they need more information and echoed what Mr. Johnson said. A completed housing study is needed and need for the Commission to be out in the public to education them and submitted her comments into the record.

Isabella Cherolis of Woodford County noted that she recently moved here from Richmond, Kentucky where they had these issues and the infrastructure was not there and was a huge factor in her moving to Versailles. Ms. Cherolis noted that she had heard some really good things about Versailles and heard that the City stopped the Walmart; and where she could go live like small town America and wanted to raise her family. Ms. Cherolis noted that she had heard the county had wonderful schools, Catholic school and wonderful private schools as well as the high school, where her fiancé went and graduated from Woodford County. Ms. Cherolis questioned if there was a definition of affordable housing and was that homes under \$250,000 are those condos or apartments? Mr. Hunter noted that it's the federal definition; 30% of your average household income and there is a gap analysis on the state website that shows the needed units. Mr. Hunter noted that we did not have a definition of what those unit types would be; that's what the housing study is going to attempt to do. Ms. Cherolis questioned if the housing study affect what was being voted on today? That way if we find out that the housing study you know, overgrowing or that we can't sustain the new homes that are being built or the changes that are being made to these zones if we would be able to come back and then have to deal with this all over again. Mr. Hunter noted that he did not believe that was the direction of the study, the study was to simply take the prior study and drill down on our actual gap analysis that had been identified by the state. Mr. Hunter believed that the County needed 1,191 units today to meet the affordable housing directive. The housing study will not include what should be built. It will get down to the unit types needed by income level based on the federal definitions of affordable housing. Mr. Hunter noted that on the City side there was about 1,700 units already zoned, already committed, already deed restricted and already in progress.

Ann Bakke of Nonesuch noted that she was at the meeting in Troy-Keene. Ms. Bakke noted that she supported the text amendments to reducing the destruction of farm property by making it into residential through new subdivision in farmland and through in-family conveyance. Ms. Bakke noted that she compared farms in the area in which she lives and the farms ranged from 7 to 107 acres; and in aggregate, seven farm owners owned 435 contiguous acres. Ms. Bakke noted that six of those seven properties were not owned by full-time farmers, but they're owned by part-time farmers or hobbyists; there is one farm that is trying to full-time board thoroughbred mares and she believed that was a legitimate full-time farming activity. Ms. Bakke noted that they have five cows, six horses, raise a little hay and feed all the neighbors cats; next door neighbor leases some pasture and grows garlic; over the hill the guy has a bunch of donkeys. Ms. Bakke noted that they were not farmers, they are conservationist and preservationists. Ms. Bakke noted that one out of the seven farm owners grew up on this farm and inherited it and the other six earned money somewhere else and their intent was to love the land, enjoy the land, live on the land and keep the land. Ms. Bakke understood the in-family conveyance but believed that it was a policy that served the old guard and they don't want the land divided up any further and she supported the new proposed policy and look carefully at thigs that will preserve the farmland.

Lori Garkovich of McCowans Ferry Road noted that she had been at many meetings on this issue before. Ms. Garkovich was concerned that this suddenly had been combined into the issue around the City and she worried about that too. But the issue is that once the land in the agricultural areas are gone, it does not go back. Ms. Garkovich quoted "in a moment of great decision, the best thing to do is the right thing to do. The worst thing to do is nothing", and make sure that we do something about the article components of this these two sections, articles that deal with agricultural land. Ms. Garkovich noted that

we have spent two and half years piddling with the idea and we continue losing land and suggested separating the two amendments out and make it happen.

John Thompson noted that he would not repeat a lot of what had been said and noted that he was a native Woodford Countian and had lived in Stourbridge I for over forty years. Mr. Thompson asked the Commission to table the proposed amendments and have a meeting in the City so the public can get some questions answered and wait until the housing study was completed. Mr. Thompson submitted his comments into the record.

Debbie Tichneor of Clifton Road noted that she had lived in the County for twenty years and echoed some of what Ms. Garkovich said about preserving our land. Ms. Tichneor noted that when developments are approved we clear the fence rows and lose native trees and habitat for winter migrating birds and other habitats that are wiped out. Ms. Tichneor never hears anyone talk about the plan to replant trees or how they are protecting the ecosystem in the county; no one has worked that in any development and what they are going to do to protect that.

Sonya Lamb noted that she built a home in Woodford County in 1998 and loved the green spaces and noted that her children are grown but when they come back, they won't recognize their hometown. Please save the green spaces.

Lillie Cox of Versailles noted that they were at the meeting because they heard about a truck stop. Ms. Cox noted that everyone needed to work together and get engaged with Fiscal Court and City Council meetings, they need to be attended. Ms. Cox noted that they were upset about the clearing of the property at 33 and the parkway; noted that she used to pick wild flowers there for decorations on her table.

Shannon Corbett noted that she learned so much from the community at the meeting thanked the Commission for being so informative and was in favor of encouraging high school students attend the meetings.

David Kratt of Versailles noted that he lived in Stourbridge and had lived in Versailles for 34 years. Mr. Kratt noted that he was opposed to specific revisions to Articles II, VII, VIII and X as proposed. Mr. Kratt was very concerned with the proposed changes in the 117 page document and believed that it would be a comprehensive and significant change to the existing Articles. Mr. Kratt believed that all parties including the Commission, Fiscal Court and Versailles and Midway City Councils must have more time to review, absorb and consider the changes since the Comprehensive Plan is underway, it would be more logical to delay taking up the proposed changes until after the Comprehensive Plan is updated and the Commission had recently engaged a consultant to produce the housing study; the timing of that and the changing of the proposed zoning ordinance was very poor. In addition to the completion of the Comprehensive Plan update, the housing study needs to be completed before taking on major revisions to the zoning ordinances, specifically for the City and housing development sections. Mr. Kratt noted that the community at large needed to be educated, made aware of the proposed changes and he highly recommended a series of public forums to engage, inform and discuss the proposal with the community before taking any further action. Mr. Kratt also submitted that the process and manner with which the

changes had been developed was questionable based on committee makeup and how the process was followed; there could be some competing interest and some conflict of interest involved in all of this. Mr. Kratt was very concerned about the many sweeping changes to increase lot density and size of buildings permitted in various categories. Examples noted by Mr. DeBold. Mr. Kratt was also concerned about the permissive language regarding truck stops and RV parks. Mr. Kratt reiterated that more public education needs to occur and involve elected officials. Mr. Kratt asked the Commission to reject the proposed amendments as noted in the beginning of his testimony and submitted his written comments into the record.

Helen Rentch of Midway wanted to build upon what Ms. Garkovich had suggested and if it's possible to separate the county issues from the city issues at this meeting? Ms. Rentch asked the Commission to consider it.

Russ Witt of Versailles noted that there had been a lot of work done on the county side but had a lot of concern on the city side. Mr. Witt questioned if the county and city stuff could be separated to get the county stuff in place since Mr. Hunter noted there's 30 more homes every year? Mr. Witt noted that the concerns that everyone had addressed relating to the studies, needs to be addressed with the city stuff, and putting those two together was causing a problem. Mr. Witt did not want to see the county get held up any longer.

Madam Chair closed the public hearing.

There was discussion among the Commissioners to separate the county and city changes. Mr. Hunter noted that the city stuff was a directive from the city and some of this discussion may need to take place with City Council and community. Mr. Hunter reminded the people that the last time they sent the county the text amendment, the court spent four months before they got to a position they were comfortable to make a directive. Mr. Hunter noted that without the moratorium way back they could've worked on the Comp Plan and everything would have been paused. Mr. Smith noted that the amendments could be split. Mr. Hunter suggested passing the amendments and sending them onto the County and City for them to debate with the public. Mr. Hunter noted that the legislative bodies make the law, the Commission just makes the recommendation and they are under no time constraint. Mr. Wells asked for clarification regarding the directives that came from the Housing Task Force thru the City Council about the density changes, Mr. Hunter noted that was correct. Mr. Wells noted that the Commission had several public meetings on the amendments. Mr. Hunter shared the website homepage of the Planning Commission.

**Motion was made by Mr. Schein, as seconded by Mr. Bohannon to approve and forward Text Amendments to Article II and Article VII pages 7-1 thru 7-33 and 7-87 thru 7-89 and strike 707.B (R-1D) only to the Legislative bodies, because the Director presented extensive evidence and cited Comprehensive Plan preservation and agriculture goals to justify revisions to in-family conveyance provision amendments. No further discussion. Motion carried with eight (8) aye votes.**

Motion was made by Mr. Schein, as seconded by Mr. Middleton, to send the proposed Text Amendments that were not forwarded to the Legislative bodies back to the Advisory Committee for review. No further discussion. Motion carried with eight (8) aye votes.

**COMMUNICATIONS & OTHER BUSINESS:**

**BILLS – November**

The report was accepted.

**MONTHLY BUDGET REPORT/PROFIT LOSS – October 2025**

The reports were accepted.

**CONSTRUCTION SURETIES – October 2025**

**PERMITS ISSUED – October 2025**

The report was accepted.

Mr. Hunter noted that the December meeting would be the last meeting for Madam Cahir Patty Perry and the Commission would be holding a reception at 5:00 p.m. on December 11<sup>th</sup>, prior to the Commission meeting.

Motion was made by Mr. Bohannon, as seconded by Mr. Wells to adjourn the meeting at 9:32 p.m. The motion carried with eight (8) aye votes.

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Patty Perry, Chair

PP:ko

**Kim O'Reel**

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**From:** Michelle Lyons <mmylyons2628@yahoo.com>  
**Sent:** Thursday, November 13, 2025 6:27 PM  
**To:** Kim O'Reel  
**Subject:** Opposed: Zoning Amendments

[You don't often get email from mmylyons2628@yahoo.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

My husband and I are Woodford County residents and we oppose the zoning changes being proposed in tonight's meeting at 6:30.

We are unable to attend tonight, but want our voices to be heard and recorded.

Thank you.

Matt and Michelle Lyons  
mmylyons2628@yahoo.com

Sent from my iPhone

To: VERSAILLES-MIDWAY-WOODFORD COUNTY PLANNING COMMISSION

\* From: Bennett Williams

Subject: Formal Objection to specific revisions in the Articles VII of the Versailles Zoning Ordinance

November 12, 2025

Dear Commissioners,

Thank you for your service and most important work that you do which affects all of Woodford County for the ages.

I respectfully oppose many proposed changes to Article VII of the Versailles Zoning Ordinance.

Specifically, I would like to voice my concerns on the following amendment items:

Article VII Section 709 MEDIUM DENSITY RESIDENTIAL (R-3), pages 71-73

Unless proposed use is specified to be in a walkable, urban or infill situation, these changes would significantly intensify development in ways that are incompatible with our community. Doubling maximum density to 16 units per acre and raising maximum lot coverage to 75 percent (from 25 percent) will more than likely increase on-street parking demand and congestion, putting additional pressure on emergency vehicle and school bus access.

Article VII Section 710 HIGH DENSITY RESIDENTIAL (R-4), pages 74-75

Again, unless this is proposed specifically for use in an area that is infill where some infrastructure components exist, I oppose the expanded density to thirty-two (32) units per acre and 90% lot coverage. The considerably higher impervious area will increase runoff volumes and peak flows, worsening localized stormwater flooding and pollutant loads. There does not appear to be any allowance for Parking requirements as set out in Article VI. This would add to hardscape and runoff.

Therefore, I respectfully urge the VERSAILLES-MIDWAY-WOODFORD COUNTY PLANNING COMMISSION to reject the proposed amendment modifications.

I submit this document to the planning commission for the record.

Respectfully yours,

Bennett Bell Williams

1727 McCowans Ferry Road

[bennybw2780@gmail.com](mailto:bennybw2780@gmail.com) (859) 621-9256

**To:** VERSAILLES-MIDWAY-WOODFORD COUNTY PLANNING COMMISSION

**From:** Debbie Cooper

**Subject:** Formal Objection(s) to specific revisions in the “Articles II, VII, VIII & X of the Versailles Zoning Ordinance”.

**Date:** 11/13/25

Please allow me to introduce myself. I’m Debbie Cooper, a resident of Woodford County for over 65 years. I currently live in Stourbridge II. I appreciate the opportunity to share my concerns with this Commission. I’d like to thank you for your time and consideration of my points.

I respectfully want to formally oppose specific revisions to Articles II, VII, VIII & X of the Versailles Zoning Ordinance.

Specifically, I want to address the following amendment components;

- 1) **Article 7 > Section 703 Rural Residential RR / Residential Farmland (RF) District > Page 7-16**  
> **Sub-Section 703.1 Purpose and Intent**
  - **I object to the removal of the detail that defines the purpose and intent.**
  
- 2) **Article 7 > Section 705 Low Density – Single Family Residential (R-1A) > Page 7-35**  
> **Sub-Section 705.6 Lot, Yard and Height Requirements**
  - **I object to reducing the minimum lot size from 15,000 square feet to 10,000 square feet; minimum width of building line reduced from 100 feet to 80 feet; minimum front yard reduced from 35 feet to 25 feet.**
  
- 3) **Article 7 > Section 706 Single Family Residential (R-1B) > Page 7-37**  
> **Sub-Section 706.6 Lot, Yard and Height Requirements**
  - **I object to reducing the minimum lot size from 10,000 square feet to 8,000 square feet; minimum width of building line reduced from 80 feet to 70 feet; minimum front yard reduced from 30 feet to 25 feet; maximum height increased from 35 feet to 42 feet; maximum density increased from 4 units per gross acre to 5 units per gross acre.**
  
- 4) **Article 7 > Section 707 Single Family Residential (R-1C) > Page 7-38**  
> **Sub-Section 707.6 Lot, Yard and Height Requirements**
  - **I object to reducing the minimum lot size from 7,500 square feet to 5,000 square feet; minimum rear yard reduced from 35 feet to 10 feet; maximum height increased from 35 feet to 42 feet; maximum density increased from 4 units per gross acre to 8 units per gross acre.**

5) Article 7 > Section 708 Two Family Residential (R-2) > Page 7-41

> Sub-Section 708.6 Lot, Yard and Height Requirements

- I object to reducing the minimum lot size from 12,000 square feet to 10,000 square feet; minimum rear yard reduced from 35 feet to 10 feet; maximum height increased from 35 feet to 42 feet; maximum density not to exceed 8 units per gross acre.

6) Article 7 > Section 709 Medium Density Residential (R-3) > Page 7-44

> Sub-Section 709.6 Lot, Yard and Height Requirements

- I object to reducing the minimum front yard reduced from 25 feet to 20 feet; maximum height increased from 40 feet to 48 feet; maximum lot coverage increased from 25% to 75%; maximum density increased from 8 units per gross acre to 16 units per gross acre.

7) Article 7 > Section 710 High Density Residential (R-4) > Page 7-46

> Sub-Section 710.6 Lot, Yard and Height Requirements

- I object to reducing the minimum rear yard reduced from 30 feet to 20 feet; maximum height increased to 5 stories; maximum lot coverage increased from 30% to 90%; maximum density increased from 16 units per gross acre to 32 units per gross acre.

8) Article 7 > Section 711 Mobile and Manufactured Home District (M-1) > Page 7-48

> Sub-Section 711.1 Purpose and Intent

- I object to the removal of the details about the “special considerations as to their proper location and character in relation to adjacent areas ..... The standards contained in this provision represent an attempt to provide adequate protection for, and consideration of, both the community and the mobile home dweller”.

9) Article 7 > Section 711 Mobile and Manufactured Home District (M-1) > Page 7-52

> Sub-Section 711.6 Procedure

I object to the removal of sections A and B along with their respective sub-sections providing basic guidelines.

10) Article 7 > Section 711 Mobile and Manufactured Home District (M-1) > Page 7-54

> Sub-Section 711.9 Temporary Uses of Mobile Homes

- I object to the removal of sections A and B along with their respective sub-sections providing basic guidelines.

11) Article 7 > Section 718 Light Industrial (I-1) > Page 7-75

> Sub-Section 718.4 Conditional Uses

I object to the truck terminals and freight yards being included.

12) Article 7 > Section 718 Light Industrial (I-1) > Page 7-76

> Sub-Section 718.6 Lot, Yard and Height Requirements

- I object to maximum height increased from 50 feet to 100 feet; maximum lot coverage increased has no limitation; minimum useable open space has no limitations.

13) Article 7 > Section 719 Heavy Industrial (I-2) > Page 7-79

> Sub-Section 719.2 Principle Uses

- I object to the Truck Stop / Heavy Vehicle Convenience Center being included.

14) Article 7 > Section 719 Heavy Industrial (I-2) > Page 7-79

> Sub-Section 719.4 Conditional Uses

- I object to the Heliport being included.

Therefore, I respectfully urge the VERSAILLES-MIDWAY-WOODFORD COUNTY PLANNING COMMISSION to reject or table the proposed amendment modifications. In the event that the proposal is tabled, I would suggest a Community Meeting be organized to inform/educate Woodford County citizens providing them an opportunity to be a part of these huge decisions that will affect out county for years to come.

Respectfully I submit this document to the planning commission for the record.

Respectfully Submitted,

Debbie Cooper  
Stourbridge II Homeowner  
debbiec217@gmail.com  
859-420-0319

**To:** VERSAILLES-MIDWAY-WOODFORD COUNTY PLANNING COMMISSION

• **From:** John Sorman of the Rose Ridge Subdivision

**Subject:** Formal objection to a vote on any revision in the "Articles II, VII, VIII & X of the Versailles Zoning Ordinance"

**Date:** November 13, 2025

Hello, my name is John Sorman. I am a resident of the Rose Ridge subdivision. I wish to thank the commission for their time & service.

I respectfully oppose all revisions to Articles II, VII, VIII & X of the Versailles Zoning Ordinance. I am asking the Planning Commission to table any vote on any change to the current ordinances until the new Comprehensive Plan is finished, and the housing study is complete, and there have been public meetings held to explain how the proposed changes will affect Versailles.

Respectfully I submit this document to the planning commission for the record.

John Sorman  
4032 Pine Grove Rd  
Versailles, KY 40383  
jmsorman@gmail.com  
M (847) 722-7087

**To:** Versailles-Midway-Woodford County Planning Commission

**From:** Karen Isberg

**Subject:** Formal Objection to Proposed Revisions in Articles II, VII, and VIII of the Versailles Zoning Ordinance

**Date:** November 12, 2025

Dear Members of the Planning Commission,

I have been a resident of Woodford County since 1988. I raised two children here, founded and grew a successful international business in the City of Versailles, and currently live on 110 acres in South Woodford, where I operate a horse facility.

I have reviewed the proposed text amendments to the Versailles Zoning Ordinance and attended the public meeting held on November 11 at Troy Church, where Director Hunter presented the proposed changes.

I am writing to **formally object** to specific revisions proposed in **Article VII** of the ordinance, particularly the following sections:

- **Sections 705, 706, and 707 (R-1A, R-1B, R-1C, and R-1D):** Revisions to lot, yard, and height requirements that would increase residential density.
- **Section 708 (R-2):** Revised lot, yard, and height requirements increasing density.
- **Section 709 (R-3):** Revised lot, yard, and height requirements increasing density.
- **Section 710 (R-4):** Revised lot, yard, and height requirements increasing density (notably, an increase from 16 to 32 units).

It is my understanding that these amendments were requested by the City of Versailles to help address the need for affordable housing. While I strongly support efforts to expand affordable housing opportunities, I am concerned that **broad, across-the-board increases in density** will not achieve that goal. Instead, such changes are likely to produce “more of the same” (pun intended) — highly profitable, higher-end developments that do little to improve housing affordability.

To ensure that density increases are used for their intended purpose, I urge the Commission to **limit these changes to developments that meet a clearly defined and verifiable standard of “affordable housing,”** as determined by the ongoing Housing Study currently being conducted by the City.

Accordingly, I respectfully request that the Versailles-Midway-Woodford County Planning Commission **table these text amendments** until the Housing Study is complete. Once the study provides a defensible framework for defining and incentivizing affordable housing, density adjustments can be structured to serve that purpose exclusively — not applied universally.

I further request that Director Hunter **hold an additional public meeting** to explain the purpose and intent of these proposed text changes and to provide an opportunity for citizens to ask questions and receive clear answers.

In conclusion, I **respectfully urge the Commission to reject the proposed zoning amendment modifications at this time** and to revisit them once adequate data and policy safeguards are in place to ensure they genuinely promote affordable housing.

Thank you for your consideration of this formal objection. Please include this letter in the public record.

Respectfully submitted,

**Karen Isberg**  
**2565 Delaney Ferry Rd**  
**Versailles, KY 40383**  
**Kisberg@kppusa.com**

From: Michelle Peck Williams mpw@qx.net  
Subject: Zoning Ordinance Changes  
Date: November 13, 2025 at 5:36 PM  
To: Steve Hunter shunter@woodfordcountyky.gov

To Whom it May Concern:

I am very unhappy with the proposed changes to the Woodford County Zoning Ordinances. Articles 702.6, 705.6 and MANY others propose reducing the lot size requirements for many different parts of the county. We recently purchased a lot and are building in Rose Ridge. The reason we chose Versailles over Nicholasville and Lexington was precisely due to lot size. It's the lower population density that made Woodford County so attractive to us.

I'm sure many people have brought up the issues of traffic, infrastructure, overcrowded schools, water runoff, sewage issues and a loss of green space. Certainly that would be enough to give anyone pause. Additionally though, there's one factor few people consider—light pollution. We dreamed of being able to sit on the back porch and see the stars. More people means more light, particularly if it is commercial zoning. Just last night, I wanted to see the meteor shower, but Lexington has too much light. It was one when we drove out 169 to Woodford County where there was any possibility of seeing it.

Additionally, I am concerned about where these zoning change ideas are coming from. Are they from Woodford Countians? Or from developers and real estate agents? They stand to make a quick profit from these changes, while leaving behind the consequences of increased population density for the citizens of Woodford County to have to deal with in the future.

I am also concerned that these changes are being made before the results of the traffic study that is still forthcoming. Generally you gather the evidence first and only then draw conclusions. These changes are putting the cart before the horse. We should wait until the traffic study is completed, as well as the revised long term comprehensive plan, before doing anything regarding changes.

I do understand that many people are pushing for "affordable housing" (whatever that is) but housing costs are a nationwide problem caused

by MANY factors, including wages, inflation and the rising cost of insurance. Woodford County simply cannot be expected to solve a problem that the entire nation is still grappling with. We need to take time to consider ALL the possible long-term ramifications of changes and think about what we want Woodford County to be like 10, 20 or 30 years from now. Once you increase the population density, there's no going back. Please don't let Versailles go down the same road that Nicholasville, Georgetown and Richmond have, where increasing population density is creating multiple problems. Let's keep Versailles the special place that it is and preserve it for generations to come.

We appreciate your time and request that this information be entered into the record for further review.

Michelle Peck Williams & Raymond C. Hayes  
5064 Prairie Rose Way  
Versailles, KY USA  
mpw@qx.net  
Michelle.williams@fayette.kyschools.us

To know what you know and know what you do not know shows the character of one who knows.

-Kung Fuzi (known in the West as Confucius)

**To:** VERSAILLES-MIDWAY-WOODFORD COUNTY PLANNING COMMISSION

1 **From:** Laurie Sorman of the Rose Ridge Subdivision

**Subject:** Formal objection to a vote on any revision in the "Articles II, VII, VIII & X of the Versailles Zoning Ordinance"

**Date:** November 13, 2025

Hello, my name is Laurie Sorman. I am a resident of the Rose Ridge subdivision. I wish to thank the commission for their time & service.

I respectfully oppose all revisions to Articles II, VII, VIII & X of the Versailles Zoning Ordinance. I am asking the Planning Commission to table any vote on any change to the current ordinances until the new Comprehensive Plan is finished, and the housing study is complete, and there have been public meetings held to explain how the proposed changes will affect Versailles.

Respectfully I submit this document to the planning commission for the record.

Laurie Sorman  
4032 Pine Grove Rd  
Versailles, KY 40383  
pianomom1@comcast.net  
M (847) 767-3001

Memorandum To: Members of the Versailles Midway Woodford County Planning Commission

Steve Hunter, Planning Director

From: Vernon Azevedo, PE (Ret), LS (Ret)

Date: November 13, 2025

Subject: Zoning Ordinance Text Amendment(s)  
Articles II and VII

I am Vernon Azevedo and I reside at 150B Rumsey Circle within the city limits of the city of Versailles. I am a retired civil engineer and land surveyor, and utility manager.

This memorandum formally registers my opposition to the proposed revisions to Articles II and VII of the Zoning Ordinance being considered by the Planning Commission. I have attached to this memo key areas of concern and comments regarding the text amendments.

While these amendments appear to focus solely on land-use metrics within respective zoning classifications, their adoption represents an unacceptable risk to the public's health, safety, and welfare, and a profound change to the character and quality of life within our community – Woodford County, the city of Versailles, and the city of Midway.

Thus, I ask why the need for these changes? What is the basis of need for these changes? The density and dimensional changes contained in these changes cannot be responsibly explained and implemented without verified data confirming the need, and that the existing infrastructure can support the increased density and associated demand.

Specifically, essential studies necessary for decision-making have not been completed:

**Comprehensive Impact and Growth Studies:** No comprehensive growth study has been completed in coordination with the Woodford County Fiscal Court, the city of Versailles or the city of Midway to assess the cumulative impacts of increased growth and development density on governmental services including school, police, fire, emergency services, water and sanitary sewer infrastructure, stormwater infrastructure, traffic infrastructure and parks.

**Negative Impact of Proposed Density and Dimensional Changes on Community Character and Quality of Life:** The proposed dimensional changes in lot size, roadway frontage, and front, side and rear yard requirements combined with increased building heights will fundamentally alter the character of neighborhoods and negatively impact the quality of life in our community.

The combined effects of decreased lot size, decreased front, side and rear yard setbacks, decreased roadway frontage, and increased building heights creates an undesirable and overly cramped housing environment. This results in decreased privacy, diminished access to the natural environment, increased noise pollution, and a loss of community aesthetic appeal.

Decreasing required road frontage for residential lots increases the number of driveway access points, increases street parking, impacts street maintenance particularly snow removal, and decreases pedestrian safety.

**Potable Water and Sanitary Sewer Capacity:** There is no study or documentation to confirm that the current water transmission and distribution systems and the sanitary sewer collection systems have the capacity to serve the increased population densities. Design of water and sanitary sewer systems are based on future population projections and associated demand at the planning and design timeframe. Having a waterline underground does not guarantee adequate pressure, domestic flow or fire flows to areas with increased density. Likewise, sanitary sewer capacity is not guaranteed to these same areas. Failure to consider these needs in advance of allowing increased density may result in the inability to meet prescribed and regulated levels of service, may cause health concerns, and

ultimately may create a need for expensive system upgrades the cost of which is borne by the existing customers.

**Stormwater Management and Drainage:** Increased density and smaller front, side, and rear yard requirements inherently leads to a reduction in permeable surfaces and an increase in surface runoff. There has been no study to document the potential for impact on existing properties due to flooding and environmental damage and the associated costs to correct off-site problems from increased development density.

**Traffic and Roadway Infrastructure:** No analysis has been completed to determine the capacity of the existing roadway network to absorb the significant traffic increase that will result from allowing more lots per acre. Implementing these changes without a traffic study will inevitably lead to increased congestion, increased commute times, and compromised emergency vehicle access. For the city for Versailles, a traffic study for each of the various roadway classifications is necessary.

Water and sanitary sewer capacity, environmental problems with stormwater management and roadway impacts are measurable and can be quantified. But there are other non-quantifiable measures to be considered.

**Need for Affordable Housing:** While the pursuit of affordable housing is a laudable goal, the Woodford County Housing Study, September 2022, provides no quantitative amount of affordable housing that is needed in Woodford County, the city of Versailles nor the city of Midway. Nor does the study recommend any specific means to achieve affordable housing. There is no specific recommendation in that study that says that affordable housing can only be achieved by drastic, across- the-board dimensional text amendments. Are we competing with other communities for development and housing? Policy decisions of this magnitude must be driven by recommendations based upon solid data – not speculative claims or general assumptions.

**Conclusions and Recommendations:** The proposed zoning text amendments constitute an ill-advised, premature, and potentially injurious course of action. The amendments prioritize theoretical development capacity over verified infrastructure capability and community impact.

I again ask why the need for these changes? What will be accomplished with these changes? I urge the Planning Commission to reject the proposed zoning text amendments until a full and independent set of capacity and impact studies covering public infrastructure -- traffic, potable water, sanitary sewer, and stormwater management -- can be completed. And studies documenting the impacts to our schools, police, fire, emergency services, and parks are completed. Then, with community input, that data can be reviewed, and if the impacts of the proposed text amendments can be shown to have no negative impact on our community, the text amendments can be considered.

I ask that this document be entered into the record.

Attachment

**AREAS OF CONCERN  
PROPOSED TEXT AMENDMENTS to ARTICLES II and VII**

Article	Paragraph	Page	Text Change Summary	Comments
II	201	2-13	Definition of Condominiums	The Horizontal Property Law applies only to condominiums established prior to 2011. The Kentucky Condominium Act applies to condominiums established in or after 2011.
II	201	2-19	Definition of Peak Hour	Peak Hour applies to Potable Water demand and Sanitary Sewer flow as well as traffic.
II	201	2-21	Definition of Retention Basin	Retention basins and Detention basins both apply to control of stormwater runoff but are different structures in function and operation. Detention basins are not addressed in this section of the Ordinance.
VII	701.7	7-7	Zone A-1: Lot Frontage	Public improvements (water lines, sewer lines, roadways) in rural developments can be financed in whole or part by Special Assessments per KRS. A road frontage requirement of 250 LF is common in many counties, decreases the number of rural lots that can be divided from parent tracts, and decreases rural development density

VII	702.6	7-13	Zone A-1: Max Building Height is increased from 35 to 42 ft	This change is carried thru other zones. Standard residential construction for housing is 24, 28, or 32 ft deep. With a one- or two-story house and a building height of 42 ft, the roof slope becomes <u>greater</u> than 1:1. This is unrealistic. Thus why the change?
VII	703.7	7-18	Zone RR/RF: Lot Frontage	Public improvements (water lines, sewer lines, roadways) in rural developments can be financed in whole or part by Special Assessments per KRS. A road frontage requirement of 250 LF is common in many counties, decreases the number of rural lots that can be divided from parent tracts, and decreases rural development density
VII	703.10B	7-20	Zone RR/RF: Access spacing	500 ft spacing "as measured along the centerline of the publicly maintained road" is recommended.
VII	704.6	7-31	Zone SC: Max Building Height	Standard residential construction for housing is 24, 28, or 32 ft deep. With a story house and a building height of 42 ft, the roof slope becomes greater than 1:1. This is unrealistic. Thus, why the change?
VII	705.6	7-35	Zone R-1A: Min Lot Size	Zone is <b>Low Density Single Family Residential</b> . Decreasing the minimum lot size from 15,000 sq ft to 10,000 sq ft increases density from three to four units per acre. The change does not maintain the character of the R-1A zone.

VII	705.6	7-35	Zone R-1A: ROW Frontage	ROW Frontage should match the lot width at the building line. This is a design issue that makes the requirements of a minimum ROW frontage of 50 ft and a minimum width at the Building Line of 80 ft not feasible as lot lines are typically at right angles to the ROW line. The proposed standard should apply to cul-de-sacs only.
VII	705.6	7-35	Zone R-1A: Min Front Yard	Decreasing the minimum front yard depth from 35 ft to 25 ft does not maintain the character of the R-1A Zone.
VII	705.6	7-36	Zone R-1A: Min Rear Yard	Decreasing the minimum rear yard depth from 50 ft to 10 ft does not maintain the character of the R-1A Zone.
VII	705.6	7-36	Zone R-1A: Max Building Height	Standard residential construction for housing is 24, 28, or 32 ft deep. With a story house and a building height of 42 ft, the roof slope becomes greater than 1:1. This is unrealistic. Thus, why the change?
VII	706.6	7-37	Zone R-1B: Min Lot Size	Decreasing the minimum lot size from 10,000 sq ft to 8,000 sq ft increases density from four to five units per acre. The change does not maintain the character of the R-1B zone.

VII	706.6	7-37	Zone R-1B: ROW Frontage	ROW Frontage should match the lot width at the building line. This is a design issue that makes the requirements of a minimum ROW frontage of 50 ft and a minimum width at the Building Line of 70 ft not feasible as lot lines are typically at right angles to the ROW line. The proposed standard should apply to cul-de-sacs only.
VII	706.6	7-37	Zone R-1B: Min Front Yard	Decreasing the minimum front yard depth from 30 ft to 25 ft does not maintain the character of the R-1B Zone.
VII	706.6	7-37	Zone R-1B: Min Rear Yard	Decreasing the minimum rear yard depth from 35 ft to 10 ft does not maintain the character of the R-1B Zone.
VII	706.6	7-37	Zone R-1B: Max Building Height	Standard residential construction for housing is 24, 28, or 32 ft deep. With a story house and a building height of 42 ft, the roof slope becomes greater than 1:1. This is unrealistic. Thus, why the change?
VII	707.6	7-38	Zone R-1C: Min Lot Size	Decreasing the minimum lot size from 7,500 sq ft to 5,000 sq ft increases density from four to eight units per acre. The change does not maintain the character of the R-1C zone.

VII	707.6	7-38	Zone R-1C: ROW Frontage	ROW Frontage should match the lot width at the building line. This is a design issue that makes the requirements of a minimum ROW frontage of 50 ft and a minimum width at the Building Line of 60 ft not feasible as lot lines are typically at right angles to the ROW line. The proposed standard should apply to cul-de-sacs only.
VII	707.6	7-38	Zone R-1C: Min Rear Yard	Decreasing the minimum rear yard depth from 35 ft to 10 ft does not maintain the character of the R-1C Zone.
VII	707.6	7-38	Zone R-1C: Max Building Height	Standard residential construction for housing is 24, 28, or 32 ft deep. With a story house and a building height of 42 ft, the roof slope becomes greater than 1:1. This is unrealistic. Thus, why the change?
VII	707B.6	7-39	Zone R-1D: Density	The zoning designation is new and permits up to 12 single family units per acre. What is the need for this type of zoning density?
VII	707B.6	7-39	Zone R-1D: Max Building Height	Standard residential construction for housing is 24, 28, or 32 ft deep. With a story house and a building height of 42 ft, the roof slope becomes greater than 1:1. This is unrealistic. Particularly at 12 units per acre. Thus, why the change?
VII	708.6	7-41	Zone R-2: Min Lot Size	Decreasing the minimum lot size from 12,000 sq ft to 10,000 sq ft is not low density as is the name of the zone. The change does not maintain the character of the R-2 zone.

VII	708.6	7-41	Zone R-2: ROW Frontage	<p>ROW Frontage should match the lot width at the building line. This is a design issue that makes the requirements of a min ROW frontage of 50 ft and Min Width at the Building Line of 70 ft is not feasible as lot lines are typically at right angles to the ROW line. The proposed standard should apply to cul-de-sacs only.</p> <p>Decreasing the minimum rear yard depth from 35 ft to 10 ft does not maintain the character of the R-2 Zone.</p> <p>Standard residential construction for housing is 24, 28, or 32 ft deep. With a story house and a building height of 42 ft, the roof slope becomes greater than 1:1. This is unrealistic.</p> <p>The primary uses for this zone are single family homes and townhouses. ROW Frontage should match the lot width at the building line. This is a design issue that makes the requirements of a minimum ROW frontage of 50 ft and a minimum width at the Building Line of 60 ft not feasible as lot lines are typically at right angles to the ROW line. The proposed standard should apply to cul-de-sacs only.</p>
VII	708.6	7-41	Zone R-2: Min Rear Yard	
VII	708.6	7-41	Zone R-2: Max Building Height	
VII	709.6	7-44	Zone R-3: ROW Frontage	
VII	709.6	7-44	Zone R-3: Density	<p>With the primary uses as single family homes and townhomes and a minimum lot size of 6,000 sq ft, the zone permits a maximum density of seven single family units per acre. Why is this density needed for single family homes?</p>

VII	710.6	7-46	Zone R-4: Density	The maximum lot coverage is increased from 30% to 90% and the gross number of units per acre is increased from 16 to 32 units per acre. Why the need for the increase in lot coverage and units per acre?
VII	7-11.2.A.1.a	7-48	Zone M-1: Contiguous Acre Requirement	Each Mobile or Manufactured Home Park shall contain a minimum of 5 contiguous acres. The requirement does not state where the five acres are to be located, if the five acres can be split into multiple parcels, or if floodways or conservation areas count toward the five acre requirement.
VII	7-11	7-48 to 7-55	Zone M-1: Green Space or Park Requirement	The text does not require green space or park space within the Mobile Home District.
VII	7-11	7-50	Zone M-1: Water Supply Requirement	The water supply requirement of 600 GPM at 20 psi is the minimum pressure allowed by regulation and will not permit fire protection.

TO: Versailles-Midway-Woodford County Planning Commission, Versailles City Council, Midway City Council, Woodford County Fiscal Court and citizens of such.

From: Jason M De Bold

Subject: Text Amendments to Articles II & VII of the Woodford County Zoning Ordinance

2025.11.13

Let this serve as record of concern regarding the proposed text amendments for the Woodford County Zoning Ordinance Articles II & VII.

-II Definitions

-Many appear as KRS amendments of no concern.

-Rural Residential District- This should be strengthened not stricken. A restriction on the future use of the residual farm land with responsibility upon the developer to make upgrades to water systems would eliminate a lot of the abuse. 30 Acre Lots aren't the best way to preserve our rich agricultural land. A residual 95 acre protected tract attached to the primary residence with 4 or 5 or 6 single family homes packed tightly on 4 or 5 acres are more effective. Even 4 or 5 townhomes on an acre could create a 98-acre parcel protected and restricted from future development while providing highly marketable property. The fact is not lost the idea of smaller lots in the A1/A2 zones would be controversial but our mission must be to preserve and respect every acre of our county. Our essence is the agricultural land, products, views and vistas, we must endeavor to protect these most unique assets while respecting the landowner ability to capture value. It is a delicate subject with no easy answers and consequences that last.

Article VII Zoning Districts

Section-700

-I am greatly encouraged of the addition of a new R-1D zone. The most contiguous and seamless implementation of this entire amendment would be to create additional zones such as R1-E, R-5, R-4A, R4B, R-6, etc... Of which could meet both the density and perceived goals of the entire text amendment. I am however much more gravely concerned at this broad sweeping Zone Change of nearly every acre of the county and its impact on all citizens of our county not only today but most especially tomorrow.

-Sec 700, The In Family Conveyance issue is a several decades old issue for Woodford County. The existing language can easily be strengthened with additional requirements for such. Residency requirements, residual protections of the farm parcel, a longer term of ownership, and even proximity requirements to the existing farm residence could virtually eliminate exploitation with existing language.

-The rural residential and small community, likely the most complex aspects and difficult to balance conservation of agricultural lands. The existing ordinance has proven effective in most ways however the restriction of the residual farm land needs also to be protected from future development. I know this has been an issue to rear it head continually and should be addressed however the broad sweeping change of language presented here could present additional concerns not yet contemplated with the current language. The devil we know so to speak.

-Sections 701-721.7

This text amendment will forever change the fabric of both existing developed areas as well as all future development. This change in language to the land uses of the zones will undoubtedly have significant impacts on the communities in our county. Around 1998 the Commission enlisted an engineer to study reduction of side & rear yards with increased density and the impact on Millville and the city proper made the decision moot as the existing storm water capacity was deemed inadequate. Although I do agree the creation of some additional zones as noted above could create high density opportunities those should be considered on the merit of the property along with notice to adjoining property owners with traffic blending, walkability and utilities considered. To create as this text amendment would so many Non-Conforming parcels would be a travesty for the commission as well as the community whole.

The Comprehensive Plan in no way contemplates the density presented, therefore school, road, public safety, and stormwater projects to date are based on calculations that become immediately obsolete with its passage. This amendment would be a super highway to another high school and multiple elementary schools on an although excellent but stretched school district.

Changing land use for existing zones in this manner is bad for our community in more ways than we can begin to consider at this point. At the root it's a broad-brush zone change for the entire county and in no way can I see this as the intent of the Court, Councils, or Commission. We all want to preserve and protect our county, cities, community, schools

and what makes us unique. I fear this an abomination of what we love and cherish and are so proud of in Woodford County.

Recommendations-

-Create additional zones for higher than existing developments rather than adapting the existing zones permissible use.

-Strengthen in family conveyance with language additions rather than stripping and starting over. The balance developed to date has been effective overall and although abuses on occasion is not broken.

-Create Additional Rural Residential standards particularly as they pertain the residual farm land created and preservation thereof. Again, that system in place although manipulated by a few has been effective and is also not broken beyond repair.

In conclusion I ask the commission to reject the text amendments as proposed.

Very Respectfully Submitted,

A handwritten signature in cursive script that reads "Jason De Bold". The signature is written in black ink and is positioned above a horizontal line.

Jason De Bold

221 Wooldridge Lane

Versailles, KY 40383

November 13, 2025

**To: Woodford County Planning & Zoning Commission**

**Subject: Comments on Proposed Amendments to Zoning Ordinance – Article II, VII, VIII & X**

Dear Members of the Planning & Zoning Commission,

I am writing to share my perspective on the proposed revisions to the articles of the zoning ordinance related to the November 13, 2025, P&Z public hearing agenda. I have read over these and attended an informal / educational meeting to discuss these earlier this week held in Southern Woodford County.

#### **County-Level Changes**

The proposed adjustments on the county side appear reasonable and beneficial. Limiting land fragmentation caused by in-family conveyance and rural residential subdivisions will help preserve farmland and maintain the rural character that defines Woodford County. These changes make sense and align with long-term land-use goals.

#### **City-Level Changes**

The proposed zoning changes for city areas raise significant concerns. Increasing density across all residential zones—allowing more dwellings in smaller spaces and taller structures—could have far-reaching impacts. Before implementing these changes, I urge the Commission to consider the following:

- A housing study is underway (or planned) to determine actual needs.
- Updates to the County Comprehensive Plan are in progress.
- Traffic studies seem to have been completed, new ones needed, or are being planned?

It seems premature to propose sweeping zoning changes, *especially in the cities*, without the benefit of these studies and updates.

#### **Public Education and Transparency**

Citizens need clear, accessible information about these proposed changes—especially those affecting city zones—so they can engage in informed discussions with their elected officials.

Passing major amendments without adequate public knowledge can cause various misunderstandings with the public, e.g. zone changes that will surely result in a truck stop being built off Troy Pike and BG Parkway.

We recently debated rezoning land in front of Rose Ridge, which would have allowed significant density as R-4 is now defined. If these new changes pass, similar projects could return with even higher density and taller structures, amplifying previous concerns.

*Related to the previous paragraph: I oppose most of the article changes in all the "R" based zones where more density is the goal. I oppose the addition of R-1D (section 707B) and all changes to the sections for R-3 and R-4 for the same density increase outcomes.*

**Recommendation**

Before going forward with these article revisions and submitting for vote, I propose the Commission separate county and city article revisions so each can be considered and voted on independently. These issues are distinct and deserve individual attention.

I also propose an informal, educational meeting (like the one held this past Tuesday) with the community, primarily city residents, city council members, and planning and zoning, where Steve Hunter can present the article revisions focusing on the city zone proposals. *(Steve's presentation this past Tuesday was very clarifying, especially for county-based revisions and trying to make it less likely a truck stop will be developed instead of the other way around.)*

Thank you for your time and consideration. I appreciate the Commission's efforts to plan responsibly for Woodford County's future.

I submit this document to the planning commission for the record.

Respectfully,



Mark Pearson

To: VERSAILLES-MIDWAY-WOODFORD COUNTY PLANNING COMMISSION

From: Kathy Bachman

Subject: Objection of the inclusion of Truck Stop, Article II of the Versailles Zoning Ordinance

Date: November 13, 2025

I am Kathy Bachman, I have been a resident of Versailles KY for 25 years. Currently living in Stourbridge and I want to thank the Commission for their time and service.

*I respectfully want to formally oppose specific revisions to Article II of the Versailles Zoning Ordinance.*

Specifically, I want to formally oppose the addition of a Truck Stop. In the plan it states a Truck Stop Facility with access from a major transport route to provide rest, service and fueling for drivers of heavy duty and long haul vehicles and trucks. Also mentions it is not an overnight facility and overnight parking facility.

Reference Article II, VII, VIII & X -Section 201, page 26

The plan has included a Truck Stop section which causes concern for a potential facility that could impact Versailles, Woodford County.

As a community member I understand a Truck Stop may never come to exist however adding the language/section causes concerns. The 75 acres that could potentially sell and go from A1 to a B5 zone change request. Do we want a Truck Stop at the south entrance to our city and county? Do we want more trucks traveling Troy Pike and traveling through our town? In previous meetings community members have drawn attention to the semi-trucks that come through town. Allowing a truck stop addition to the Zoning Ordinance should be deleted.

The magnitude for increased traffic to an already strained traffic flow problem is a community concern as you have heard in previous meetings. Increase traffic adds to poor road conditions, accidents and running the risk of illegal truck parking.

Not to mention noise from diesel engine breaking, down shifting and entering/existing our community. There is increased air pollution from idling diesel engines, possible fuel spills and runoff.

The quality of Versailles character once again could be negatively impacted by an industrial nature of a truck stop. In addition studies have also indicated a link between truck stops and increased crime and soliciting.

The cause of concern is always location. The first thing we think about is our property value. But the bigger picture in a small community is making decisions that impact many community members, infrastructure and long term plans for growth and development requires careful planning and community input.

So when decisions are made we ask that you think about what is included in the Zoning Plan Changes as members of this community and we also ask that you listen and partner with the citizens of this community.

Therefore I respectfully urge the VERSAILLES-MIDWAY-WOODFORD COUNTY PLANNING COMMISSION to reject the proposed amendment modifications.

Respectfully I submit this document to the planning commission for the record.

Respectfully Submitted,

Kathy and Tim Bachman

215 S. Stourbridge Rd, Versailles 40383

[Rkbach1@yahoo.com](mailto:Rkbach1@yahoo.com)

859-608-2998

My name is John R. Thompson; I am a resident of Stourbridge 1 Subdivision and happen to be the president of our H.O.A. and a native Woodford Countian. Thank you for allowing me to address you this evening.

I would like to speak about Section 710 - HIGH DENSITY RESIDENTIAL (R-4) more pacifically **Sub-Section 710.6 Maximum Density being increased from 16 units to 32 units per gross acre** and how that might relate to Affordable Housing and the need here in Woodford County. I agree that affordable housing is very much needed, but I'm not sure the doubling the number of units per acre means that it will necessarily make housing less expensive.

With that said I would ask you to table these proposed amendments until a public meeting with the citizens of Versailles and Mr. Hunter, to have their questions answered about this and other proposed amendments, like the meeting that he had with local farmers and others on Tuesday night at the Troy Presbyterian Church. **As well**, I believe that it be wise that this commission review the University of Kentucky Housing Study initiated by the Versailles City Council before any action be taken on the amendments proposed this evening.

I would like to submit this document into the record of this meeting please.

Thank you for your attention.

**To: VERSAILLES-MIDWAY-WOODFORD COUNTY PLANNING COMMISSION**

**From:** David Kratt, 204 Stourbridge Street, Versailles, KY

**Subject:** Formal Objection(s) to specific revisions in the "Articles II, VII, VIII & X of the Versailles Zoning Ordinance".

**Date:** November 13, 2025

My name is David Kratt and I live in Stourbridge subdivision off South Main Street. First and foremost, I want to thank you for your service to our community on this commission. It can't be an easy job!

I respectfully want to formally oppose specific revisions to Articles II, VII, VIII & X of the Versailles Zoning Ordinance.

Specifically, ~~specifically~~ I am very concerned about the following:

- The process and manor with which the proposed changes were developed. <sup>is questionable</sup> Based on the committee who developed these changes and the process followed, there could be competing interests and conflict of interest involved.
- As proposed, these changes (117 pages) would be a comprehensive and significant change to existing Articles. The responsible parties, including yourselves, the P&Z Commission, the Cities of Versailles and Midway, and the Woodford County Fiscal Court must have more time to review, absorb and consider these changes.
- The Comprehensive Plan update is well under way. It would be far more logical to delay taking up these <sup>Proposed</sup> ~~proposed~~ changes until AFTER the Comprehensive plan is updated.
- The P&Z Commission also recently engaged a consultant to produce a housing study for the County. The timing of the proposed changes to the Zoning Ordinances is poor. In addition to completing the Comprehensive Plan update, this study needs to be complete before taking on major revisions to the Zoning Ordinances.
- Our community at large needs to be educated and made aware of the proposed changes. I highly recommend a series of public forums to engage, inform and discuss the proposal with the community before taking any further action or decisions.

After my review of the proposed amendments, I am very, very concerned about the many, many sweeping changes to INCREASE lot density and SIZE of buildings permitted on the various zoning categories.

Just one quick example is in Section 710 High Density Residential (R-4). Section 710.6 DOUBLES the allowable density of units on ONE acre from 16 units to 32 units (THIRTY TWO!). And, there are many more examples.

There is also permissive language added for overnight truck stops, RV parks, and others.

In closing, the P&Z changes are community-wide decision, so we can best determine what our future county and cities will look like. In order to do this, there MUST be a robust dialogue with both community at large and with our respective elected officials.

Therefore, I respectfully urge the VERSAILLES-MIDWAY-WOODFORD COUNTY PLANNING COMMISSION to reject the proposed amendment modifications.

I am submitting this document to the Planning Commission for the record.

**Respectfully Submitted,**



David Kratt  
204 Stourbridge Street

dlkratt@gmail.com  
502-435-0382

To the Woodford County Planning and Zoning Board

My name is Helen Rentch. I live in Midway. I want to urge you to adopt the Text Amendment to the In-Family Conveyance ordinance.

My family had a farm outside Midway and I want to share some of its story. My parents acquired it by buying out his sisters. They my Grandparents who had bought out his sisters. The debt lasted many years.

Abutting our farm was my Aunts farm.. the main frontage for both of these farms being on Highway 421, The Leestown Pike.

Directly, in the 1960s, came I-64, cutting through the farm, taking acreage and dividing it into 2 unctiguous sections, and creating the Midway interstate interchange..

The family was not happy but we had to accept that it was the will and and for the greater welfare of the people.

I-64 did not touch my Aunt and Uncles farm.

Uncle Bill raised cattle and tobacco,hay, corn. And built a beautiful new tobacco barn on the highest promitory. He did not raise horses. After a while he was struggling with a mortgage. He found a corporation that wanted to build a truck stop on his land, maybe less than a mile from the Midway interchange.

From my bedroom I could hear the big trucks on I-64, all night long. People were alarmed.they called mother.

The public hearing was held in Midway. My mother, who had influence, testified against my uncle, her brother-in-law, against the truck stop. The decision went against it.

You can imagine however what that did to our family.

I went to the auction of the farm, held at the promitory by the new barn, and questioned my mothers decision, to sacrifice our cousins chance to stay on the land.. even if it was beside a truck stop, to sacrifice our family unity.

Fast forward now.

My parents passed.

The farm came to myself and sibilings. The land is valuable. We were diversified with cattle and tobacco, hay and wheat, chickens and sheep and an orchard, and by then especiallyhorses.

But when heirship enters the picture value must be divided. Each generation faces new challenges. many of our generation around Midway have not been able to hold on to family farms. It is Difficult to compete with the international and corporate thoroughbred interests, with the new millionaires. Mortgages take hold. We could have divided it but even my brother who wanted to stay could not see how to make it work. He could not buy out his sibilings. So we sold.

A family from Texas bought it. It now belongs to a family from Oklahoma.

My brother and wife were able to buy a new farm in west Woodford, same price/per acre but not near the number of acres and to enable it I put my part in with them.

He died not so long thereafter... bleeding ulcers, a big mortgage, major hospital bills because he could not get health insurance, his ulcers were considered 'a pre-existing condition'. The hospital seized his bank account and he died the next day.

Luckily his widow was able to find a buyer for what we had paid. She has just moved into Versailles.

My point is farming is never easy. some of my family have paid a big price, beyond money, for love of the land. That love is deep and it endures even when you have to leave. Many Americans can tell you so.

I do not want to see the rural, agricultural land lost to Woodford County. It defines the unique beauty and attraction of our communities, and much of our culture.

**To:** VERSAILLES-MIDWAY-WOODFORD COUNTY PLANNING COMMISSION

**From:** Joseph Johnson

**Subject:** Formal Objection(s) to all specific revisions in the "Articles II, VII, VIII & X of the Versailles Zoning Ordinance" and request that the vote be tabled until two specific and critically imperative steps occur for and on behalf of the citizens of Versailles.

**Date:** November 13, 2025

Joe Johnson: Cedar Ridge HOA Board President, Highly Engaged Citizen

Thank Steve Hunter for Tuesday nights educational meeting he held at Troy Presbyterian Church. His understanding of the zoning complexities, the amendment details, and his willingness to share his wisdom was greatly appreciated.

Last Thursday Nov. 6<sup>th</sup> at 3:45 pm, an individual knocked on my door and asked me if I was aware of the 117 page Amendment to Zoning Ordinance - Articles II, VII, VIII & X and if I was aware of its depth and breadth of modifications.

The outcome of that conversation was, absolutely not. And I have clearly come to realize, nor are the citizens of the City of Versailles.

I could take up more than the allotted 5-minutes and address specific issues stating

**Article # Section ### Title Page #-## Sub-Section ###.# Title (Any and All)**

But I will not. Many others likely will.

I will specifically ask: that the "117 page Amendment to Zoning Ordinance - Articles II, VII, VIII & X" be tabled until two specific steps occur.

-1- The Planning Commission receives and assess the "Housing Study" they commissioned before any vote occurs on the 117 page Amendment to Zoning Ordinance - Articles II, VII, VIII & X.

-2- That we the citizens schedule a public educational meeting at Simmons elementary with Steve Hunter. I will immediately schedule this educational community forum to ensure the community is fully informed on these sweeping changes.

Therefore, I respectfully ask the VERSAILLES-MIDWAY-WOODFORD COUNTY PLANNING COMMISSION, Table the vote UNTIL these two critically important steps occur.

Respectfully I submit this document to the planning commission for the record.

*plus two more  
7*

**Respectfully Submitted,**

Joseph Johnson  
6035 Crabapple Rd  
Versailles, KY 40383

*1<sup>st</sup> time Commission  
has seen certain sections*

**W.H. GRADDY & ASSOCIATES**

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Mailing Address  
P.O. Box 4307  
Midway, Kentucky 40347

November 13, 2025

**VIA EMAIL TO:**

[shunter@woodfordcountky.gov](mailto:shunter@woodfordcountky.gov)

Ms. Patty Perry, Chair.  
Mr. Chad Wells, Mr. Rich Schien,  
Mr. Randal Bohannon, Mr. Floyd Greene,  
Ms. Whitney Stepp, Mr. Tim Middleton,  
Mr. Doug Curl, Mr. Chris Sharp  
c/o Mr. Steve Hunter, Planning Director  
Versailles – Midway – Woodford County Planning Commission  
103 South Main Street, Room 204  
Versailles, Kentucky 40383

RE: Proposed Zoning Ordinance amendments related to In-Family Conveyances;  
Agricultural (A-1), Conservation (CO-1) and Small Community (SC) and Rural  
Residential/Residual Farmland (RR/RF), Text Amendments to Articles II and VII

Dear Ms. Perry and Planning Commission Members

My name is Hank Graddy. I have appeared before the Planning Commission several times, including my appearance last year on behalf of residents on Pauls Mill in opposition to the In-Family conveyance sought by John Faust (Husband) to Lisa Faust (Wife) for 30 acres of property on Pauls Mill and Troy Pike. I complained about the abuses of the intent of the zoning ordinance as it is currently being applied regarding In-Family conveyances. I complained that the request would convert one conforming agricultural tract into two non-conforming tracts.

I remain very supportive of the recommendation by the Planning Commission to eliminate the In-Family conveyance "loophole" altogether. When your recommendation was before the Fiscal Court I wrote to and spoke in support of the Planning Commission recommendation.

My February 25, 2025, letter to the Fiscal Court attached the applications of John Faust and the application of James and Donna Hall (Parents) to Marilyn Fralix (Mother), Stephen Penny (Son), Kayla Hall (Daughter) and to Zach Penny (Son) – for a 30 acre tract on Clifton Road.

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VERSAILLES-MIDWAY  
WOODFORD CO.- P & Z

I am aware that the Fiscal Court did not follow the recommendation from the Planning Commission. I am aware of the "compromise" that the Fiscal Court sent back to the Planning Commission. I reviewed that "compromise" as it appeared in the proposed amendments before the Planning Commission at the June 12, 2025 meeting and I submitted written comments to the Planning Commission on that date.

I remain concerned that this proposed text will not solve the problems caused by the In-Family conveyance loophole. I anticipate that this proposal will add more work to the Planning Commission staff. I support the 10 year required hold period instead of the 5 year hold period currently in place. I think that same 10 year hold period should apply to the parent tract as well as the newly created tract. I support the limit of 2 residential units as an improvement over the current text. I support the additional requirement of a conditional use permit – which will require a public hearing. I support the text change to define the specific family relations that can qualify for this type of conveyance.

I also think it is very important that the Planning Commission take action now and that the Fiscal Court also act promptly to implement the "compromise" they have crafted and sent to the Planning Commission. The In-Family conveyance loophole remains the most serious threat to the protection of Woodford County farmland that we face. It is past time to close this loophole.

In addition, I am satisfied that most of the other proposed amendments to the Agriculture, Conservation, Small Community and Rural Residential/Residual Farmland districts are improvements on our current texts for the zoning districts outside the urban services boundary. I support the 100 acre minimum requirement and the maximum of 10 units per farm.

I understand that this proposed text describes six types of dwelling units outside the Urban Services Boundaries – A. Single-Family Detached, B. Modular Home, C. Manufactured Home Qualified, D. Manufactured Home, E. Farm Dwelling/Tenant House, and F. Accessory Dwelling. I believe it is the intent that in each zoning district the occupant of any of these dwellings shall be limited to the Farm Owner or Members of the Owner's family or Farm Employees. I am concerned that this limitation may not be as clear as it needs to be.

I have read through the additional changes that apply to Urban Zoning Districts, but I am not making any comments on those changes.

Very Truly Yours,

  
W. Henry (Hank) Graddy, IV

**Kim O'Reel**

**From:** Rachel A <raadamsky@gmail.com>  
**Sent:** Thursday, November 13, 2025 3:04 PM  
**To:** Kim O'Reel  
**Cc:** Hayden Barrows  
**Subject:** Public Hearing comment for 11/13 Planning Meeting

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VERSAILLES-MIDWAY  
WOODFORD CO.-P & Z

You don't often get email from raadamsky@gmail.com. [Learn why this is important](#)

Good afternoon,

I am unable to attend tonight's public hearing, but would like to submit some comments on the Zoning Ordinance Text Amendment related to Articles II & VII of the Versailles-Midway-Woodford County Zoning Ordinance. Can you please submit to the commission on my behalf?

The proposed amendments cover many topics, and it is not clear what all is being addressed and why. Before moving forward with a vote, I strongly urge the commission to consider breaking out the proposals into separate amendments or preparing a guidance document for the public that itemizes the proposed revisions by topic. There are some general terminology additions and clarifications, there are revisions regarding the ongoing in-family conveyance discussions, there are revisions to address the legislative requirements on qualified manufactured homes, there are revisions to existing density and lot size requirements for residential zones, and more. Each of these topics is a significant item requiring careful consideration and public feedback.

I am particularly concerned about the proposed revisions to the existing density and lot size requirements for residential zones. It seems that this proposed revision would essentially convert all existing R-1A lots into R-1B lots, increase the allowable density in R-1B by 25%, and DOUBLE the allowable density in R-1C. Please consider the potential ramifications for undeveloped sites that have previously gone through zone changes. Do these proposed revisions ignore the outcomes of those public hearing processes?

I am also concerned about the proposals to reduce the minimum backyard to 10 ft and to increase the allowable building height to 42 ft in single family residential zones. Please consider if a three-story structure located 10 ft from three out of four property lines meets the intent of low to medium density residential zones. The existing requirements are for a minimum backyard AT LEAST equal to the height of the dwelling.

If new single family residential zones are needed to address specific needs or concerns, then please create them as new zones. Don't replace or significantly modify the lot, yard, and height requirements of the existing zones.

Thank you for your time,

Rachel Barrows

To: VERSAILLES-MIDWAY-WOODFORD COUNTY PLANNING COMMISSION  
From: Bennett Williams  
Subject: Formal Objection to specific revisions in the Articles VII of the Versailles  
Zoning Ordinance

November 12, 2025

Dear Commissioners,

Thank you for your service and most important work that you do which affects all of Woodford County for the ages.

I respectfully oppose many proposed changes to Article VII of the Versailles Zoning Ordinance.

Specifically, I would like to voice my concerns on the following amendment items:

Article VII Section 709 MEDIUM DENSITY RESIDENTIAL (R-3), pages 71-73  
Unless proposed use is specified to be in a walkable, urban or infill situation, these changes would significantly intensify development in ways that are incompatible with our community. Doubling maximum density to 16 units per acre and raising maximum lot coverage to 75 percent (from 25 percent) will more than likely increase on-street parking demand and congestion, putting additional pressure on emergency vehicle and school bus access.

Article VII Section 710 HIGH DENSITY RESIDENTIAL (R-4), pages 74-75  
Again, unless this is proposed specifically for use in an area that is infill where some infrastructure components exist, I oppose the expanded density to thirty-two (32) units per acre and 90% lot coverage. The considerably higher impervious area will increase runoff volumes and peak flows, worsening localized stormwater flooding and pollutant loads. There does not appear to be any allowance for Parking requirements as set out in Article VI. This would add to hardscape and runoff.

Therefore, I respectfully urge the VERSAILLES-MIDWAY-WOODFORD COUNTY PLANNING COMMISSION to reject the proposed amendment modifications.

I submit this document to the planning commission for the record.

Respectfully yours,  
Bennett Bell Williams  
1727 McCowans Ferry Road  
[bennybw2780@gmail.com](mailto:bennybw2780@gmail.com) (859) 621-9256

RECEIVED  
NOV 13 2025  
VERSAILLES - MIDWAY  
WOODFORD CO. - P & Z

## Steve Hunter

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**From:** DrKrisWilliams@outlook.com  
**Sent:** Thursday, November 13, 2025 10:57 AM  
**To:** Steve Hunter  
**Subject:** Please share my concerns with the Planning Commission for today's meeting and the official record. Thank you!

You don't often get email from drkriswilliams@outlook.com. [Learn why this is important](#)

Dear Planning Commission Members:

Today's agenda item approving Zoning Ordinance Text Amendments related to Articles II & VII of the Versailles-Midway-Woodford County Zoning Ordinance should be tabled without a vote.

As a concerned citizen of Versailles, I understand that these changes will impact our community in ways that its citizens do not yet understand. This vote should be tabled until the new Comprehensive Plan is complete, the Housing study has been released, and citizens have had multiple opportunities to have these ordinance text changes presented to them for context and comment within these other documents.

Please place this email within the official record of this meeting as my request to table this item.

Many thanks for your consideration and service to the citizens of Versailles, Midway, and Woodford County.

All the best,

Kris

Kris Williams, PhD  
Cell: 270.823.0430  
3021 Rose Bud RD  
Versailles, KY 40383

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VERSAILLES-MIDWAY  
WOODFORD CO.-P&Z

**Kim O'Reel**

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**From:** DeeDee Lloyd <ldlloydrescue@gmail.com>  
**Sent:** Thursday, November 13, 2025 7:24 AM  
**To:** Kim O'Reel  
**Subject:** November 13 meeting

You don't often get email from ldlloydrescue@gmail.com. [Learn why this is important](#)

I am not able to attend the Planning and Zoning Commission meeting tonight. I am interested in weighing in on the 75 acres on Troy Pike, currently zoned A1 which may be changed to B5.

I am strongly opposed to this change.

We have experienced a tremendous amount of growth in Woodford County in a short period of time. As a resident living on a road parallel to Troy Pike, I can attest to the massive increase in traffic. These changes are significantly influencing the unique charm of our community - and not in a positive way.

Let's slow down!

Thank you,  
DeeDee Lloyd

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WOODFORD CO. - P & Z

**Kim O'Reel**

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**From:** Brandi Nicholson <bnich18@aol.com>  
**Sent:** Wednesday, November 12, 2025 6:14 PM  
**To:** Kim O'Reel  
**Subject:** NO TRUCK STOP

[You don't often get email from bnich18@aol.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

To Whom It May Concern,

I would NOT like to see a truck stop or other such business at the Bluegrass Parkway exit.

First and foremost, I hate seeing our precious farm land being developed. Woodford County has already given up far too much.

Second, why create even more traffic in an already congested area? That doesn't seem like a logical move at all.

Please reconsider this move.

Brandi Nicholson

Sent from my iPhone

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NOV 12 2025  
VERMONT - MIDWAY  
WOODFORD CO. - P & Z

**Kim O'Reel**

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**From:** Nicole Stith <nstith@gmail.com>  
**Sent:** Wednesday, November 12, 2025 2:55 PM  
**To:** Kim O'Reel  
**Subject:** Please Protect the Character and Safety of Our Community — No Truck Stop on Troy Pike

You don't often get email from nstith@gmail.com. [Learn why this is important](#)

Dear Planning Commission Members,

My name is Nicole Stith, and I am a mother and resident who chose to make Versailles home because of its rural beauty, small-town charm, and close-knit community. My family moved here for the sense of belonging, the slower pace, and the way people look out for one another.

Like many communities, I know we have our share of challenges. Traffic can be frustrating, and we may not all agree on how and where new housing should grow. That is part of living in a community and learning to balance change with preservation. But I am genuinely shocked that anyone who cares about Versailles' future could even consider allowing a truck stop at the south entrance to our city.

A truck stop is completely out of step with who we are and what makes this place special. Versailles is not a rest stop, and we should not allow ourselves to become another generic dot on the map between exits. We are a community with a proud heritage, a distinct identity, and a way of life rooted in connection, history, and the beauty of our surroundings.

Once a truck stop is built, the development that follows will change everything around it. We only have to look at other towns to see what happens next: more heavy traffic, more noise, and businesses that do not reflect our character or our values. And unfortunately, truck stops often bring increased crime in the form of violence, drugs, and prostitution. To place one on a road adjacent to where our children attend Woodford County Middle and High Schools and where families gather at the community center is simply unthinkable.

What would become of our walking paths, our bike trails, and the feeling of safety that allows parents to let their kids walk or ride near Falling Springs? A truck stop would turn this gateway into an eyesore, a safety hazard, and a signal that we have lost sight of what makes Versailles a wonderful place to live.

I ask you to think not only about zoning or traffic counts, but about who we are as a community. Please do not allow this proposal to move forward. Protect the character, safety, and identity of Versailles. We are not a truck stop, and we never should be.

Thank you for your time and for your service to our community.

Sincerely,  
Nicole Stith  
826 Edmonds Crossing

--

Nicole Stith  
408-455-3143

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VERSAILLES  
WOODFORD CO. P&Z

**Kim O'Reel**

**From:** Henry Nothhaft, Jr. <hnothhaft@gmail.com>  
**Sent:** Wednesday, November 12, 2025 1:32 PM  
**To:** Kim O'Reel  
**Subject:** Comment on Proposed Changes to Zoning Ordinance

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VERSAILLES-MIDWAY  
WOODFORD CO. - P&Z

You don't often get email from hnothhaft@gmail.com. [Learn why this is important](#)

Dear Planning Commission Members,

Thank you for the opportunity to provide public comment on the proposed zoning ordinance updates and potential redevelopment at the south entrance to Versailles via the Bluegrass Parkway and Troy Pike corridor. I write to express deep concern about the potential introduction of a truck stop or heavy truck-oriented use in this sensitive area. The public safety, traffic, and community implications of such a use would significantly affect nearby schools, neighborhoods, and the city's gateway identity.

### 1. Community and Public Safety Implications

Truck stops can serve logistical purposes, but their location determines their impact. National studies and local law enforcement experience show that truck stop facilities can attract increased transient traffic, higher demand for law enforcement, and potential exposure to issues such as drug activity or prostitution when located near residential or school areas. These outcomes are not inevitable, but they are well-documented risks that deserve careful consideration before approving any such facility along Troy Pike.

The area in question lies within close proximity to Woodford County Middle and High Schools and the Falling Springs community center. It is one of the most heavily used school and family corridors in the county. Introducing a truck stop or similar use would fundamentally alter the safety environment for students, families, and local residents.

Request:

- Conduct a community impact assessment that includes law enforcement demand, public safety implications, and quality-of-life effects.
- Hold public hearings specifically focused on social and safety impacts, not limited to traffic or infrastructure.
- Consider whether a truck stop or heavy-truck service center is appropriate at all given this location's closeness to schools, neighborhoods, and Versailles' primary gateway.

### 2. Existing and Projected Traffic Conditions

According to the *City of Versailles-Woodford County Planning Study* (March 2024), the segment of Troy Pike south of Falling Springs Boulevard currently operates at Level of Service "D" and is projected to degrade to "F" by 2043 without major improvements. Even with recommended upgrades such as lane widening, multi-use paths, and improved intersections, conditions would only improve modestly to Level "C." This corridor already carries substantial local, school, and heavy vehicle traffic.

Request:

d.

- Require a full traffic impact analysis that includes heavy truck movements, peak school traffic, and cumulative auto and truck volumes.
- Mandate developer-funded infrastructure improvements such as turn lanes, safe truck ingress and egress, sight distance, and pedestrian separation prior to occupancy.
- Prohibit large truck routing through residential streets or school access roads, with preference for direct interchange access.

### 3. Proximity to Schools and Neighborhoods

Troy Pike and Falling Springs serve as daily access routes for hundreds of students and families. Introducing a truck stop or heavy-truck use along this corridor would increase turning and acceleration conflicts near buses, walkers, and cyclists. The risk is especially high during school arrival and dismissal hours when the corridor already operates at or near capacity.

#### Request:

- Exclude high-volume truck uses from zoning near school corridors.
- Require segregated truck access for any industrial development, avoiding school routes and neighborhoods.
- Implement buffering, noise controls, lighting limits, and truck queuing restrictions to maintain safety and livability.

### 4. Gateway Character and Community Identity

The south entrance serves as one of Versailles' defining visual and cultural gateways, reflecting our community's agricultural, equine, and bourbon heritage. Large-scale truck facilities would conflict with that identity and detract from the scenic, welcoming character residents and visitors associate with Versailles.

#### Request:

- Apply design standards for landscaping, scenic buffering, architectural materials, and lighting that reflect the Bluegrass character.
- Ensure any interchange development remains pedestrian and bicycle friendly and not dominated by truck facilities.
- Confirm that truck-oriented uses are located only on parcels with direct highway access and are visually and functionally buffered from residential and school areas.

### 5. Zoning Text, Map, and Timing Considerations

The current zoning text restricts truck stops in B-5 zones but allows them in I-2 zones with only a 100-foot residential buffer. While the 1740 Troy Pike parcel is advertised for "Workplace/Employment Centre" or "Interchange Commerce," no formal rezoning has been filed. The planning study emphasizes that infrastructure upgrades must come before major growth, which is an important protection.

#### Request:

- Require complete site plans showing truck routing, staging, and buffer zones with any rezoning request.
- Make traffic and infrastructure improvements binding and completed prior to occupancy, not deferred.
- Publish a map of industrially zoned parcels showing which have direct interchange access versus those that would route trucks through local streets.

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Third block of faint, illegible text, continuing the document's content.

Fourth block of faint, illegible text, showing further lines of the document.

Fifth block of faint, illegible text, appearing as a distinct section or paragraph.

Sixth block of faint, illegible text, continuing the main body of the document.

Final block of faint, illegible text at the bottom of the page, possibly a conclusion or footer.

- Prohibit overnight truck queuing or parking within 3,000 feet of any residential or school property line, and prohibit truck queuing entirely unless located on a parcel with direct highway access and fully screened from public view.

#### **Conclusion**

Given the public safety risks, traffic conditions, proximity to schools, and the importance of preserving Versailles' gateway character, it would be inconsistent with community goals to permit a truck stop or similar facility at this location. The Commission should ensure that any zoning or development proposal in this corridor includes binding protections for safety, traffic management, and community character—and should carefully question whether such a use belongs here at all.

Thank you for your thoughtful review and for your continued service to the community.

Sincerely,  
Henry Nothhaft  
Edmonds Crossing  
Versailles, KY

**To:** VERSAILLES-MIDWAY-WOODFORD COUNTY PLANNING COMMISSION

**From:** Andrew Costa

**Subject:** Formal Objection(s) to specific revisions in the "Articles II, VII, VIII & X of the Versailles Zoning Ordinance".

**Date:** November 12, 2025

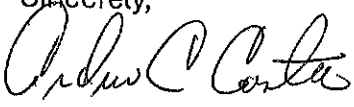
I respectfully want to formally oppose the proposed revisions to Articles II, VII, VIII & X of the Versailles Zoning Ordinance.

Specifically, I want to express concerns regarding

- 1) the doubling of dwelling density to the proposed development as we already have multiple new developments in process or planned along Troy Pike
- 2) the addition of a truck stop providing a range of services that is certain to bring more commercial congestion to an area of our county already overstressed

Therefore, I urge the VERSAILLES-MIDWAY-WOODFORD COUNTY PLANNING COMMISSION to reject the proposed amendment modifications.

Respectfully I submit this document to the planning commission for the record.

Sincerely,  


Andrew Costa  
235 Stourbridge Court  
Versailles, KY 40383  
859-396-7929

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WOODFORD CO.-P & Z

**AGENDA**  
**VERSAILLES-MIDWAY-WOODFORD COUNTY PLANNING COMMISSION**  
**REGULAR MEETING**  
**WOODFORD COUNTY COURTHOUSE**  
**NOVEMBER 13, 2025**  
**6:30 PM**

**LIVESTREAM LINK**  
*Planning Commission YouTube Media Channel*

**A. PLEDGE OF ALLEGIANCE**

**B. ROLL CALL**

**C. APPROVAL OF MINUTES - October 9, 2025**

**D. NON-PUBLIC HEARING ITEMS**

1. Woodford County Fire Protection District have applied for an approval of a Subdivision (Consolidation Plat) on tracts of land containing 0.855 acres, located 61 & 107 Big Sink Road, Versailles, KY. The property is zoned Single-Family Residential (R-1C).
2. Robert and Sheila Wade have applied for an approval of a Subdivision (Consolidation Plat) on tracts of land containing 16.800 acres, located 5088 Delaney Ferry Road, Versailles, KY. The property is zoned Agricultural (A-1 & A-2).
3. 2001 Lexington Road LLC have applied for an approval of a Subdivision (Minor Plat) on tracts of land containing 120.370 acres, located at 1851 & 2001 Lexington Road, Versailles, KY. The property is zoned Single-Family Residential (R-1A, R-1B & R-1C) and Two-Family Residential.

**E. PUBLIC HEARING ITEMS**

1. Tony & Natalee Bays have filed an application to rezone a tract of land containing 0.456 acres located at 341 Winter Street, Midway KY. The requested zone change is from Two-Family Residential (R-2) to Medium Density Residential (R-3).
2. **TABLED ITEM FROM PRIOR MEETING** - The Versailles-Midway-Woodford County Planning Commission has filed a Zoning Ordinance Text Amendment related to Articles II & VII of the Versailles-Midway-Woodford County Zoning Ordinance.

\*Public Hearing Comments are limited To Five (5) Minutes per Speaker. Written Comments may be submitted to Planning Commission prior to or at the Public Hearing.

**F. OTHER BUSINESS ITEMS**

1. Bill Pay List - November 2025
2. Finance/Budget Report - October 2025
3. Construction Sureties Report
4. Announcements

**G. ADJOURN**

NEXT SCHEDULED REGULAR MEETING DECEMBER 11, 2025



**Versailles-Midway-Woodford County Planning Commission**  
**Woodford County Courthouse**  
**103 South Main Street, Room 204**  
**Versailles, KY 40383-1249**

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## MEMORANDUM

TO: Versailles-Midway-Woodford County Planning Commission  
FROM: Steve Hunter, Director  
DATE: September 4, 2025  
RE: Amendment to Zoning Ordinance - Articles II, VII, ~~VIII & X~~

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Enclosed are proposed revisions to Articles II, VII, VIII & X of the Versailles Zoning Ordinance. The Planning Commission Advisory Sub-Committee has met and reviewed the proposed Zoning Ordinance Text Amendment.

If you have any questions, please do not hesitate to contact me by phone, email or text, 859-873-8611 or 270-799-4144 (cell). [shunter@woodfordcountyky.gov](mailto:shunter@woodfordcountyky.gov)

## ARTICLE II

### DEFINITIONS

#### 200 USE OF TERMS

All words herein used in the present tense shall include the future tense; the singular shall include the plural, and the plural the singular.

The word "shall" is mandatory, not permissive or directory.

The word "used" includes arranged, designed or intended to be used.

#### 201 DEFINED TERMS

Unless otherwise provided, the following words and phrases are defined as follows.

ACCESSORY BUILDING: A subordinate building, the use of which is clearly incidental to that of a principal building on the same lot, and which is permanently affixed to the ground. Accessory building shall not include mobile home, bus, travel trailer, RV, trailer, cooler, vehicle, or freight container.

ACCESSORY STRUCTURE: A detached, subordinate structure, the use of which is clearly incidental and related to that of the principal structure or use of the land, and which is located on the same lot as that of the principal structure, and which is permanently affixed to the ground. Accessory structure shall not include mobile home, bus, travel trailer, RV, trailer, cooler, vehicle, or freight container.

ACCESSORY USE: A use that:

- a. is clearly incidental to and customarily found in connection with a principal use;
- b. is subordinate to and serves a principal building or a principal use;
- c. is subordinate in intent, or purpose to the principal building or principal use served; and
- d. is located on the same lot as the principal building or use served.

~~ACCESSORY USE (OF BUILDING): A use customarily incidental hereto and subordinate to the principal use or building and located on the same lot with such principal use or building.~~

**ADMINISTRATIVE OFFICIAL:** Any department, employee, or advisory, elected or appointed body which is authorized to administer any provision of the zoning regulations, subdivision regulations, and if delegated, any provision of any housing or building regulations or any other land use control regulations.

**ADULT ENTERTAINMENT ESTABLISHMENT:** As defined in the City of Midway, City of Versailles and/or Woodford County Fiscal Court Code of Ordinances.

**AGRICULTURAL MARKETING CENTER:** A regulated regional development designed exclusively for the purpose of buying, selling and showing agricultural products, livestock and related farm supplies and equipment. Agricultural Marketing Centers provide a common commercial area for promoting the products produced through the sciences of aquaculture, horticulture, floriculture, viticulture, forestry, dairy, livestock, poultry, bees, and any and all other forms of farm products cultivated, grown or produced by the agrarian community. Centers may include banks, restaurants, gift shops, ~~equine and other~~ livestock pavilions and show rings, veterinarian clinics and farm equipment sales. Other established components include commonly recognized commercial vendors whose commodities are traded through facilities known as farmer's markets; feed, seed and fertilizer sales; and livestock sales facilities, all of which are conducted, operated or managed for profit or non-profit as public markets for agricultural producers, market agencies and buyers.

**AGRICULTURAL USE (KRS 100.111):** Shall mean the use of:

- a. A tract of at least five contiguous acres for the production of agricultural or horticultural crops, including but not limited to livestock, livestock products, poultry, poultry products, grain, hay, pastures, soybeans, tobacco, timber, orchard fruits, vegetables, flowers or ornamental plants, including provision for dwellings for persons and their families who are engaged in the above agriculture use on the tract, but not including residential building development for sale or lease to the public. For purposes of this subsection, "livestock" means cattle, sheep, swine, goats, horses, alpacas, llamas, buffaloes, and any other animals of the bovine, ovine, porcine, caprine, equine, or camelid species;
- b. Regardless of the size of the tract of land used, small farm wineries licensed under KRS 243.155.
- c. A tract of at least five (5) contiguous acres used for the following activities involving horses: Riding lessons; Rides; Training; Projects for educational purposes; Boarding and related care; or Shows, competitions, sporting events, and similar activities that are associated with youth and amateur programs, none of which are regulated by KRS Chapter 230, involving seventy (70) or less participants. Shows, competitions, sporting events, and similar activities that are associated with youth and amateur programs, none of which are regulated by KRS Chapter 230, involving more than seventy (70) participants shall be subject to local applicable zoning regulations; or
- d. A tract of land used for the following activities involving horses: Riding lessons; Rides; Training; Projects for educational purposes; Boarding and related care; or Shows, competitions, sporting events, and similar activities that are associated with youth and amateur programs, none of which are regulated by KRS Chapter 230, involving seventy (70) or less participants. Shows, competitions, sporting events, and similar activities that are associated with youth and amateur programs, none of which are regulated by KRS Chapter 230, involving more than seventy (70) participants shall be subject to local applicable zoning regulations. This paragraph (d) shall only apply to acreage that was being used for these activities before July 13, 2004.

**AGRICULTURAL USE (ARTICLE VII):** ~~The growing and harvesting of crops including grass, legume, hay, grain, fruit and truck or vegetable crops, floriculture, horticulture, growing of mushrooms, nursery and forest planting stock, orcharding, forestry and the operation of greenhouses; the keeping, raising and feeding of livestock and poultry, swine, sheep, beef and dairy cattle, pony and horse productions; fur, game, fish and wildlife farm operation; farm buildings used for growing, harvesting and preparing crop products for market; roadside stands and signs pertaining to the sale or use of the premises or products produced thereon; farm buildings for storing and protecting farm machinery and equipment from the elements, for housing livestock and poultry and preparing livestock and poultry products for market; farm dwellings including mobile homes occupied by farm owners, employees on the farm and members of the immediate family of the farm owner. Provided, however, that such dwellings for the farm owners, employees and members of the immediate family of the farm owner do not exceed a density of one dwelling for each five (5) acres, and shall comply with Section 711.2 of this Ordinance as it relates to employees of the farm on which the mobile home is located, and further it is provided that such dwellings can be subdivided from the farm if it is to be continuously occupied by an immediate family member. It shall be comprised of a lot no smaller than one (1) acre in size, with access to an existing public road through an existing private driveway, to be shared with the original residence, through a platted and recorded access easement of fifteen (15) feet; or, the in-family lot can be comprised of a lot no smaller than five (5) acres in size with frontage on an existing public road or if the nearest property line of any lot is within 400 feet of the centerline of an existing public road; with a limit of no more than two (2) in-family lots fronting on an existing public road and sharing a common entrance; and meets all health and sanitation regulations in effect and contained herein, and provided further that the number of lots be limited to one lot in Woodford County per each immediate family member's lifetime and that such family member shall hold title to the tract so conveyed for at least five (5) years, and if said conveyance is made to a minor, the five (5) year restriction for holding title begins when the minor turns eighteen (18), and should the family members within five (5) years re-convey the tract to anyone other than to the person or persons from whom it was received, then such deed of re-conveyance shall be void, and provided further, that all such deeds from a farm owner to a family member shall contain a restrictive covenant stating clearly the five (5) year restriction for holding title and stating that any conveyance prior to said five (5) year restriction shall be void, and any deed from a farm owner to a family member pursuant to this section that fails to contain said restrictive covenant shall be void ab initio. Provided further, that in the case of a judicial sale the restriction on re-conveyance shall not apply. On farms where in-family conveyances are permitted all lots shall be counted against the sliding scale of "Lots to be Sold" as defined in Section 703.11(A). In no case shall any farm of 100 acres or more be permitted to have more than fifteen (15) lots.~~

~~Mobile homes in Agricultural Districts: It is further provided that mobile homes may be the principal residential structures on farms at least five acres in size. Any additional mobile homes that are used on the farm shall contain a minimum density of one unit for each ten (10) acres except when such is subdivided from the farm and is placed on a lot no less than five (5) acres in size and shall comply with Section 711.2 of this Ordinance as it relates to employees of the farm on which the mobile home is located. Mobile homes shall be provided the same yard requirements as for other types of dwelling units in the A-1 District. Mobile homes must obtain a conditional use permit in order to be placed on any existing lot less than five acres in size. In considering a conditional use permit the Board shall determine whether or not the mobile home will have a deleterious effect upon surrounding properties and that there is no objection from fifty percent (50%) of abutting property owners and provided that the mobile home is placed on a solid foundation and is underpinned.~~

**AGRITOURISM (KRS 247.801):** Agritourism means the act of visiting: a farm or ranch; or any agricultural, horticultural, or agribusiness operation; for the purpose of enjoyment, education, or active involvement in the activities of the farm, ranch, or operation. Agritourism activity" means any activity that: is carried out on a farm, ranch, agricultural operation, horticultural operation, or agribusiness operation; and allows or invites participants to view or participate in activities for recreational, entertainment, or educational purposes. Qualifying activities may include farming, ranching, historic, cultural, civic, or ceremonial activities, including but not limited to weddings and ancillary events; harvest-your-own operations; farmers' markets; or natural resource-based activities. The activities may qualify as agritourism activities whether or not a participant pays to view or to participate in the activity. Agritourism building" means any building or structure or any portion thereof that is used for one or more agritourism activities.

**ALLEY:** Any public or private way set aside for public travel, less than twenty-five (25) feet in width.

**ANIMAL HOSPITAL AND CLINIC:** A medical facility that provides for the examination, care, and treatment of animals that does not include boarding of animals except for those requiring emergency or medical treatment, which may include the storage of medicinal supplies when accessory to the primary use.

**ASSISTED LIVING FACILITY:** A building, establishment, complex, or distinct part thereof which: (a) accepts primarily aged persons for domiciliary care, not nursing or medical care; and (b) provides on-site to its residents private lockable residential spaces; (c) provides on-site to its residents in addition to the residential unit, meal service in a community dining facility and non-medical personal care services appropriate to the resident's respective needs, (d) other than supervision of self-administered medication, medical services are not provided. The facility may provide space for an unrelated Home Health Service or a Medical Doctor's Office for ease of access to those services by the residents, (e) provides linkages with hospital, community services and makes transportation available, (f) provides timely assistance to residents for response to urgent or emergency needs.

**ATHLETIC CLUB FACILITY:** An establishment which provides for indoor and/or outdoor commercial or non-commercial services and facilities which purport to improve the user's physical condition or appearance through participation in sports activities, fitness training, exercise, or body building. The establishment may offer access to the following: gymnasiums, swimming pools, tracks, ball courts, weightlifting equipment, exercise equipment or facilities, saunas, steam baths or whirlpools.

**AUTOMOBILE AND TRUCK REPAIR, MAJOR:** Rebuilding or reconditioning of engines or transmissions, vehicles or trailers; repair and collision service, such as body, frame, or fender straightening; painting; upholstery; auto glass work and the like.

**AUTOMOBILE AND TRUCK REPAIR, MINOR:** Minor repairs including auto inspection lanes, engine tune-ups; adjusting lights and brakes; but not including any operation specified under "Automobile and Truck Repair, Major."

**AUTOMOBILE SERVICE STATION (FILLING STATION):** A building or structure used for minor automobile and truck repair, the retail sale and dispensing of fuel, lubricants, tires, batteries, accessories and supplies, including installation and minor services customarily incidental thereto; facilities for washing and for chassis and gear lubrication are permitted if enclosed in a building.

**AUTOMOBILE SALVAGE YARD (INCLUDES JUNK YARDS AND AUTO WRECKING YARDS):** Any place where three or more motor vehicles not in running condition, or other parts thereof, are stored in the open and are not being restored to operation; or any land, building or structure used for the wrecking or storing of such automobiles or the parts thereof.

**BED AND BREAKFAST ESTABLISHMENT (KRS 219.011):** A one-family dwelling unit, but which also has guest rooms or suites used, rented, or hired out for occupancy or which are occupied for sleeping purposes by persons not members of the single-family unit. The innkeeper shall reside on the premises or property adjacent to the premises during periods of occupancy. The building shall be known as either a bed and breakfast home or a bed and breakfast inn.

**BED AND BREAKFAST HOME (KRS 219.011):** A bed and breakfast establishment having five (5) or fewer guest rooms or suites for occupancy, in which breakfast and other meals may be served to guests and whose innkeeper resides on the premises or property adjacent to the premises during periods of occupancy.

**BED AND BREAKFAST INN (KRS 219.011):** A private inn or other unique residential facility having six (6) or more guest rooms or suites for occupancy, in which breakfast and other meals may be served to guests and whose innkeeper resides on the premises or property adjacent to the premises during periods of occupancy.

**BED AND BREAKFAST, FARMSTAY (KRS 219.011):** A bed and breakfast establishment at a farm location whose focus includes agritourism as defined in KRS 247.801.

**BILLIARDS & POOL HALLS:** Any establishment which has, as part of its operation three (3) or more pool or billiard tables on the premises.

**BOARD (KRS 100.111):** The Board of Adjustments unless the context indicated otherwise.

~~**BOARD:** The Board of Adjustment for Versailles-Midway-Woodford County, required by KRS 100, to administer applications for variances and conditional use permits and to hear appeals.~~

~~**BOARDING OR LODGING HOUSE:** A building other than a hotel which maintains a guest register and provides sleeping rooms and meals or cooking facilities for overnight guests, primarily not transients, for compensation for three (3), but not more than twenty (20) persons. A boarding or lodging house is distinguished from any other type of facility or use in that it is designed to be occupied and used for long term residents who are registered guests for a minimum of three (3) consecutive days and provides no services for non-overnight registered guests. Such a facility must provide off-street parking for all guests. Where kitchen facilities are included in a sleeping room, such room shall be deemed a dwelling unit.~~

BREEZEWAY: Any open, unenclosed structure consisting of a roof and its support and used as a connecting roofline between a main residence or building and an accessory building, not a primary building.

BUFFER: An area of land, including landscaping, berm, walls, fences, and building setbacks, that is located between land uses of different character and is intended to mitigate negative impacts of the more intense use on the adjacent parcel or right-of-way.

BUILDING: A structure, but not a mobile home or trailer, built or constructed for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind and having a fixed base on, or fixed connection to the ground.

~~BUILDING: Any structure constructed or used for a residence, business, industry or other public or private purpose, or accessory thereto.~~

**BUILDING CODE:** State mandated regulations that govern building, design, construction and maintenance. (Kentucky Building Code - KBC)

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

**BUILDING LINE, WIDTH:** The distance between the side lot lines measured along the front building line of the lot as determined by the prescribed front yard requirement of the zone in which the lot is located or as designated by the final record plat, whichever is greater.

**BUILDING, PRINCIPAL:** A building, including covered porches, carports, and attached garages in which is conducted the principal use of the lot on which it is situated. In any residential district any dwelling shall be deemed to be the principal building on the lot on which the same is situated. The connection of two buildings by means of an open porch, breezeway, passageway, carport or other such open structure, with or without a roof, shall not be deemed to make them one building.

**BUSINESS COLLEGE, TECHNICAL OR TRADE SCHOOL (WOODFORD CO & MIDWAY):** An educational institution primarily owned and operated by an individual, partnership, or corporation offering training in business, trade, technical or related areas through residence, extension, or correspondence, for which tuition is charged. Such training shall not include any courses or instruction in which the field or occupation would not be a permitted use within the zoning category in which the institution is located.

**BUSINESS COLLEGE, TECHNICAL OR TRADE SCHOOL (VERSAILLES):** An educational institution primarily owned and operated by an individual, partnership, or corporation offering training in business, trade, technical or related areas through residence, extension, or correspondence, for which tuition is charged.

~~CAMPING TRAILER: A vehicle intended for seasonal recreational use but not for year-round living accommodations. For purpose of this regulation, no trailer of any kind over twenty-two (22) feet in length shall be considered a camping trailer.~~

**CAMP OR CAMPGROUND:** Tracts of land of a design or character suitable for and used for seasonal, recreational, and other similar living purposes. The tracts may have located on them a structure of a seasonable, temporary or movable nature, such as a cabin, hunting shelter, recreational vehicle or tent. Any permanent structures, such as cabins, must comply with the appropriate requirements for dwellings in that district. The following Standards apply to Camp and Campground:

- a. Minimum Campground Area of Five (5) acres;
- b. Camp and Campgrounds shall only be located in a Conservation (CO-1) zoning district;
- c. Maximum Campsites and/ or cabins: Twenty-Five (25);
- d. All Camp and Campground uses shall conform to appropriate Woodford County Health Department Rules and Regulations; and
- e. All campsites, buildings and structures shall be at least 100 feet from any property line.

**CERTIFICATE OF OCCUPANCY:** A certificate issued by the Building Inspector and Zoning Administrator, after construction has taken place, which certifies that the building meets minimum standards for human occupancy.

~~**CHILD CARE CENTER:** Any facility which provides full or part-time care to at least four (4) children, other than family childcare, day or night, to children who are not the children, grandchildren, nieces, nephews, or children in legal custody of the operator, as regulated by the Commonwealth of Kentucky. The term shall not include childcare facilities operated by religious organizations while religious services are being conducted, or kindergarten or nursery schools which have as their primary function educational instruction.~~

~~**CHILD CARE, FAMILY:** An incidental and subordinate use within a dwelling and not an accessory structure, where full or part-time care is provided by a resident of the dwelling, for a fee, to children, as regulated by the Commonwealth of Kentucky.~~

~~**CHURCH: (SEE RELIGIOUS INSTITUTION)** A facility used primarily for religious worship services of an assembly nature that may secondarily provide social or community services such as counseling, childcare, senior services, and educational programs. For the purposes of this ordinance, synagogues, temples, and other places of religious assembly for worship, regardless of the terminology used by a specific faith or denomination, are considered churches pursuant to this definition.~~

**CLINIC, MEDICAL:** A building or part thereof designed and used for the diagnosis and treatment of human patients that does not including overnight care facilities.

**CLUB, PRIVATE:** Buildings and facilities the purpose of which is to render a social, educational, or recreational service to members and their guests and not primarily to render a service customarily carried on as a business or to render a profit. Private clubs shall include country clubs.

~~COMMERCIAL COMPOSTING: The aerobic or anaerobic decomposition of solid, organic materials to produce a stabilized, humus-like material that can be recycled to the land as a soil conditioner and low-grade fertilizer and primarily for use or distribution off the production site.~~

**COMMERCIAL GREENHOUSES:** Establishments primarily engaged in propagating and growing plants in containers, in soil or in other growing medium for the purpose of being sold and transplanted. This definition shall include sale of the following items: Plants grown on the premises or tended in a controlled environment of the greenhouse or plant nursery; sale of fungicides, insecticides, chemicals, peat moss, humus, mulches, and fertilizer, all to be used in the soil or upon the live plant to preserve the life and health of the plants sold; landscape counseling, site planning contracting services when not the primary activity and when using plants grown or tended on the premises of the greenhouse or plant nursery. ~~Note:—This definition only applies to land use as provided for in the Zoning Ordinance and Subdivision Regulations and is not intended to affect the status of any business with regard to any federal or state tax laws or similar statutes.~~

**COMMERCIAL RESORT:** A resort furnishing lodging, meals, and such recreational facilities as swimming, boating, shuffleboard, horseback riding, and golf. The recreational facilities shall be incidental to the furnishing of lodging and meals.

**COMMISSION (KRS 100.111):** Versailles-Midway-Woodford County Planning Commission established pursuant to Chapter 100 of the Kentucky Revised Statues.

**COMMUNITY CENTER:** Buildings and facilities for a social, educational, or recreational purpose, operated by a non-profit organization, which are generally open to the public and which do not render a service customarily carried on as a business.

~~**COMPOST (KRS 224.1-010):** Solid waste which has undergone biological decomposition of organic matter, been disinfected using composting or similar technologies, been stabilized to a degree which is potentially beneficial to plant growth and which is approved for use or sale as a soil amendment, artificial topsoil, growing medium amendment, or other similar uses.~~

~~**COMPOSTING (KRS 224.1-010):** The process by which biological decomposition of organic solid waste is carried out under controlled aerobic conditions, and which stabilizes the organic fraction into a material which can easily and safely be stored, handled, and used in an environmentally acceptable manner: (a) "Composting" may include a process which creates an anaerobic zone within the composting material; (b) "Composting" does not include simple exposure of solid waste under uncontrolled conditions resulting in natural decay.~~

**COMPREHENSIVE PLAN:** The adopted plan for Versailles-Midway-Woodford County which serves as a guide for public and private actions and decisions to assure the development of public and private property in the most appropriate relationships. Such plan shall include all elements whether expressed in words, graphics, or other forms.

**CONDITIONAL USE (KRS 100.111):** A use which is essential or would promote the public health, safety, or welfare in one or more zones, but which would impair the integrity and character of the zone in which it is located, or in adjoining zones, unless restrictions on location, size, extent, and character of performance area imposed in addition to those imposed in the zoning regulation.

**CONDITIONAL USE PERMIT (KRS 100.111):** Legal authorization to undertake a conditional use, issued by the administrative official pursuant to authorization by the Board of Adjustment, consisting of two (2) parts: A statement of the factual determination by the Board of Adjustment which justifies the issuance of the permit and A statement of the specific conditions which must be met in order for the use to be permitted.

**CONDOMINIUM:** A form of ownership with the following characteristics:

- a. The unit (the interior and associated exterior areas designated for private use in the development plan) is owned or rented by the occupant; and
- b. All or a portion of the exterior open space and any community interior spaces are owned and maintained in accordance with the Kentucky Revised Statutes Chapter 381.805 and 381.9101 and in accordance with the provisions for open space, roads, or other development features as specified in this Ordinance and the Subdivision Regulations.

**CONTROL MONUMENTS:** Survey markers set in accordance with 201 KAR 18.150 used to locate boundaries and installed Improvements.

**DAY CARE CENTER, ADULT:** An adult care facility which provides part-time care, day or night, but less than 24 hours, to at least 4 adults not related to the operator or the facility by blood, marriage, or adoption.

**DAY CARE CENTER, CHILD:** Any childcare facility which provides full or part-time care, day or night, to at least seven children who are not the children, grandchildren, children in legal custody, nieces, or nephews of the operator.

**DAY CARE CENTER, HOME:** Any childcare facility which provides full or part-time care by a resident of the dwelling, day or night, to at least two, but not more six children who are not the children, grandchildren, children in legal custody, nieces, or nephews of the operator.

**DEMOLITION:** Any act that destroys in whole or in part an existing building or structure, physical feature, or other site improvement.

**DENSITY:** A measure of the intensity of the use of a piece of land expressed in dwelling units, families or housing structures per acre.

**DENSITY:** Number of dwelling units per acre.

**DEVELOPER:** An individual, partnership, corporation, or other legal entity or agent thereof, which undertakes the activities covered by these regulations. In as much as, the subdivision plan drawings are merely a necessary means to the end of assuring development, the term Developer includes subdivider, owner, builder, etc. although the persons and their precise interests may vary at different project stages.

**DEVELOPMENT:** The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any use or change in use of any buildings or land; any extension, landfill, or land disturbance, clearing, or other man induced movements of land.

**DEVELOPMENT CONDITIONS:** Specific items agreed to by the Planning Commission or Board of Adjustments and the developer or owner of real property which are imposed upon a property, development plan, zone change request, conditional use permit or variance application and which control the development and use of the property in question. The conditions may be in writing or by graphic representation.

**DEVELOPMENT PLAN (KRS 100.111):** Written and/or graphic material for the provision of a development, including any or all of the following: location and bulk of buildings and other structures, intensity of use, density of development, streets, ways, parking facilities, signs, drainage of surface water, access points, a plan for screening or buffering, utilities, existing man-made and natural conditions, and all other conditions agreed to by the applicant.

**DRAINAGE PLAN:** A detailed study and design of the storm water flow and control within a designated area that minimizes erosion, sedimentation, and flooding.

**DRIVE-IN or DRIVE-THROUGH EATING AND DRINKING ESTABLISHMENT:** A building or portion thereof where food and/or beverages are sold in a form ready for consumption and where a significant portion of the consumption takes place or is designed to take place outside the confines of the building. Such use often includes an intercom or speaker system, a menu board, and an outside service window. The terms "drive-in" and "drive-through" shall be considered interchangeable.

**DORMITORY:** A building containing sleeping rooms operated by a school for academic instruction, or by a business college, technical or trade school, for which admission to residency is limited exclusively to students of such an institution, school or college. Where kitchen facilities or provisions for such are provided, such rooms shall be deemed dwelling units.

**DUMP:** A lot or tract of land or part thereof used for the disposal by abandonment, dumping, burial, burning, or other means of trash, refuse, junk, discarded machinery, vehicles or parts thereof, or waste material of any kind except garbage.

**DWELLING:** A permanent building used primarily for human habitation but not including mobile homes or facilities for the housing of transient residents, occupied exclusively for residential purposes.

- a. Dwelling, Single Family - A permanent building, separate and free standing, in itself providing living accommodations for one family.
- b. Dwelling, Two Family - A permanent building designed exclusively for occupancy by two families, commonly known as a duplex.
- c. Dwelling, Multiple Family - A permanent building or portion thereof providing separate living accommodations for three or more families.

**DWELLING UNIT:** A single unit, consisting of one room or rooms connected together, providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, kitchen facilities and sanitation.

**FAMILY:** A group of one or more persons occupying a premise and living as a single housekeeping unit, whether or not related to each other by birth, adoption or marriage, but no unrelated group shall consist of more than five persons, as distinguished from a group occupying a boarding or lodging house or hotel.

**FAMILY MEMBER (IMMEDIATE):** One or more persons related to each other by birth, adoption or marriage. For purposes of in-family conveyances this would be parent-to-child, ~~child to parent, spouse to spouse, sibling to sibling, and grandparent to grandchild and grandchild to grandparent.~~ and grandparent to grandchild and grandchild to grandparent. ~~Unrelated individuals jointly owning property are not eligible to utilize the in-family conveyance ordinance.~~

**FENCE:** An artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land.

**FILLING STATION (SEE AUTO SERVICE STATIONS)**

**FINAL ACTION:** Any final adjudication of the application for any zoning map amendment, variance, conditional use permit, development plan, or appeal from any administrative official before the Board or Commission, or appeal from the decision of the Board or Commission to any legislative body, or the highest state or Federal court to which any appeals shall be taken.

**FINISHED FLOOR ELEVATION (FFE):** The minimum elevation that can be used for construction of an occupied level of a structure.

**FLAG:** Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols used as a symbol of a government, political subdivision, or other official designated symbol of any institution or business.

**FLOODPLAIN:** Any land area susceptible to be inundated by water from the base flood. The term refers to that area designated as subject to flooding from the base flood (100-year flood) on the "Flood Boundary and Floodway Map" prepared by the Federal Emergency Management Agency (FEMA) U.S. Department of Housing and Urban Development, a copy of which is on file in the planning department.

**FLOODWAY:** The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface more than one foot. The term refers to that area designated as floodway on the "Flood Boundary and Floodway Map" prepared by the Federal Emergency Management Agency (FEMA) U.S. Department of Housing and Urban Development, a copy of which is on file in the planning department.

**FLOOR AREA:** The total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage; without deduction for hallways, stairs, closets, thickness of walls, columns or other features; but, including finished attics, and finished basements.

**FLOOR AREA RATIO:** Floor area of buildings on a lot divided by ground area of the lot on which it is located.

**FRONTAGE:** The length of the front lot line measured at the street right-of-way line.

**GARDEN CENTERS (OFFICE & SALES YARD):** Establishments used primarily for the sale of live plants, including greenhouses and plant nurseries. When accessory to the sale of plants, the sale of the following items shall be allowed: Cut plants, cut trees, and wreaths, bulbs and seeds which may have been transported to the premises for the purpose of resale; ground covers; fungicides, chemicals, peat moss, humus, mulches and fertilizers; lawn statuary, furniture, bird baths, bird feeders, birdhouses and pottery; pots and containers for plants; artificial flowers; home lawn and garden equipment including manual and automatic grass cutting devices, grass seeding devices, mulchers, thatchers, tillers, but not including farm tractors and machinery; garden landscape devices including railroad ties, stepping stones, fencing, edging, trellises, plastic and burlap; hand tools such as sprayers, shovels, dusters, rakes, hoes, and watering devices; firewood; landscape planning and contracting services incidental to the garden center to include contractual services for lawn and garden sprigging, maintenance, fertilizing, spraying and mowing.

**GARAGE, PRIVATE:** An accessory building (including a carport) housing not more than four (4) motor driven vehicles. The building owner may lease vehicle space but shall not provide repairing or servicing of motor vehicles for financial gain.

**GARAGE, PUBLIC:** Any building or premises, except those used as a private or storage garage, used for equipping, repairing, hiring, selling or storing motor driven vehicles.

**GARBAGE:** Any odorous, putrescible or combustible waste materials.

**GREENHOUSES, COMMERCIAL (SEE COMMERCIAL GREENHOUSES)**

**GROUP LIVING:** The residential occupancy of a structure by a group of people who do not meet the definition of Household or Family, but which share a common eating and living area. The residents may receive care, training or treatment, as long as the care givers also reside at the site.

**GROUP OR ROW HOUSE:** A group or row of not more than eight (8) semi-detached single-family dwellings not more than two (2) rooms deep with access to a street as herein defined.

**HAZARDOUS MATERIALS:** Any chemical, biological or radiological compound, gas, oil, gasoline, lubricant or other petroleum products, substances, solution or mixture which because of its quality, quantity, concentration, physical or infectious characteristics, or any combination thereof, when released into the environment, presents or may present harmful or potentially harmful effects to human health or welfare or the environment.

**HEIGHT, BUILDING:** The vertical distance from the grade to the top of the highest roof beam of a flat roof, or to the mean level of the highest gable or slope of a hip roof. When a building faces on more than one street, the height shall be measured from the average of the grades at the center of each street front.

**HELIPORT:** A facility used exclusively for helicopter operations including landing, takeoff, loading, discharging, fueling, maintenance, and/or transient storage of helicopters.

**HELISTOP:** A facility used exclusively for helicopter landing, take-off, loading, discharging, and/or transient storage of helicopters but not including facilities for maintenance, fueling or long-term storage of helicopters.

**HISTORIC, STRUCTURE:** Those structures listed or eligible for listing on the National Register.

**HOME IMPROVEMENT STORE:** A facility of more than 50,000 square feet gross floor area engaged in the retail sale of various basic hardware lines such as tools, builders' hardware and materials, paint and glass, house wares and household appliances, home decorating fixtures and accessories, lawn and nursery materials and supplies and other items generally used in the maintenance, repair or construction of buildings or other structures and property.

**HOME OCCUPATION:** A gainful occupation or profession carried on in a residence such as the studio of an artist or sculptor, dressmaking and tailoring, upholstery, handicrafts, tutoring, individual musical instruction (provided no instrument is amplified) and professional services, provided such home occupation is performed under the following conditions:

- (1) The use is clearly incidental and secondary to use for dwelling purposes and occupies no more than twenty-five percent (25%) or three hundred (300) square feet of the total floor area of the dwelling, whichever is less.
- ~~(2) The use is conducted entirely within a dwelling and not in any accessory building.~~
- (3) The use is carried on only by residents of the dwelling.
- (4) No mechanical equipment is installed or used except as is normally used for domestic or professional purposes.
- (5) No stock and trade are kept or commodities sold except such as are produced by the residents on the premises.
- (6) The use does not require external alteration of the dwelling.
- (7) The use does not adversely affect the uses permitted in the immediate neighborhood by excessive traffic generation or noise.
- (8) No outside signage of any kind shall be displayed on the property which identifies the home occupation.
- (9) No additional blacktop, concrete or gravel parking shall be permitted beyond that normally provided in comparable neighborhood homes.

**HOME OFFICE:** An office for record keeping and administration of work. Such office shall be subject to the following conditions:

- (1) The office shall be clearly incidental and secondary to the use for dwelling purposes with no more than twenty-five percent (25%) nor more than five hundred (500) square feet in any case of the dwelling devoted to the office use.
- ~~(2) The office shall be located in the dwelling unit and not in any accessory building.~~
- (3) The office shall be operated by and shall employ only residents of the dwelling unit.
- (4) No sale of merchandise shall be conducted on the property.
- (5) No commodities or merchandise shall be stored on the property and no storage, as defined herein shall be permitted.
- (6) No signs of any kind shall be displayed on the property which identifies the home office use.
- (7) No visits to the home office by customers, clients, patrons and the general public are allowable.
- (8) The residence shall maintain its residential character and shall not be altered or remodeled so as to change the residential appearance of the building.

**HORIZONTAL PROPERTY (KRS 381.805/ 381.9101):** Property developed under the rules and regulations as defined by Kentucky Revised Statutes in Chapter 381.805 or KRS 381.9101 (Also referred to as Condominiums).

**HOTEL (See Motel)**

HOTEL (KRS 219.011): A building or structure kept, used, maintained, advertised, or held out to the public as a place where sleeping accommodations are furnished to the public, and includes motels, tourist homes, and similar establishments, but excludes boarding houses and rooming houses.

HOUSEHOLD: A single housekeeping unit with common access to and use of all living and eating areas within the dwelling unit.

HOUSEHOLD LIVING: Is the residential occupancy of a dwelling unit by a household. Tenancy is arranged on a month-to-month or longer basis. Uses where tenancy may be arranged for a shorter period are not considered residential; they are considered to be a form of overnight accommodation or lodging.

HOUSING, BUILDING REGULATION (KRS 100.111): Means the Kentucky Building Code, the Kentucky Plumbing Code, and any other building or structural code promulgated by the Commonwealth or by its political subdivisions.

HUD CODE: The Federal Manufactured Home Construction and Safety Standards for construction, design, and performance of manufactured housing as set forth in the Code of Federal Regulations, Title 24, Part 3280, 3282, 3283, and 42 USC 5401, and as administered by the United States Department of Housing and Urban Development.

IMPERVIOUS SURFACE: Surfaces through which rain or other water cannot permeate to the underlying soil strata (roofs, asphalt, concrete, etc.).

**JUNK YARDS:** A lot, land, building, or structure, or part thereof used primarily for the collecting, storage, and/or sale of wastepaper, rags, scrap metal, or discarded material or for the collecting, dismantling, storage, and salvaging of machinery or vehicles not in running condition and for the sale of parts there from.

KENNEL, COMMERCIAL: A commercial establishment where dogs or other domesticated animals are groomed, bred, boarded, trained or sold.

KENNEL, NON-COMMERCIAL: A non-commercial kennel at, in or adjoining a private residence where dogs or other domesticated animals are kept for the hobby of the householder (i.e. hunting, tracking or exhibiting) is permitted in agricultural and residential zoning districts. The occasional breeding of dogs or other domesticated animals (limited to one litter on the property at a time) by the keeper of a non-commercial kennel shall not change the character of the property and shall not constitute a nuisance to the neighborhood.

KENNEL: Any place where house pets are kept for purposes other than those customary and incidental to a household.

**KRS 100:** Kentucky Revised Statutes that enable cities and counties to enact local planning and land use regulations and specify how planning and zoning shall be administered.

**KITCHEN FACILITIES:** Equipment arranged in a room or some other space in a structure which facilitates the preparation of food including, but not limited to, a combination of two or more of the following--a range, microwave oven, dishwasher, kitchen sink, or refrigerator.

**LANDMARK:** Any site, building, structure, or natural feature that has visual, historic, or cultural significance.

**LANDSCAPE, PLAN:** A scaled drawing, including dimensions and distances, existing and proposed buildings, vehicle use areas, driveways, and the location, size, and description of all landscape materials.

**LANDSCAPE, ARCHITECT:** A qualified person currently licensed by the State Board of Examiners and Registration of Landscape Architects of Kentucky.

**LANDSCAPE, LANDSCAPE BUFFER AREA (LBA):** A strip of land to be set aside to separate incompatible land uses on which shall be placed trees, bushes, ground covers and barriers as necessary to reduce the deleterious effects of the activities.

**LANDSCAPE, LANDSCAPING:** The use of planting material, pavements, walls, fences and earth mounds to enhance the aesthetic and safety characteristics of new and existing development.

**LANDSCAPE, EARTH MOUNDS:** Ridges of piled earth constructed with proper slopes (not to exceed 3:1) and plant material to prevent erosion.

**LANDSCAPE, FENCE:** A barrier constructed of wood, metal, stone, brick or other weatherproof material for the purpose of restricting movement, or screening conflicting activities from sight. In the case of wood fences, slats are to be a minimum 1/2" in thickness and are to be placed on the outside of the fence unless the design is two-sided (shadow-box, etc.). Chain link fencing may not be used to meet the requirements of this ordinance. The height of fences shall be governed as set forth in the Zoning Ordinance. Fences shall not be used for advertising purposes.

**LANDSCAPE, HEDGE:** A row of bushes planted at such interval as to create a continuous mass within two years after planting.

**LANDSCAPE, INCOMPATIBLE LAND USES:** Any facility or use on a property which is incompatible with the adjacent use. For example, parking areas and dumpsters would be incompatible uses, but drainage facilities most likely would not.

**LANDSCAPE, INTERIOR LANDSCAPING AREAS:** Planting areas such as islands or peninsulas within a vehicular use area as required by Section 1105.11 of this Ordinance.

**LANDSCAPE, VEHICULAR USE AREA:** Any open or unenclosed area containing more than 1,800 square feet of area and/or used by six or more of any type vehicle or mobile home including but not limited to parking lots, loading and unloading areas, sales and services area.

**LANDSCAPE, GROUND COVER:** Planting with a mature height of twelve inches (12") or less including but not limited to grass, certain junipers, and ivy. Within LBAs next to a public right-of-way, crushed rock, tree bark or process shale may also be used.

**LANDSCAPE, LOW SHRUBS:** Low lying deciduous or evergreen ground covers.

**LANDSCAPE, SCREENING:** A method of visually or audibly shielding or obscuring an adjacent or nearby structure or use from another by fencing, walls, berms or densely planted vegetation.

**LANDSCAPE, SHRUBS:** Planting materials with a functional mature height of two to twelve feet with foliage for its full height.

**LANDSCAPE, TREES:** Planting materials with a functional mature height of ten or more feet. When used in conjunction with interior landscaping areas, trees should have a minimum clear height of five feet from the ground to the lowest branch.

**LODGING HOUSE (SEE BOARDING HOUSE)**

**LOT:** A piece, parcel, tract or plot of land occupied or to be occupied by one principal building and its' accessory buildings and including the open spaces required under this regulation.

**LOT OF RECORD:** Any lot, the deed of which is on record at the office of the County Clerk of Woodford County at the time of enactment of this resolution.

**LOT AREA, GROSS:** The total area circumscribed by the boundaries of a lot, except when the boundary of the lot extends into a public street right-of-way, then the street right-of-way shall be used in computing the lot area.

**LOT COVERAGE:** The computed portion of ground area occupied by the outside walls of buildings and structures as defined by gross floor areas within a lot.

**MAIL ORDER BUSINESS:** A business engaged in the sale of manufactured products, goods, merchandise and finished products primarily through means of mail or telephone orders, including the administrative offices of such business.

**MANUFACTURED HOME (KRS 219.320 MOBILE HOME PARK):** A single-family residential dwelling constructed in accordance with the National Manufactured Housing Construction in Safety Standards Act, manufactured after June 15, 1976, and designed to be used as a single-family residential dwelling with or without a permanent foundation when connected to the required utilities, and including plumbing, heating, air conditioning, and electrical systems. A manufactured home may also be used as a place of business, profession, or trade by the owner, the lessee, or the assigns of the owner or lessee and may comprise an integral unit or condominium structure. Buildings, the construction of which are not preempted by the National Manufactured Housing Construction in Safety Standards Act, are subject to the building code requirements of KRS Chapter 198B.

**MANUFACTURED HOME (KRS 100.348):** A single-family residential dwelling constructed after June 15, 1976, in accordance with the National Manufactured Home Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq., as amended, and designed to be used as a single-family residential dwelling with or without permanent foundation when connected to the required utilities, and which includes the plumbing, heating, air conditioning, and electrical systems contained therein.

**MANUFACTURED HOME, QUALIFIED (KRS 100.348):** A Manufactured Home defined under KRS 100.348 that meets all of the following criteria of an off-site constructed HUD home:

- a. Is manufactured on a date not to exceed five (5) years prior to the date of installation and has all parts that operate only during transport removed;
- b. Is affixed to a permanent foundation and is connected to the appropriate facilities and is installed in compliance with KRS 227.570;

- c. Has a width of at least twenty (20) feet at its smallest width measurement or is two (2) stories in height and oriented on the lot or parcel so that its main entrance door faces the street;
- d. Has a minimum total living area of nine hundred (900) square feet; and
- e. Is affixed to a permanent foundation and is connected to the appropriate facilities and is installed in compliance with KRS 227.570;

**MARINA:** A dock providing secure moorings for boats that may include accessory retail facilities for boat owners, crews and their guests.

**MEDICINAL CANNABIS FACILITY:** (a) Means marijuana as defined in KRS 218B.010 when cultivated, harvested, processed, produced, transported, dispensed, distributed, sold, possessed, or used in accordance with KRS 218B; (b) Includes medicinal cannabis products and raw plant material; and (c) Does not include industrial hemp or industrial hemp products as defined in KRS 260.850.

**MERCHANT ELECTRIC GENERATING FACILITY (KRS 278.700):** A merchant electric generating facility is one that is capable of operating at an aggregate capacity of at least 10 megawatts, and which sells the electricity it produces in the wholesale market at rates not regulated by the Public Service Commission (PSC). This term shall include wind and solar electricity-generating facilities.

**MICRO-BREWERY/CLASS B DISTILLER:** A facility within a completely enclosed building which is intended for the production and packaging of up to 25,000 barrels per calendar year of malt beverages, or 50,000 gallons of distilled spirits per calendar year, which may be associated with a restaurant or tasting room, under the terms and conditions specified by KRS 243.157, KRS 243.150, KRS 243.120, KRS 243.0305, and other applicable laws.

**MOBILE HOME (KRS 219.320 MOBILE PARK):** A structure manufactured prior to June 15, 1976, that was not required to be constructed in accordance with the National Manufactured Housing Construction in Safety Standards Act, that is transportable in one (1) or more sections, that, in the traveling mode is eight (8) body feet or more in width and forty (40) body feet or more in length, or when erected on site, four hundred (400) or more square feet, and that is built on a permanent chassis and designed to be used as a dwelling on a temporary or permanent foundation, when connected with the permanent required utilities, including plumbing, heating, air conditioning, and electrical systems and does not meet the definition of Manufactured Home. As used herein, mobile home shall not include camping trailer, travel trailer, recreational vehicle, pickup coach, bus, auto camper, or any unit with a seal which has been determined to be salvage only.

**MOBILE HOME:** ~~A structure transportable in one or more sections which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes park trailers, travel trailers, and similar transportable structures placed on a site for 180 consecutive days or longer and intended to improve property.~~

**MOBILE HOME PARK:** ~~An area developed as herein specified with accommodations for not less than ten (10) mobile homes.~~

**MOBILE HOME SUBDIVISION:** A residential subdivision designed exclusively for and occupied only by mobile homes and similar units designed for transportation in which the homes and the land are owned by the occupants.

**MOBILE OR MANUFACTURED HOME COMMUNITY (KRS 219.320 MOBILE HOME PARK):** A parcel of land, under single or multiple ownership and developed specifically for the purpose of leasing two (2) or more residential spaces for the location of manufactured or mobile home dwellings and which contain common facilities and utilities located on the premises as licensed by the cabinet.

**MOBILE OR MANUFACTURED HOME LOT (KRS 219.320 MOBILE HOME PARK):** A parcel of land in a manufactured or mobile home community for the placement of a single manufactured or mobile home.

**MODULAR HOME:** A dwelling unit constructed on-site in accordance with the state code and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation.

**MONUMENTS:** Survey markers set to 201 KAR 18.150 used to locate boundaries and installed improvements. Intended to be located in an undisturbed area and used to establish reliable control for the area during construction and for future use.

**MOTEL OR HOTEL:** A building or group of buildings containing individual sleeping or living units (suites) designed for the temporary occupancy of transient guests and including hotels, motor lodges, motor hotels, or auto courts, but not including boarding or lodging houses. (Must provide off-street parking as specified by this Ordinance)

**MOTOR HOME:** A self-propelled vehicle with a dwelling constructed as an integral part of the vehicle. (See more under Recreational Vehicle)

**NONCONFORMING LOT:** A lot of record existing at the effective date of the zoning ordinance (and not created for the purposes of evading the restrictions of this chapter) that does not meet the minimum area requirement of the district in which the lot is located.

**NON-CONFORMING USE OR STRUCTURE:** An activity or a building, sign, structure, or a portion thereof which lawfully existed before the adoption of the zoning ordinance, but which does not conform to all of the regulations contained in the zoning ordinance which pertain to the zone in which it is located.

**NURSING HOME OR REST HOME:** A home for the aged, chronically ill or incurable persons in which three (3) or more persons not of the immediate family are received, kept, or provided with food and shelter and care for compensation, but not including hospitals, clinics, or similar institutions devoted primarily to the diagnoses, treatment, or care of the sick or injured.

**OPEN SPACE:** Outdoor area of a lot or tract which is designated and used for outdoor living, recreation, pedestrian access or planting. Off-street parking and loading areas, driveways, and required front and side street side yard areas do not qualify as useable open space.

**OWNER:** Any person, corporation, partnership or other entity, or any combination thereof, in whom is vested the ownership, dominion or title of property necessary to convey title to such property.

**PARKING AREA:** Any public or private unobstructed land area that has access to a street and which is designed and used for parking motor vehicles. The term includes parking lots, structures, garages, travelways, and private driveways.

**PARKING LOT:** An off-street, ground level area, usually surfaced and improved, for the temporary storage of motor vehicles. This term does not include areas for demolished, wrecked, junked or for sale motor vehicles or where motor vehicle parts are located.

**PARKING SPACE:** The area for the parking of a motor vehicle within a public or private parking area. As used in this Ordinance it is a numerical designation used to determine the size of parking area.

**PARKING, OFF-STREET:** A storage area for a motor vehicle that is located within a parking area which is not located on a dedicated street right-of-way.

**PARKING, ON-STREET:** A temporary storage area for a motor vehicle which is located on a dedicated street right-of-way.

**PEAK HOUR:** The traffic count that represents the highest volume of traffic in a one-hour period.

**PERMANENT FOUNDATION:** A permanent masonry, concrete or other footing approved by the Building Official to which a building, structure, or manufactured home may be affixed.

## **PERMITS**

- (1) **Building Permit** - A permit issued by the Building Inspector and Zoning Administrator authorizing the construction or alteration of a specific building on a specific lot, submitted and approved per the Kentucky Building Code (KBC) as adopted by jurisdiction.
- (2) **Temporary Occupancy Permit** - A temporary certificate issued by the Building Inspector for a building or structure, or part thereof, before the entire work covered by the permit has been completed, provided that such portion or portions will be occupied safely prior to full completion of the building or structure without endangering life or public welfare.
- (3) **Wrecking Permit (Demolition Permit)** - A permit issued by the Building Inspector before a building or structure, or major part thereof is razed.
- (4) **Grading/Paving Permit** - A permit issued by the Zoning Administrator before any stripping, cutting, filling, stockpiling of earth or land grading, excavation, filling or removal of soil, or paving, on any lot or parcel of ground, which significantly affects the permanent drainage characteristics of a site.
- (5) **Sign Permit** - A permit issued by the Zoning Administrator before any sign is erected, moved, added to, or structurally altered.
- (6) **Zoning Permit** - A permit issued by the Zoning Administrator that authorizes the recipient to make use of property in accordance with the requirements of this zoning ordinance.

**PERSONAL SERVICES OR PERSONAL SERVICE ESTABLISHMENTS:** Commercial business providing services to individuals such as academic tutoring, music lessons, hair salon, nail salon, cosmetologist, massage therapy, beauty and barber shops, shoe repair, dressing making and tailoring.

**PLANT NURSERY:** An establishment engaged in the outdoor cultivation of only trees and shrubs for transplanting. A greenhouse may be an accessory structure when used to propagate and prepare the trees or plants for planting on the premises.

**PRINCIPAL PERMITTED USE:** A use which is permitted outright in a district for which a zoning certificate may be issued by the Zoning Administrator in accordance with the provisions of the Ordinance.

**PRINCIPAL STRUCTURE:** A building in which is conducted a principal or conditional use. In any residential zone, any structure containing a dwelling unit shall be deemed a principal structure on the lot on which the same is located. Where a non-conforming use is the primary use on the property, the building in which it is located shall be deemed a principal structure.

**PRINCIPAL USE OF STRUCTURE:** The primary use of the land or the main structure on a lot which determines the primary activity that takes place on the land or in the structure.

**PUBLIC FACILITY (KRS 100.111):** The use of land whether publicly or privately owned for transportation, utilities, or communications, or for the benefit of the general public, including but not limited to libraries, streets, schools, fire or police stations, county buildings, municipal buildings, recreational centers including parks, and cemeteries.

**RECORDING PLAT:** Original Plat to be recorded in the Woodford County Clerk's office.

**RECREATIONAL VEHICLE:** A vehicle which is: (a) built on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projection; (c) designed to be self-propelled or permanently towable to a light duty truck; and (d) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

**RECREATIONAL VEHICLE (KRS 186.650):** Means a vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. The basic entities are: travel trailer, camping trailer, truck camper, and motor home.

**RECREATIONAL VEHICLE (RV) PARK:** Tracts of land of a design or character suitable for and used for seasonal, recreational, and other similar living purposes. The tracts may have located on them a structure of a seasonable, temporary or movable nature, such as a cabin, recreational vehicle or tent. Any permanent structures, such as cabins, must comply with the appropriate requirements for dwellings in that district. The following Standards apply to all Recreational Vehicle (RV) Parks:

- a. An RV Park may be established and maintained in accordance with the applicable Zoning District outlined in Article VII and KRS 219;
- b. RV Parks shall only be located in a Highway Interchange Service (B-5) or Light Industry (I-1) zoning district;
- c. Minimum Park Area, Twenty (20) acres;
- d. Maximum RV Spaces, Campsites and/or Cabins: One Hundred (100);

- e. All RV Parks shall be connected to public sanitary sewer and shall conform to appropriate Commonwealth of Kentucky Plumbing Code and Woodford County Health Department Rules and Regulations; and
- f. All campsites, buildings and structures shall be at least 100 feet from any property line.

**REHABILITATION HOME:** A building or group of buildings providing a supervised residence for persons recovering from the effects of drug or alcohol abuse, psychiatric disorders, or as a condition of their parole or probation. Such homes may provide counseling in educational, vocational, or other areas by a paid or volunteer staff and generally have twenty-four (24) hour-a-day supervision.

**RELIGIOUS INSTITUTION CHURCH:** A facility used primarily for religious worship services of an assembly nature that may secondarily provide social or community services such as counseling, childcare, senior services, and educational programs. For the purposes of this ordinance, synagogues, temples, and other places of religious assembly for worship, regardless of the terminology used by a specific faith or denomination, are considered Religious Institutions churches pursuant to this definition.

**RESIDENTIAL CARE FACILITY (KRS 100.982):** A residence operated and maintained by a sponsoring private, non-profit or governmental agency to provide services in a homelike setting for persons with disabilities.

**RESTAURANT:** An eating establishment where food is served and/or consumed primarily within the building and where consumption of food in motor vehicles on the premises is not encouraged. Note: A restaurant may only include drive-through facilities (where food is served to patrons while in their motor vehicle through a window or other facilities and consumption on the premises in motor vehicles is not encouraged) as permitted and regulated in the zone in which the restaurant is located.

**RESTAURANT, DRIVE-IN:** An eating establishment where food is served by employees or by self-service outside the building and consumed on the premises principally in a motor vehicle.

**RETENTION BASIN:** A drainage storage structure that prevents surface runoff from passing to other surface structures or facilities.

**RIGHT-OF-WAY:** A strip of land dedicated to the public to accommodate access and/or utilities to lots or tracts. The usage of the term "right-of-way" for land platting purposes shall mean that every right-of-way shown on a Final Plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels.

**ROADWAY:** That portion of a street intended for vehicular traffic.

**ROOF LINE:** The edge of the roof or the top of the parapet, whichever forms the top line of the building silhouette.

**ROUTINE MAINTENANCE:** To repair or refurbish a sign, structure, or building, or any part of each but not including expansion or total replacement.

**RURAL RESIDENTIAL DISTRICT:** The Rural Residential District is a zoning district classification applicable to residential subdivisions of property located outside existing urban service boundaries of Woodford County and within an A-2 Agricultural district; the number of building lots on any individual property is based on a sliding scale approach which considers the total size of the parcel owned. Eighty percent (80%) of the land in this farm shall be residual farmland or open space utilized for those permitted uses within an A-2 Agricultural District other than single family dwelling units and their accessory structures, except that if there is one existing farm dwelling (as of April 1, 1990) it can remain on the residual farmland and not be subject to Section 803. In the event the residual farmland or open space is thirty acres (30) or less and one farm residence exists or is proposed on the residual, then in that event, the residual farmland or open space shall remain as one undivided parcel; if no farm residence exists or is proposed on the residual farmland, or in the event, that more than thirty (30) acres of residual farmland exists, where a farm residence exists or is proposed, then, in that event, the residual farmland or open space, or in the case when a farm residence exists or is proposed, the excess of the residual farmland over thirty (30) acres may be owned jointly or in common by the owners of the building lots, or an association of the owners of the subdivision or a person or entity who does not necessarily own a dwelling unit within the rural residential subdivision, but who makes a binding commitment to utilize the land for permitted uses other than the construction or maintenance of any dwelling units except one existing farm dwelling as noted above. If one farm dwelling exists or one is proposed on the residual farmland one "Lot to be Sold" shall be reduced from the sliding scale established in 703.11 (A), and all residual farmland acreage up to and including thirty (30) acres of the designated residual farmland shall remain as one undivided parcel.

**SCHOOLS FOR ACADEMIC INSTRUCTION:** All schools offering primarily classroom instruction with participation of teachers and students, limited to elementary, junior and middle high schools, high schools, junior colleges, colleges, theological seminaries, bible colleges, and universities; but not including business colleges, technical or trade schools.

**SETBACK:** The required distance between every structure and the lot lines of the lot on which it is located, measured perpendicular to the building (at the eave overhang) and related front, side, or rear property line, exclusive of patio, steps, and HVAC equipment.

**SHORT TERM RENTAL:** A dwelling unit or portion of a dwelling unit that is rented, leased or otherwise assigned for a tenancy of less than 30 consecutive days. This term does not include hotel or motel rooms, extended stay lodging facilities, or bed and breakfast establishments. This may include renting a portion of a dwelling or accessory structure while the resident is present. Short term rentals include the following arrangements: Hosted Home Sharing, where the primary occupant(s) of the residence remains in the dwelling with the guests; and Dedicated Short Term Rentals, where there is not a primary occupant of the dwelling and it is only used by guests. The term Short Term Rental may include home sharing arrangements described as Boarding, Rooming, Vacation or Tourist House/Home.

**SIGN:** Shall mean and include any outdoor announcement, declaration, device, demonstration or insignia used for direction, information, activity, services or any interests.

- a. Banner Sign - Any sign of lightweight fabric or similar material that is permanently mounted to a pole or building by a permanent frame at one or more edges. National flags, state or municipal flags or official flags of any institution or business shall not be considered banners.
- b. Business Sign - A (on-premise) sign which identifies a building or directs attention to a business, product, activity or service manufactured, sold, offered or stored upon the premises as the primary use(s) where such sign is located.

- c. Pennant or Streamer - Any lightweight fabric or similar material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.
- d. Political Signs - A temporary on-premise sign supporting the candidacy for office or urging action on any other matter on the ballot of a state, local or national election or referendum.
- e. Projecting Sign - A sign suspended from or supported by a building or similar structure and projecting outwards.
- f. Sign Structure - The entire area within a single continuous perimeter enclosing all elements of the sign which form an integral part of the display.
- g. Wall Signs - A sign which is attached directly to a building wall and which does not extend more than fifteen (15) inches therefrom nor higher than the roof line of the building, with the exposed face of the sign in place parallel to the building wall.
- h. Free Standing Sign – A permanent sign erected on a framework not attached to any building, and attached to the ground, on one or more uprights or braces in the ground, whose purpose is to identify the name of a single user located on the lot with user.
- i. Monument sign – A permanent Freestanding Sign which is completely self-supporting, has its sign face or base no more than six (6) inches above the ground.
- j. Shopping Center Complex or Industrial Park Sign – A freestanding pylon or monument sign within a commercial or industrial development whose purpose is to identify the name of the development, its tenants and its major vehicular access points.
- k. Project Entrance Sign – A freestanding monument sign within a residential, commercial, or industrial development whose purpose is to identify the name of the development (no tenants) and its major vehicular access points.
- l. On-premise Sign – Any on site sign on a permanent structure located on the premises to which sign pertains.
- m. Off-premise Sign – Any off-site sign, available for rent, on a permanent structure on which the copy is periodically changed and which is not located on the premises which such advertising copy pertains.

**STORAGE:** The keeping, either indoors or outdoors, of equipment, vehicles, or supplies used in the conduct of a trade, business, or profession. Storage does not include the overnight parking in residential zones of a single vehicle weighing no more than two and one-half (2½) tons gross vehicle weight which, although used primarily for business, trade or professional purposes, also provides daily transportation to and from work. (Amended December 2005)

**STORY:** That portion of a building, other than a cellar or mezzanine, included between the surface of any floor and the surface of the floor next above it, or, if there be no floor above it, then the space between the floor and ceiling next above it.

**STREET:** Any public or private right-of-way, twenty-five (25) feet or more in width, dedicated to vehicular and pedestrian movement, and which may also provide space for the location of under or above ground utilities. The word "street" shall include the words "road", "highway", and "thoroughfare."

**STRUCTURE:** Anything constructed or made, the use of which requires permanent location in or on the ground or attachment to something having a permanent location in or on the ground, including buildings, signs, and pools (in ground).

**SUBDIVISION (KRS 100.111):** The division of a parcel of land into three (3) or more lots or parcels except in a county containing a city with a population equal to or greater than eight thousand (8,000) based upon the most recent federal decennial census or in an urban-county government or consolidated local government where a subdivision means the division of a parcel of land into two (2) or more lots or parcels; for the purpose, whether immediate or future, of sale, lease, or building development, or if a new street is involved, any division of a parcel of land; provided that a division of land for agricultural use and not involving a new street shall not be deemed a subdivision. The term includes resubdivision and when appropriate to the context, shall relate to the process of subdivision or to the land subdivided; any division or redivision of land into parcels of less than one (1) acre occurring within twelve (12) months following a division of the same land shall be deemed a subdivision.

~~**SUBDIVISION:** The division of a parcel of land into three (3) or more lots or parcels; for the purpose, whether immediate or future, of sale, lease, or building development, or if a new street is involved, any division of a parcel of land; provided that a division of land for agricultural use and not involving a new street shall not be deemed a subdivision. The term includes re-subdivision and when appropriate to the context, shall relate to the process of subdivision or to the land subdivided; any division or re-division of land into parcels of less than one (1) acre occurring within twelve (12) months following a division of the same land shall be deemed a subdivision within the meaning of this section.~~

**SUBDIVISION, MAJOR:** (See Subdivision Regulations)

**SUBDIVISION, MINOR:** (See Subdivision Regulations)

**TEMPORARY EMERGENCY, CONSTRUCTION OR REPAIR RESIDENCE:** A residence (which may be a mobile home) that is: (a) located on the same lot as a residence made uninhabitable by fire, flood, or other natural disaster and occupied by the persons displaced by such disaster, or (b) located on a nonresidential construction site and occupied by persons having construction. (Any such use must be approved by the Board of Adjustment).

**TEMPORARY CONSTRUCTION UNIT:** Any transportable facility built on its own chassis used for offices or storage and which is located on a construction site. No temporary construction unit shall be used for sleeping or residential purposes in whole or in part.

~~**TEMPORARY USE PERMIT:** A permit issued for the temporary use of a mobile home for the purposes of a construction trailer or temporary dwelling.~~

**TENANT HOME:** An accessory residence located in an agricultural zone occupied by a person, other than the owner's family or the farm manager, employed in an agricultural use on the property.

~~**TOURIST DESTINATION:** Tourist Destinations provide for the rehabilitation and productive re-use of structures existing as of (date), in the rural areas of Woodford County, thus promoting tourism and the overall economy, while allowing for the continued use of the subject property for agricultural purposes, if any, and preservation of the landmark or historic structure. Tourist Destinations are allowed as a permitted Principal Use in designated Zoning Districts. Tourist Destination is a unique, regionally recognized existing landmark or historic structure as of January 1, 2012, that is primarily known for its existing architectural significance and/or uniqueness, which promote tourism and the overall economy, which naturally draws the general public as a destination that meets the following criteria and limitations:~~

- a. ~~A use or operation must be operated by and located in an existing structure located on land which is occupied by the owner, lessee, or owner's agent.~~
- b. ~~Property must be at least 30 acres in size and have road frontage on a State or Federal Highway.~~
- c. ~~Overnight accommodations to guests are allowed but the number of guest rooms is limited to 10 rooms.~~
- d. ~~A restaurant is allowed and may serve registered overnight guests and/or the public, with the number of seats for patrons limited to 75.~~
- e. ~~Public tours of the structures(s) and grounds are allowed.~~
- f. ~~Gift shops, open to the public, are allowed but must be accessory to other allowed uses.~~
- g. ~~Special events, including charitable events, receptions, parties, corporate picnics, weddings, or any other events/activities which are determined by the Agricultural Advisory Review Committee to be of the same general character as those listed herein, are allowed but the number of such events is limited to 7 per week with no more than 2 held on any one day.~~
- h. ~~Special events and activities must be located at least 300 feet from an adjoining property line.~~
- i. ~~All food preparation must take place in a kitchen inspected, approved, and licensed by the County Health Department.~~
- j. ~~In order to not create noise or lighting conditions detrimental to the surrounding area amplified music shall be prohibited after 11:00 p.m. and outdoor lighting shall be shielded.~~
- k. ~~A current guest register including names, addresses and dates of occupancy of all guests shall be kept on site at all times if overnight accommodations are provided.~~
- l. ~~All business licenses and revenue collection ordinances of Woodford County, Versailles and Midway shall be complied with.~~
- m. ~~The Kentucky Building Code and other applicable local/state laws shall be adhered to.~~
- n. ~~Parking requirements will be as set forth herein in Article VI.~~
- o. ~~All parking areas will be buffered with trees, shrubs, walls, or fences per Article XI 1105.3D.~~
- p. ~~No parking will be allowed for any guest or those attending special events on public road right-of-ways.~~
- q. ~~Overflow parking areas shall remain grass and buffered as provided in section O above.~~
- r. ~~Access to the subject property shall be approved by the appropriate local, state, or federal agency having jurisdiction.~~
- s. ~~Signs shall be limited to one externally illuminated on-premise sign on each existing contiguous public road not to exceed twenty four (24) square feet in area.~~
- t. ~~Additions to the existing structure and/or additional structures if constructed past the date specified herein shall not be used for operations specified herein but rather used as otherwise allowed.~~
- u. ~~The owner, owner's agent, or lessee shall cooperate with the Woodford County Tourist Commission to display, without charge, information on other tourist destinations within Woodford County.~~
- v. ~~A site plan drawn to scale as specified in Article III, Section 301.3 (B) is required for review and approval prior to establishing uses specified herein.~~

~~**TOURIST DESTINATION EXPANDED:** Tourist Destinations provide for the rehabilitation and productive re-use of structures existing as of (date), in the rural areas of Woodford County, thus promoting tourism and the overall economy, while allowing for the continued use of the subject property for agricultural purposes, if any, and preservation of the landmark or historic structure. Tourist Destinations may be allowed only as a Conditional Use in designated~~

~~Zoning Districts and subject to any conditions imposed. A Tourist Destination is a unique, regionally-recognized existing landmark or historic structure that is primarily known for its existing architectural significance and/or uniqueness, which promote tourism and the overall economy, which naturally draws the general public as a destination that meets the following criteria and limitations:~~

- ~~a. Overnight accommodations to guests may be permitted by the Board of Adjustment, with the number of guest rooms exceeding 10 but as stipulated and approved by the Board of Adjustment.~~
- ~~b. A restaurant serving registered overnight guests and/or the public, with the number of seats for patrons exceeding 75 but as stipulated and approved by the Board of Adjustment.~~
- ~~c. Special events, including charitable events, receptions, parties, corporate picnics, weddings, or any other events/activities which are determined by the Agricultural Advisory Review Committee to be of the same general character as those listed herein, are allowed but the number of such events may exceed 7 per week or with more than 2 held on any one day as stipulated and approved by the Board of Adjustment.~~

**TOWNHOUSE:** A group or row of attached single family dwellings in which each unit has its own front, rear, or side access to the outside and each unit is separated from any other unit by one or more common fire-resistant walls and is capable of being subdivided into separate units.

**TRACT:** A lot. The term tract is used interchangeably with the term lot, particularly in the context of subdivision, where one "tract" is subdivided into several "lots." (See Lot)

**TRAFFIC IMPACT STUDY:** The collection, processing and report of data showing current and future conditions of vehicular movement.

**TRUCK STOP -** A facility with direct access from a major transport route, that provides a range of rest, service and fueling facilities for the drivers of heavy duty and long-haul vehicles and trucks, but does not include Overnight Accommodations or Overnight Parking Facilities.

**USE:** The purpose or activity for which a building, structure, or land is occupied or maintained.

**USE, PERMITTED:** Any use allowed in a zoning district and subject to the restrictions applicable to the zoning district.

**USE, TEMPORARY:** A use of land that is designed, operated and occupies a site for a specified period of time, with the intent to discontinue such use upon the expiration of such time and does not involve the construction or alteration of any permanent structure.

**UTILITY FACILITIES:** Any above-ground structures or facilities (other than buildings, unless such buildings are used as storage incidental to the operation of such structures or facilities) owned by a governmental entity, a nonprofit organization, a corporation, or an entity defined as a public utility for any purpose (by the appropriate provision of state law) and used in connection with the production, generation, transmission, delivery, collection, or storage of water, sewage, electricity, gas, oil, or electronic signals.

**VARIANCE (KRS 100.111), DIMENSIONAL:** A departure from dimensional terms of the zoning regulation pertaining to the height, width, or location of structures, and the size of yards and open spaces where such departure meets the requirements of KRS 100.241 to 100.247.

VEHICLE USE AREA: Any area occupied in whole or in part by motorized vehicles, including, but not limited to, parking lots, parking stalls, driveways, service areas, and roadways.

**WOODLOT, COMMERCIAL:** Premises, or portions thereof, used for seasoning and storage of firewood and for cutting and splitting of timber to produce firewood for later resale.

~~YARD:~~ An open space on the same lot with a principal building, open, unoccupied, and unobstructed by buildings except as otherwise provided in this ordinance

~~A. Yard, Front~~—The yard extending across the entire width of the lot between the principal building and the right-of-way line or street line which the building faces.

~~B. Yard, Rear~~—The yard extending across the entire width of the lot between the rear lot line and the nearest part of the building.

~~C. Yard, Side~~—The yard extending along the side lot line from the front yard to the rear yard and lying between the side lot line and the nearest part of the principal building.

YARD: That portion of a lot that is unobstructed by buildings or structures, from the ground to the sky.

YARD, FRONT: A space extending the full width of the lot between any building and the front lot and measured perpendicular to the building at the closest point to the front lot line. In case of corner or through lots, front yards shall be provided on all frontages.

YARD, REAR: A space extending across the full width of the lot between the principal building and the rear lot line and measured perpendicular to the building to the closest point of the rear lot line.

YARD, SIDE: A yard extending along the side lot line from the front yard to the rear yard and lying between the side lot line and the nearest portion of the principal building. In the case of through lots, side yards shall extend from the rear lot lines to the front lot line.

ZERO LOT LINE: The location of a building on a lot in such a manner that one of the building's sides rest directly on a property line.

ZONING DISTRICT: A classification of areas or parcels of land to which specific land use regulations apply.

ZONING ORDINANCE: The Zoning Ordinance of Woodford County and the cities of Versailles and Midway.

# ARTICLE VII

## ZONING DISTRICTS

### 700 Zoning District Regulations Schedule of Zones

Section	Zone	District Title
701	A-1	Agricultural
702	<del>CO-1</del> A-2	<del>Conservation District</del> Agricultural
703	RR / <del>RF</del>	Rural Residential / <del>Residual Farmland</del>
704	<del>SC</del> A-4	<del>Small Community</del>
705	R-1A	Low Density Single Family Residential
706	R-1B	Low Density Single Family Residential
707	R-1C	Low Density Single Family Residential
<del>707B</del>	<del>R-1D</del>	<del>Low Density Single Family Residential</del>
708	R-2	Two Family Residential
709	R-3	Medium Density Residential
710	R-4	High Density Residential
711	M-1	Mobile/ <del>Manufactured</del> Home District
712	P-1	Professional Office
713	B-1	Neighborhood Business District
714	B-2	Central Business District
716	B-4	Highway Business District
717	B-5	Highway Interchange Service
718	I-1	Light Industrial
719	I-2	Heavy Industrial
720	HD	Historic Overlay District
<del>721</del>	<del>CO-1</del>	<del>Conservation District</del>

**700.1** To facilitate public understanding of this ordinance and for the better administration thereof the regulations limiting the use, buildings and arrangement of buildings are for the most part set forth in the following schedule for each of the districts established by Section 500 of this ordinance. Such schedule is hereby adopted and declared to be a part of this ordinance hereinafter referred to as the schedule and may be amended in the same manner as any other part of this ordinance. Wherever in such schedule there appear the words "same as in (symbol of district) above:" such words shall be construed to include the specific limitations set forth in the same column for the district thus referred to. Otherwise, all limitations as to uses permitted, permissible height, required yard, and minimum sizes thereof and other requirements shall be those set forth in such schedule. The following applies to all Zoning Districts:

- A. All area regulations are subject to the Supplemental District provisions of Article V, Section 504.
- B. All area regulations are subject to the provisions of Article V, Section 503.4 where public sewer system is not accessible.
- C. Minimum Front Yard Dimension is from the street right-of-way line.

**700.2 Transitional Provisions - District Conversion Table**

The District names and standards in effect immediately prior to the effective date of this Article are hereby converted as follows:

OLD	BASE DISTRICT	NEW	PAGE
A-2	Agriculture District	A-1	7-11
A-4	Small Community District	SC	7-28

**701 AGRICULTURAL (A-1)**

**701.1 Intent** — This zone is established to preserve the rural character of the agricultural service area by promoting agriculture and related uses, and by discouraging all forms of urban development except for a limited amount of conditional uses.

**701.1 Purpose and Intent - The Agricultural District is intended to:**

- A. Maintain, preserve and enhance the prime agriculture lands of Woodford County;
- B. Preserve the natural beauty and open space character of the rural countryside.
- C. Protect the decreasing supply of prime agriculture lands in Woodford County in order to maintain one of the county's principal economic resources; the agriculture economy of the county;
- D. Discourage urban growth on land best suited for agriculture purposes;
- E. Minimize urban-type development in rural areas by discouraging all forms of urban development except for a limited amount of conditional uses;
- F. Right to Farm Policy - In addition to the purposes and intent set out above, there is hereby established a "Right-to-Farm" policy.
  - 1. Any agricultural operation or practice that is historical, traditional, legitimate and reasonable shall be protected. Any new or expanded agricultural operation or practice that is legitimate and reasonable shall be encouraged.
  - 2. Agriculture, as a way of life, benefits all residents of Woodford County. It is an important part of the economy and adds intrinsic value to life in Woodford County. Agriculture, as a business, brings with it noise, odors, dust, mud, smoke and other inconveniences such as equipment and livestock on public roads, odors from manure and feeds, lights and noises at all hours of the day and night, and on-farm processing and marketing of crops and livestock. To maintain this way of life, Woodford County intends to protect agricultural operators from unnecessary, intrusive litigation. Therefore, no inconvenience shall be considered a nuisance as long as it occurs as a part of non-negligent and legal agricultural practice.

**701.2 Principal Uses**

- A. Agriculture Uses (KRS 100.111 & Article II, Section 201);
- B. Riding Stables, and Fishing Lakes;
- C. ~~Public~~ Parks, Playgrounds, ~~public or privately owned~~ Golf Courses, Forests and Conservation Areas;
- D. Single Family Detached Dwellings;

E. ~~Tourist Destinations (See Article II, Definitions)~~

F. **Greenhouses and Nurseries;**

G. Safety Services;

H. Basic Utilities and Telecommunication Facilities.

**701.3 Accessory Uses and Structures - Accessory uses, buildings and structures shall be subject to the following regulations:**

A. ~~Accessory uses and structures customarily incidental to any principal use located on the same lot therewith such as agricultural structures, tenant homes, private garages, private stables or parking areas, not including any business, trade or industry.~~

B. Accessory uses, buildings and structures include the following: farm/tenant homes, accessory dwellings, private garages, private stables or parking areas, not including any business, trade or industry.

C. Home Offices and Home Occupations are permitted as Accessory Uses in the Agricultural District (See Article II - Definitions).

D. Office of a resident physician, farm manager or equine trainer are permitted as an Accessory Use in the Agricultural District. Office of a resident physician, architect, or similar professional person when located within this dwelling.

E. **Roadside Stand offering for sale agricultural products produced in Woodford County.**

F. **On-Farm Markets in existing or new on-farm buildings offering for sale agricultural products produced in Woodford County or value-added products made from agricultural or other natural resource products primarily from Kentucky.**

G. Accessory buildings/structures shall be permanently affixed to the ground and shall not include mobile home, bus, travel trailer, RV, trailer, cooler or vehicle.

H. Fences. For the purpose of determining yard setback, the accessory structure setback shall not apply to fences.

I. Swimming Pools. All swimming pools shall require a Building or Zoning Permit. 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.

J. Solar Panels. A ground-mounted solar panel system is not permitted as the principal primary use of a property in the Agricultural District on tracts greater less than 10 acres in size.

**701.4 Conditional Uses**

- A. Agritourism Uses (KRS 247.801)\*\*;
- B. Bed and Breakfast Home, Bed and Breakfast Inn, and Bed and Breakfast Farmstay Establishment\*\*;
- C. Short Term Rental Establishment: Hosted Home-Sharing and Dedicated Short Term Rental Establishments;
- D. Religious Institution Facility;
- E. Schools for Academic Instruction (All structures less than 20,000sf);
- F. Sportsmen Farm;
- G. Commercial Kennel;
- H. Private Airstrips;
- I. Cemetery;
- J. Mine, Quarry or Borrow Pit;
- K. Plant Nursery, Sod and Tree Farms\*\*;
- L. Animal Hospital & Veterinary Clinic (All structures less than 10,000sf);
- M. Agricultural Related Research Facility\*\*.
- N. In-Family Conveyance Lots (less than 30 acres in size), see Special Provision 701.9.D (below).

\*\* Agricultural Advisory Review Committee Application required to be submitted and reviewed prior to Board of Adjustments Conditional Use Permit Review.

~~Airport, cemeteries, art or antique shops, quarries and gravel pits, and horse sales.~~

~~Schools for academic instruction.~~

~~Public buildings and properties.~~

~~Commercial golf and driving ranges on a temporary and revocable certificate provided adjacent areas are predominantly undeveloped.~~

~~Garbage or refuse disposal by City or County.~~

~~Animal Hospitals & Clinics.~~

~~Research Facilities.~~

~~Sportsmen Farms and Kennels.~~

~~Agritourism Uses (KRS 247.801), (based on findings and recommendations~~

~~from the Agricultural Advisory Review Committee).~~

~~Bed and Breakfast Home, Bed and Breakfast Inn, and Bed and Breakfast Farmstay Establishments.~~

~~Short-Term Rental Establishments: Hosted Home-Sharing and Dedicate Short Term Rental Establishments.~~

~~Churches (Amended November 2003)~~

~~Plant Nursery (Amended December 2005)~~

~~Tourist Destination Expanded (Amended February 2013)~~

~~A unique, regionally recognized existing landmark or historic structure that is primarily known for its existing architectural significance and/or uniqueness, that promotes tourism and the overall economy, which naturally draws the general public as a destination that meets the criteria of a Tourist Destination as defined herein with the following special allowances:~~

- ~~a. — Overnight accommodations to guests may be permitted by the Board of Adjustment, with the number of guest rooms exceeding 10 but as stipulated and approved by the Board of Adjustment.~~
- ~~b. — A restaurant serving registered overnight guests and/or the public, with the number of seats for patrons exceeding 75 but as stipulated and approved by the Board of Adjustment.~~
- ~~c. — Special events, including charitable events, receptions, parties, corporate picnics, weddings, or any other events/activities which are determined by the Agricultural Advisory Review Committee to be of the same general character as those listed herein, are allowed but the number of such events may exceed 7 per week or with more than 2 held on any one day as stipulated and approved by the Board of Adjustment.~~

#### **701.5 Prohibited Uses**

All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal, accessory, or conditional uses shall be prohibited.

701.6 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, Qualified;
- D. Manufactured Home;
- E. Farm Dwelling/Tenant Home (See Special Provision 701.9.B); and

F. Accessory Dwelling (See Special Provision 701.9.C)

**701.7 Property Development Standards**

- A. Dimensional standards for this District are found in the following table.
- B. Only one principal Single Family Detached Dwelling shall be permitted per platted lot.

**Agricultural District (A-1)**

<u>Lot Area (minimum)</u>	<u>30 Acres</u>
<u>Lot Width (minimum at 75-foot front setback line)</u>	<u>200 ft</u>
<u>Lot Frontage (minimum)</u>	<u>150 ft</u>
<u>Lot Coverage (maximum)</u>	<u>25%</u>
<u>Setback (minimum)</u>	
<u>Front Yard</u>	<u>75 ft</u>
<u>Side Yard</u>	<u>25 ft</u>
<u>Rear Yard</u>	<u>50 ft</u>
<u>Accessory Structure</u>	
<u>Front</u>	<u>25 ft</u>
<u>Rear</u>	<u>10 ft</u>
<u>Side</u>	<u>10 ft</u>
<u>Height (max Principal Structure)</u>	<u>42 ft</u>
<u>Off-Street Parking Spaces</u>	<u>2</u>

**701.7 — Lot, Yard and Height Requirements**

Minimum Lot Size	30 acres
Minimum ROW Frontage	150 feet
Minimum Width at Building Line	200 feet
Minimum Front Yard	80 feet
Minimum Each Side Yard	25 feet
Minimum Rear Yard	50 feet
Maximum Height of Building	1 1/2 stories or 35 feet
Maximum Density	One Dwelling (See 701.7.C below)

**701.8 Signs** - Signage is allowed within Agricultural District on a limited basis and in accordance with the following table. Non-residential uses and properly permitted conditional uses in the Agriculture District may have a maximum of one freestanding sign (monument) and limited wall signage. No sign shall be internally illuminated.

	A-1
<u>Freestanding Signs Allowed?</u>	<u>Yes</u>
<u>Maximum Number</u>	<u>1</u>
<u>Maximum Face Area</u>	<u>24 sf</u>
<u>Maximum Height</u>	<u>8 ft</u>
<u>Structure Type</u>	<u>Monument</u>
<u>Wall Signs Allowed?</u>	<u>Yes</u>
<u>Maximum Face Area</u>	<u>12 sf</u>

A. Temporary On-Premise Signs shall not require a permit. These signs are allowed provided they otherwise comply with the following standards:

1. 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.
2. The maximum sign face per Temporary Sign shall be 4 square feet in total. Maximum height shall be 4 feet.

B. All permitted signs in the Agricultural District shall also comply with all the General Sign Development Standards in Article V.

#### **701.9 Special Provisions**

A. Farm uses need only to comply with the front yard requirements. All other non-agricultural uses shall be a distance at least one hundred (100) feet from any lot in any residential district or any lot adjacent to a dwelling, school, church, or institution for human care.

B. Farm Dwellings/Tenant Homes: Other Accessory Farm Dwellings to be occupied by farm owners, employees of the farm or members of the immediate family of the farm owner are permitted in the Agricultural A-1 District. Parcels containing Accessory Farm Dwellings are permitted on conforming tracts of at least thirty (30) acres in size shall not exceed a density of one accessory dwelling for each ten (10) acres. All Accessory Farm Dwellings shall have access to an existing public road through an existing driveway or through a platted and recorded access easement. So long as land remains in this district it shall not be eligible for subdivision, except as provided by the definition of "Agricultural Uses" in Article II of the Ordinance.

C. Accessory Dwellings in the Agriculture District: An Accessory Dwelling is permitted in the Agricultural A-1 District. An Accessory Dwelling may be attached or detached from the principal residence. The floor area of the accessory Dwelling may not exceed 50 percent of the floor area of the principal

structure. Accessory Dwellings 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.

D. **In-Family Conveyance Lots** (in the Woodford County unincorporated area only): The minimum lot area for A-1 district may be reduced to less than 30 acres only after obtaining a Conditional Use Permit from the Board of Adjustments. The following standards shall be required to create an In-Family Conveyance Lot from an existing parcel which has existed in the same configuration since January 1, 2026:

1. An Agricultural Use Affidavit shall be submitted as part of an In-Family Conveyance Plat Application.
2. All In-Family Conveyance Lots shall be at least two (2) acres in size.
3. One (1) In-Family Conveyance Lot may be created for existing parcels 32-49 acres in size; Two (2) In-Family Conveyance Lots may be created for existing parcels 50 acres and greater in size. The remaining parcel for an In-Family Conveyance shall be a minimum of thirty (30) acres. If the remaining parcel is less than thirty (30) acres, it shall be added by plat to an adjoining tract of land where the resulting acreage of the adjacent parcel is thirty (30) acres or greater.
4. In-Family Conveyance Lots are required to meet all other District Dimensional Standards (Lot Frontage, Lot Width, Lot Setbacks and Lot Coverage).
5. The primary parcel shall be held for at least 5 years and the conveyed parcel shall be held for at least 10 years after recordation of the deed conveying the In-Family Conveyance Lot. Exception to this restriction shall be a transfer between the parties of the original In-Family Conveyance Plat Application pursuant to Court Order or arising from substantial hardship.
6. In-Family Conveyance Lots shall only be conveyed from parent to child (natural or legally adopted), or grandparent to grandchild. Properties in LLCs, Trusts or Estates are prohibited from creating In-Family Conveyance Lots.
7. The In-Family Conveyance Lots restrictions in paragraph number 5 above, along with a note of ineligibility for further in-family conveyance, shall be recorded on the Plat and set forth in the Deed. The 5-year and 10-year requirement commences upon recordation of the Deed.

It shall be provided that in-family conveyances shall be permitted at a density that shall not exceed one (1) dwelling for each five (5) acres. In-family conveyance shall be defined as a tract to be continuously occupied by an immediate family member. It shall be comprised of a lot no smaller than one (1) acre in size, with access to an existing public road through an existing private driveway to be shared with the original residence, through a platted and recorded access easement of fifteen (15) feet, or, the in-family lot can be comprised of a lot no smaller than five (5) acres in size with frontage on an existing public road or if the nearest property line of any new lot is within four hundred (400') feet of the centerline of an existing public road; with a limit of no more than two (2) in-family lots fronting on an existing public road and sharing a common entrance; and which meets all health and sanitation

~~regulations in effect contained herein, and provided further that the number of lots be limited to one lot in Woodford County per each immediate family member's lifetime and that such family member shall hold title to the tract so conveyed for at least five (5) years, if said conveyance is made to a minor, the five (5) year restriction for holding title begins when the minor turns eighteen (18), and should the family member, within five (5) years, re-convey the tract to anyone other than to the person or persons from whom it was received, then such deed of re-conveyance shall be void, and provided further, that all such deeds from a farm owner to a family member shall contain a restrictive covenant stating clearly the five (5) year restriction for holding title and stating that any conveyance prior to said five (5) years shall be void, and any deed from a farm owner be provided further that in the case of a judicial sale the restriction on re-conveyance shall not apply. On farms where in-family conveyances are permitted, all lots shall be counted against the sliding scale of "Lots to be Sold" as defined in Section 703.11 (A). In no case shall any farm of 100 acres or more be permitted to have more than fifteen (15) in-family conveyance lots.~~

#### **701.10 Agricultural Related Definitions**

~~Agri-tourism enterprise— Refers to a commercial enterprise at a working farm, ranch or agricultural plant conducted for the enjoyment of visitors that generates supplemental income for the owner.~~

~~Agricultural tourism – Refers to the act of visiting a working farm or any agricultural, horticultural, or agribusiness operation for the purpose of enjoyment, education, or active involvement in the activities of the farm or operation.~~

- A. **Natural Resource Products - Commodities or products derived from the natural environment including, but not limited to: wood, water, wild plants, and non-domesticated animals.**
- B. **On-Farm Markets - Refers to the sale of agricultural or natural resource products or value-added agricultural or natural resource products, directly to the consumer from a site on a working farm or any agricultural, horticultural, or agribusiness operation.**
- C. **Roadside Stands - Also known as farm stands, refers to any activity where the farmer sells agricultural and value-added products directly to consumers at a stand or kiosk located on or near the farm.**
- D. **Value-Added - Any activity or process that allows farmers to retain ownership and that alters the original agricultural or natural resource products or commodity for the purpose of gaining a marketing advantage. Value-Added may include bagging, packaging, bundling, pre-cutting, cooking, chilling, etc.**

~~Agricultural plant— A facility where the value-added processing of agricultural and/or other natural resources occurs.~~

~~Commercial enterprise—A formal business or an activity that involves the buying and selling of goods and services.~~

**702 CONSERVATION DISTRICT (CO-1)**

**702.1 Purpose and Intent Preamble**

The Conservation District (CO-1) is intended to promote and protect significant natural features, wooded areas, water courses, existing and potential lake sites, other recreation and conservation resources, wildlife habitat, present and future water supplies, and to minimize erosion of soil, siltation and pollution of streams and lakes.

**702.2 Permitted Uses**

Within any CO-1 Conservation District, no building or premises shall be used or arranged, or designed to be used except for one or more of the following uses which shall be subject to all regulations and requirements for permit of this ordinance.

- A. Lakes (artificial).
- B. Public or private picnic grounds, beaches, bridle and bicycle paths.
- C. Public parks and forest preserves.
- D. Agriculture and agricultural buildings.
- E. Single family dwellings.

**701.3 Accessory Uses and Structures - Accessory uses, buildings and structures shall be subject to the following regulations:**

- A. Accessory uses and structures customarily incidental to any principal use located on the same lot.
- B. Accessory uses, buildings and structures include the following: accessory dwellings, private garages, private stables or parking areas, not including any business, trade or industry.
- C. Home Offices and Home Occupations are permitted as Accessory Uses in the Conservation District (See Article II - Definitions).
- D. Accessory buildings/structures shall be permanently affixed to the ground and shall not include mobile home, bus, travel trailer, RV, trailer, cooler or vehicle.
- E. Fences. For the purpose of determining yard setback, the accessory structure setback shall not apply to fences.
- F. Swimming Pools. All swimming pools shall require a Building or Zoning Permit. 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.

- G. Solar Panels. A ground-mounted solar panel system is not permitted as the primary use of a property in the Conservation District on tracts less than 10 acres in size.
- H. Accessory Dwelling: An Accessory Dwelling may be attached or detached from the principal residence. The floor area of the accessory apartment may not exceed 25 percent of the floor area of the principal structure. Accessory Dwellings 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. If attached to the principal residence, any entrance into the Accessory Dwelling shall be located on the side or rear facade(s) of the building. The Accessory Dwelling must not alter the character of the residence or the development pattern of the neighborhood. A minimum of 1 parking space (in addition to the parking required for the primary residence) shall be provided for Accessory Dwelling. The number of bedrooms located within Accessory Dwelling shall not exceed two (2).

**702.4 Conditional Uses**

The following uses may be permitted as conditional uses in the CO-1 District by the Board of Adjustment after public hearing. Such conditional uses shall be subject to any requirements the Board of Adjustment feels necessary to further the purpose of the Conservation District as stated in the preamble.

- A. Public utility substations, booster stations, radio and television relay towers, repeater stations, etc., but not including power generation or gas manufacturing plants.
- B. Camp/ Campground (See Special Provision 702.7.D)
- ~~C. Mobile Homes of a temporary, seasonal nature.~~
- D. Bed and Breakfast Home, Bed and Breakfast Inn, and Bed and Breakfast Farmstay Establishments.
- E. Short Term Rental Establishments: Hosted Home-Sharing and Dedicated Short Term Rental Establishments.
- F. Marinas.

**702.5 Prohibited Uses**

All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal accessory or conditional uses shall be prohibited.

**702.6 Lot, Yard, and Height Requirements**

Minimum Lot Size	<u>5 30</u> Acres
Minimum ROW Frontage	150 feet
Minimum Width at Building Line	200 feet
	<u>(minimum at 75-foot front setback line)</u>
Minimum Front Yard	<u>75 80</u> feet

Minimum Each Side Yard	25 feet
Minimum Rear Yard	50 feet
Maximum Height of Building	42 feet 1—2 stories or 35 feet
Maximum Density	1 dwelling per 5 acres

\*A tract of land that is at least a minimum of 5 30 acres in size, and that is partially zoned A-1 (Agricultural) and partially zoned CO-1 (Conservation), is also considered to meet the minimum lot size requirements of this zone.

**Permitted Residential Unit Types**

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

	CO-1
Single-Family Detached	YES
Modular Home	YES
Manufactured Home, Qualified	YES
Manufactured Home	YES
Mobile Home	NO
Accessory Dwelling	YES

**702.7 Special Provisions**

- A. No building shall be erected within fifty (50) feet of the right-of-way of any public street, road or highway, nor within fifteen (15) feet, or one foot for each foot of building height, whichever is the greater, of any lot line.
- B. Any building to be located in possible flood lands shall be so placed as to offer the minimum obstruction to flow of waters and shall be firmly anchored to prevent the building from being moved or destroyed by the flow of water (See Article X).
- C. A Rural Residential shall only be allowed in a CO-1 zone provided rezoning application has been made to, and approved by, the Versailles-Midway-Woodford County Planning and Zoning Commission. (See Section 703).
- D. The following Standards apply to Camp and Campground:
  - 1. Minimum Campground Area of Five (5) acres;
  - 2. Camp and Campgrounds shall only be located in a Conservation (CO-1) zoning district;
  - 3. Maximum Campsites and/ or cabins: Twenty-Five (25);
  - 4. All Camp and Campground uses shall conform to appropriate Woodford County Health Department Rules and Regulations; and

5. All campsites, buildings and structures shall be at least 100 feet from any property line.

~~It shall be provided that in-family conveyances shall be permitted at a density that shall not exceed one (1) dwelling for each five (5) acres. In-family conveyance shall be defined as a tract to be continuously occupied by an immediate family member. It shall be comprised of a lot no smaller than one (1) acre in size, with access to an existing public road through an existing private driveway to be shared with the original residence, through a platted and recorded access easement of fifteen (15) feet, or, the in-family lot can be comprised of a lot no smaller than five (5) acres in size with frontage on an existing public road or if the nearest property line of any new lot is within four hundred (400') feet of the centerline of an existing public road; with a limit of no more than two (2) in-family lots fronting on an existing public road and sharing a common entrance; and which meets all health and sanitation regulations in effect contained herein, and provided further that the number of lots be limited to one lot in Woodford County per each immediate family member's lifetime and that such family member shall hold title to the tract so conveyed for at least five (5) years, if said conveyance is made to a minor, the five (5) year restriction for holding title begins when the minor turns eighteen (18), and should the family member, within five (5) years, re-convey the tract to anyone other than to the person or persons from whom it was received, then such deed of re-conveyance shall be void, and provided further, that all such deeds from a farm owner to a family member shall contain a restrictive covenant stating clearly the five (5) year restriction for holding title and stating that any conveyance prior to said five (5) years shall be void, and any deed from a farm owner be provided further that in the case of a judicial sale the restriction on re-conveyance shall not apply. On farms where in-family conveyances are permitted, all lots shall be counted against the sliding scale of "Lots to be Sold" as defined in Section 703.11 (A). In no case shall any farm of 100 acres or more be permitted to have more than fifteen (15) in-family conveyance lots.~~

**702 — AGRICULTURAL (A-2)**

**702.1 — Intent**

This zone is established to be comprised of all property outside of the A-1 zone, Small Community, and all other zones in Woodford County.

**702.2 — Principal Uses — Same as A-1 (See 701.2)**

**702.3 — Accessory Uses — Same as A-1 (See 701.3)**

**702.4 — Conditional Uses — Same as A-1 (See 701.4)**

**702.5 — Prohibited Uses — All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal, accessory, or conditional uses shall be prohibited.**

**702.6 — Lot, Yard and Height Requirements**

~~Minimum Lot Size — Thirty (30) acres (except with zone change as provided in "Other Provisions" of this chart, and except those tracts platted on the "Bishop" property on Scotts Ferry Road, (which tracts need a road frontage of only one hundred thirty five (135) feet) and all other deeds of record for tracts less than thirty (30) acres filed prior to February 9, 1989, (which tracts shall have no minimum road frontage), or tracts that were platted and the plats recorded prior to February 9, 1989 (which tracts need a road frontage of only one hundred thirty five (135) feet), and any ten (10) acre tracts deeded or platted and recorded after February 9, 1989, and before the effective date of this amendment, September 20, 1990 (which tract needs a road frontage of only one hundred thirty five (135) feet).~~

<del>Minimum Lot Size</del>	<del>30 acres</del>
<del>Minimum ROW Frontage</del>	<del>100 150 feet</del>
<del>Minimum Width at Building Line</del>	<del>200 feet</del>
<del>Minimum Front Yard</del>	<del>75 80 feet</del>
<del>Minimum Each Side Yard</del>	<del>25 feet</del>
<del>Minimum Rear Yard</del>	<del>50 feet</del>
<del>Maximum Height of Building</del>	<del>42 35 feet</del>
<del>Maximum Density</del>	<del>One Dwelling (See 702.7.C below)</del>

**702.7 — Special Provision**

- ~~A. Rural Residential shall only be allowed in an A-2 zone provided rezoning application has been made to, and approved by, the Versailles-Midway-Woodford County Planning and Zoning Commission. (See Section 703)~~

## 703 RURAL RESIDENTIAL RR / RESIDUAL FARMLAND (RF) DISTRICT

### 703.1 Purpose and Intent Preamble

The purpose and intent of the Rural Residential / Residual Farmland District is to provide for the preservation of prime farmland, greenspace and watersheds; to allow residential developments; 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.

~~The Rural Residential District (Rural Residential) is intended to maintain the rural and scenic qualities of Woodford County by preserving farmland and significant open lands while allowing landowners a reasonable return on their holdings. It is further intended to provide for controlled rural residential growth beyond the limits of the urban service districts of Woodford County, while maintaining the viability of existing Woodford County agricultural activities, providing for farming opportunities for future farmers, allowing current farmers to realize the monetary value of their land, protecting historic, scenic or environmentally sensitive areas, and ensuring that rural residential growth can be adequately served by public roadways, fire and police protection, and public schools, without requiring unplanned and/or inordinate public expenditures. To achieve this intent, the Rural Residential District is designated to (a) maximize the clustering of rural residential lots on the least number of acres located on existing farmlands and significant open lands, and (b) minimize the loss of farmlands and significant open lands to residential uses through the establishment of contiguous parcels of non-residential acres.~~

### 703.2 Definitions

~~For purposes of Section 703 of the ordinance, the following terms are expressly defined:~~

~~Farm—Any tract of land in unincorporated Woodford County within the A-1 or A-2 or CO-1 zones on an approved Comprehensive Plan Land Use Map and existing as of July 16, 1990.~~

~~Lot to be Sold—Any division of a farm in Woodford County that existed as of July 16, 1990 constitutes a "lot to be sold" for the express purpose of determining the number of lots eligible for rural residential development under the sliding scale established in Section 703.11 (A), provided however the following divisions shall not be counted as a lot to be sold: a) any out conveyances that are consolidated by deed or plat with another existing contiguous farm; (b) any in-family conveyance that is consolidated back with the parent farm prior to a request for Rural Residential development and which has no residential structure located thereon at the time it is reconsolidated. (Any in-family conveyance consolidated back with the parent farm which has a residential structure on it shall be counted as a Lot to be Sold).~~

### 703.3 Principal Uses

- A. **Single Family Dwellings.**
- B. ~~Non-commercial horticultural or agricultural uses and buildings, including greenhouses.~~

~~C. Non-commercial kennels, riding stables, fishing lakes.~~

~~D. Parks, playgrounds, golf courses, forest, and conservation areas and governmental facilities.~~

#### 703.4 Prohibited Uses

All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal, accessory, or conditional uses shall be prohibited.

#### 703.5 Accessory Uses

- A. Accessory uses and structures customarily incidental to any principal use located on the same lot.
- B. ~~Accessory uses, buildings and structures include the following: accessory structures, private garages, or parking areas. Living quarters for persons employed on the premises without cooking facilities, and not rented.~~
- C. ~~Accessory buildings/structures shall be permanently affixed to the ground and shall not include mobile home, bus, travel trailer, RV, trailer, cooler or vehicle. Private garages and parking areas.~~
- D. ~~Private swimming pools not to exceed eight and one half (8) feet in height and located no closer than eight (8) feet from the side and/or rear lot lines, when they meet yard requirements for principal buildings and when adequately fenced to prevent the free access of small children. Private swimming pools when they meet yard requirements for principal buildings and when adequately fenced.~~
- E. ~~Home Office incidental home occupation, provided that no stock or trading products are kept or commodity sold except that which is produced on the premises; roadside stands for sale of agricultural products produced on the premises.~~
- F. ~~Office of a resident physician, architect or similar professional person when located within his dwelling, provided that no more than one person, not a resident in said dwelling, is employed in such office. Solar Panels. Roof-mounted and ground-mounted solar panel systems shall comply with the following:~~
  - 1. ~~Solar panel systems shall be permitted on the roof of a building provided that the panels located on a front or side roof slope facing any public street do not cause glare or light trespass onto adjoining residential properties.~~
  - 2. ~~Solar panel systems shall have a top edge that is parallel to the roof ridge and shall conform to the slope of the roof. Solar panel systems shall be positioned on the roof so as not to extend above or beyond the edge of any ridge, hip, valley, or eave.~~
  - 3. ~~A ground-mounted solar panel system is not permitted as the primary use of a property.~~

4. Ground-mounted solar panel systems shall comply with the maximum square footage and minimum setback requirements for residential accessory buildings and structures.
5. Ground-mounted solar panel systems shall not be located between a property line abutting a street and the building.
6. The maximum height of ground mounted solar panel systems should not exceed the height of eight (8) feet.
7. Supporting equipment for solar panel systems, including power conditioning equipment such as batteries for electricity storage and stand-by generators shall be screened by an opaque screening device, except that wall-mounted inverters may be located next to the electric meter. Long lengths of conduit and wiring associated with the system's connection to the primary electrical panel shall be placed underground.

**703.6 Conditional Uses**

- A. Home Occupation Churches (with the provision that a Final Development Plan is approved by the Planning Commission).

**703.7 Property Development Standards**

- A. Dimensional standards for residential lots this District are found in the following table.

**Rural Residential District (RR)**

<u>Lot Area (minimum)</u>	<u>2 Acres</u>
<u>Lot Width (minimum at 50-foot front setback line)</u>	<u>100 ft</u>
<u>Lot Frontage (minimum)</u>	<u>100 ft</u>
<u>Lot Coverage (maximum)</u>	<u>35%</u>
<u>Setback (minimum)</u> <u>Front Yard</u> <u>Side Yard</u> <u>Rear Yard</u>	<u>50 ft</u> <u>25 ft</u> <u>25 ft</u>
<u>Accessory Structure</u> <u>Front</u> <u>Rear</u> <u>Side</u>	<u>25 ft</u> <u>10 ft</u> <u>10 ft</u>
<u>Height (maximum)</u>	<u>42 ft</u>
<u>Off-Street Parking Spaces</u>	<u>2</u>

### 703.7—Lot, Yard and Height Requirements

Minimum Lot Area	1 acre
Minimum ROW Frontage	100 feet
Minimum Width at Building Setback Line	150 feet
Minimum Front Yard	50 feet
Minimum Rear Yard	75 feet
Least Side Yard	25 feet
Minimum Sum of Side Yards	50 feet
Maximum Building Height	35 feet

### Permitted Residential Unit Types

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

	RR
Single-Family Detached	YES
Modular Home	YES
Manufactured Home, Qualified	YES
Manufactured/ Mobile Home	NO
Accessory Dwelling	NO

### 703.8 Plats

All plats for lots in the Rural Residential District shall state whether the lot fronts on a public or private road. ~~For purposes of Section 703.11A (a) below, any division of a farm tract occurring after July 16, 1990, which fronts on an existing public road, shall be classified as a "lot on an existing public road".~~

### 703.9 Locational Standards

- A. Rural Residential District classification may be granted for parcels containing floodplains, slopes in excess of twelve percent (12%), high concentrations of sink holes, sinkhole drainage areas, areas of Karst topography and aquifers or aquifer recharge areas, lakes, wooded lands, stone (rock) fences or designated historic structures if these features are specifically designated to be a part of the non-dwelling unit portion of the subject property.
- B. Public water shall be available to the subject site, with the providing utility verifying in writing of its ability to provide sufficient water service and water pressure to ensure an adequate supply for private use.
- C. Complete individual onsite sewage treatment systems must be appropriate for the subject site, with the Woodford County Health Department verifying in writing the suitability of the site for such systems, while retaining final approval of the proposed sewage treatment system. ~~Furthermore, no proposed lot in the Rural Residential District containing less than five (5) acres shall be approved for a zone change under this section without first providing a sub-surface septic system approved by the Woodford County Health Department.~~

~~Surface, Wetland, or other experimental on ground sewage treatment systems shall not meet this requirement on lots containing less than five (5) acres.~~

- D. Permitted development of rural residential should be in conformance with the Versailles-Midway-Woodford County Comprehensive Plan, ~~its population projections and land use plan.~~

### 703.10 Design Standards

In addition to the requirements contained in the Versailles-Midway-Woodford County Subdivision Regulations, the following minimum standards shall be met in order to grant the designation of a Rural Residential District and approve the conceptual Development Plan. In cases of conflict between this ordinance and the Subdivision Regulations, this ordinance will take precedence.

- A. Privately owned streets may be permitted only with the dedication of a minimum right-of-way easement of thirty (30) feet, ~~provided; however, it may be less than thirty (30) feet upon good cause shown and approval by the Planning and Zoning Commission.~~ Any future streets prior to acceptance by the County must be upgraded to county standards at the expense of the homeowners or homeowners' association and any plat showing a street right-of-way of less than fifty (50) feet shall contain a note that the street is not suitable for acceptance into the Woodford County Road System.
- B. ~~Street Driveway or new road~~ (whether private or publicly dedicated) access onto a publicly maintained road shall be spaced a minimum distance of five hundred (500) feet from center to center of access, or as approved by the Woodford County Engineer or Kentucky Department of Transportation.
- C. Lots should be laid out to the greatest extent feasible to achieve the following objectives:
1. On the most suitable soils for onsite sewage treatment systems (in unsewered areas only);
  2. On the least fertile soils for agricultural uses, and in a manner which maximizes the usable area remaining for such agricultural use;
  3. Within any woodland contained in the parcel, or along the far edges of the open fields adjacent to any woodland (to reduce impact upon agriculture, to provide summer shade and shelter from winter wind, and to enable new construction to be visually absorbed by natural landscape features);
  4. In locations least likely to block or interrupt scenic vistas, as seen from the public roadway (s);
- D. Sidewalks need not be constructed.
- E. ~~For proposals containing four (4) or more lots,~~ property perimeter screening/buffering shall be provided between residential and agricultural uses. This screening/buffering requirement recognizes that agricultural and residential zones may not be visually or functionally compatible. Thus, this

screening/buffering requirement is intended to meet the following three objectives:

1. Screening/buffering shall provide for visual screening of the dwelling units from the public thoroughfares and adjacent properties.
2. Screening/buffering serves to reduce the transfer of farm chemicals, lawn chemicals, pesticides, fertilizers and similar potentially dangerous substances from the adjoining agricultural land to the residential land or transfer from the residential land to the adjoining agricultural land.
3. Screening/buffering greatly reduces other hazards and conflicts which are likely to occur when a residential zone abuts an agricultural zone. (For example, either zone may produce unpleasant odors, sound, and lighting which would likely have a negative impact on the adjoining zone).

The screening/buffering shall occur in a platted landscape buffer area. The landscape screening/buffer area shall be located on each lot. The landscape screening/buffer area shall be a minimum of fifty (50) feet wide where any proposed lot adjoins any property that is not zoned R.R. (Rural Residential). When a R.R. (Rural Residential) property owner purchases an adjoining, non-R.R. tract prior to the required installation of the screening/buffering on the earlier-acquired tract, the Planning Director may allow for deviation from the normal standards, so that the screening/buffering meets the three objectives with regard to public thoroughfares and neighboring properties yet allows for unfettered access by the owner across the contiguous tracts. When the acquisition of additional non-R.R. property occurs after the screening/buffering requirement has been met, the Planning Director may allow for partial removal or changes to the existing screening/buffering to allow access between the two contiguous tracts.

#### **Alternative Native Screening/Buffering**

When screening/buffering is required, the requirements of the design standards for screening/buffering will be considered to have been met by any conceptual development plan for a Rural Residential District so long as the conceptual development plan satisfies all three screening/buffering objectives listed above, and the following special conditions:

Condition 1. All species planted must be native to Kentucky and need not be only trees. (Eastern Red-cedar, black locust, and blackberry briars have been proven effective on a wide variety of soils.) No one species shall be utilized for more than 25% of the proposed landscaping.

Condition 2. The alternative screening/buffering must exist, and continue to exist, on a platted screening/buffering area, minimum width 50 feet, though not necessarily on each individual lot. The only required maintenance is whatever maintenance may be necessary to allow the planted species to survive and mature and achieve the objectives listed above.

A one hundred fifty (150) foot building setback on the R.R. (Rural Residential) lot shall be required in any case where any proposed lot adjoins a property owner other than the applicant and that adjoining property owner's land is zoned either A-1, A-2, CO-1 or Rural Residential/Residual Farmland; or in any

case where any portion of a proposed lot is within one hundred fifty (150) feet of a property owner other than the applicant and that adjoining property owners land is zoned either A-1, A-2, CO-1 or R.R./Residual Farmland. Otherwise, the minimum yard requirements for lots in the R.R. (Rural Residential) District shall be the same as set forth in Section 703.7. The required fifty (50) foot landscape buffer area can be within any required building setback area. These screening and setback requirements may be waived or modified by the Commission, upon good cause shown by the applicant or subsequent property owner. In evaluating good cause, the Commission shall consider such factors as pre-existing, vegetative buffering; natural topography; the history of past plantings; and poor soil conditions in general locations where buffers would otherwise be required to be placed. Any waiver or modification granted may thereafter be rescinded by the Commission upon a showing by the Planning Director that the pre-existing conditions have changed, and the requisite natural buffering no longer exists or is no longer adequate. In the event of such a finding by the Commission, the screening and setback requirements of this provision shall be deemed to control. No principal or accessory structures may be constructed within any designated landscape buffer area.

Property Perimeter Screens refer to plantings placed in the required landscape buffer areas and are used to minimize the impact between conflicting land uses. Acceptable plants shall meet opacity requirements and height requirements as defined herein. Potential plants shall be either large or medium evergreen shrubs; large evergreen trees; and may be combined with native grasses and seedlings or medium or large deciduous trees. The plants shall have a minimum opacity of 70% during the summer and 50% during other times of the year.

1. **Plant Size and Spacing:** All plants shall equal or exceed the minimum acceptable size as required. Plant height shall be measured before pruning with branches in normal position. All measurements will be taken at the time of planting. All deciduous trees shall have a minimum height of five (5) feet or a minimum caliper of 1". Evergreen trees shall be a minimum of 5 feet in height with a minimum 1" caliper. Species which are native to Kentucky and designated as such on the Commission's species list (see item #6 below), may be planted as seedlings. No trees shall be planted within 30 feet of an adjoining property owner, other than the applicant. No one species shall be utilized for more than 25% of the proposed landscaping. Deciduous trees shall be spaced a maximum of 40 feet on center plus a continuous 6-foot-high planting, hedge, fence, or wall, or evergreen trees shall be spaced a maximum of 15 feet on center or fraction thereof and shall be deemed to meet the requirements for the above referenced trees and continuous planting.
2. **Quality:** All plant material shall be living plants and shall conform to the standards of the American Association of Nurserymen and shall have passed any inspections required under State regulations.
3. **Maintenance and Installation:** All landscaping materials required under this section shall be installed in a sound, workmanship like manner, and according to accepted, good construction and planting procedures. Any landscape material which fails to meet the minimum

requirements of this Section at the time of installation shall be removed and replaced with acceptable materials. Landscape materials must be installed within six (6) months of occupancy. This time frame will allow the owner to choose the most appropriate time to plant trees and other landscaping to ensure the survival of the plants. The person in charge of or in control of the property whether as owner, lessee, tenant, occupant, or otherwise shall be responsible for the continued proper maintenance of all landscaping materials and shall keep them in a proper, neat, and orderly appearance, free from refuse and debris, at all times. All unhealthy or dead plant material shall be replaced within one year, or by the next planting period, whichever comes first; while other defective landscape material shall be replaced or repaired within three (3) months. Topping trees or the severe cutting of limbs to stubs larger than three (3) inches in diameter within the tree crown to such a degree as to remove the normal canopy shall not be considered proper or permitted for the maintenance of trees. Violation of these installation and maintenance provisions shall be grounds for the Planning Director to require replacement of landscape material or institute legal proceedings to enforce the provisions of this Ordinance as set forth in Article III, Section 304.

4. **Plan Submission and Approval:** Whenever any property is affected by these landscape requirements, the property owner or developer shall submit a landscape plan to the Planning Commission at the time the Zone Change Application is filed. For any property, the landscape plan shall be prepared and sealed by a landscape architect licensed to practice in the State of Kentucky. The landscape architect shall certify the following statement by notation on the sealed plat: "The selected species are appropriate for the site as pertaining to the soil depth, soil fertility, and other relevant site evaluation factors." The requirements of this Ordinance shall be followed in approving or disapproving any landscape plan required by this Ordinance.

**Plan Content** - The contents of the plan shall include the following: (a) plot plan, drawn to an easily readable scale, showing and labeling by name and dimensions, all existing and proposed property lines, easements, buildings, and other structures, water outlets and landscape material (including botanical name and common name, installation size, on center planting dimensions where applicable, and quantities for all plants used) including at least one alternate species for each species selected; (b) title block with the pertinent names and addresses (property owner, person drawing plan, and person installing landscape material), scale, date north arrow (generally orient plan so that north is to top of plan), and zone.

5. **Temporary Certificate of Occupancy and Certificate of Occupancy:** A Temporary Certificate of Occupancy may be issued allowing the person responsible to install the required plant material during the next optimum planting period after initial occupancy. The period is to be determined by the Planning Director and shall not exceed six (6) months from the date of issuance of the Temporary Certificate of Occupancy. Where landscaping is required, no Certificate of Occupancy shall be issued until the required landscaping is completed

as certified by an on-site inspection by the landscape contractor in the presences of the Planning Director.

6. Plant Material List: A list of acceptable species of plants to be utilized in the landscape and buffer area shall be located in the Planning and Zoning office for public inspection. Consideration should be given to the adjoining property use since some species can be toxic to livestock. Other species than those listed may be selected, but prior approval must be obtained from the Planning Director.

~~F. The submitted plan shall designate the location of those features identified in Section 703.10(A). The provisions of Article V, Section 503.4(F) shall apply to approved rural residential subdivisions.~~

~~G. For proposals containing four (4) or more dwelling units, a fire hydrant shall be provided for the subject property which shall comply with the design standards for fire hydrants established under the Subdivision Regulations adopted by the Versailles Midway Woodford County Planning and Zoning Commission, which hydrants shall be for the purpose of refilling tank trucks only, unless the Woodford County Fire Protection District and the appropriate water district states in writing that such fire hydrant is not needed nor would same be a benefit to the residence dwelling units proposed.~~

**703.11 Permitted Development - The following Standards apply to all Rural Residential / Residual Farmland Developments:**

A. An existing property must consist of a minimum one-hundred (100) acres in order to utilize the Rural Residential Subdivision Development Standards.

B. Maximum number Residential Lots per Development - Ten (10)

C. All Residential Lots shall be served by an internal street network.

~~A farm shown as Planned A-2 and/or rural residential on an approved Comprehensive Plan Land Use Map shall be considered as one unit based on their acreage size as of July 16, 1990, and may be subdivided, upon being rezoned Rural Residential, in accordance with the following schedule or sliding scale:~~

<del>A. Acres in Farm</del>	<del>Lot to be Sold*</del>
<del>15-30</del>	<del>2</del>
<del>31-65</del>	<del>4</del>
<del>66-99</del>	<del>7</del>
<del>100 &amp; above</del>	<del>10 (if any lot is on an existing public road) 15 (if the nearest property line of a new lot is at least 400' from the centerline of the existing public road)</del>

~~1. \*Any division of land from a farm in an A-1 or CO-1 zone after July 16, 1990, which has been deeded and recorded or platted and recorded, shall be charged as a lot to be sold against the balance of the farm owned by the person making such divisions.~~

- ~~2. When a farm shown as Planned A-2 and/or Rural Residential on an approved Comprehensive Plan Land Use map is, at any time, divided in such a manner that further development rights as permitted under this ordinance exist, it shall be presumed absent a provision in the deed conveying such land that the remaining development rights are to be divided in proportion to the tract size deeded or retained; such proportional division shall always be rounded to the lowest whole number for purposes of applying the sliding scale. Further, nothing herein shall be construed to allow more Rural Residential lots to be developed from a farm than permitted by the sliding scale.~~
3. At the time a zoning map amendment is requested, for every proposed Rural Residential Lot, Rural Residential / Residual Farmland shall be reserved in accordance with a ratio of eighty percent (80% residual farmland) to twenty percent (20%) (residential lot) and the residual farmland so designated shall also be rezoned to Rural Residential; for example, for every one (1) acre contemplated to be developed as a residential lot, four (4) acres must also be rezoned to Rural Residential (Residual Farmland, **RF**) and designated on the plat to be recorded as Rural Residential / Residual Farmland which cannot be further designated on the plat to be recorded as Rural Residential / Residual Farmland and which cannot be further developed for Rural Residential purposes and shall be utilized only in such manner as is permitted within the A-2 zoning classification as principal uses other than single family detached dwellings and their accessory structures. However, one existing farm dwelling or one proposed farm dwelling may be located on the residual farmland. If an existing farm dwelling, as of April 1, 1999 is to remain, which includes remodeling or rebuilding, or if a farm dwelling is to be constructed on the residual farmland that has not previously existed then one Lot to be Sold must be reduced from the sliding scale designated in 703.11 (A). In either case, it must be so noted and designated on the development plan, preliminary plan and final plat. If a farm residence (existing or proposed) is to be utilized on the residual farmland all residual farmland acreage up to and including thirty acres of the residual farmland must remain as one undivided parcel. Only one farm residence on the residual farmland will be permitted per application. The Rural Residential / Residual Farmland may be sold or transferred provided that the use restrictions for Residual Farmland continues to apply; except that, in those instances where an existing farm dwelling or proposed farm dwelling has been selected in lieu of a lot to be sold, such would also become a permitted use. Rural Residential / Residual Farmland shall be clustered whenever possible to maximize its agricultural use.
4. Property zoned to A-2 but not zoned to Rural Residential or and designated as Rural Residential / Residual Farmland may be utilized in any manner consistent with Agriculture Uses (KRS 100.111 & Article II, Section 201) the uses allowed for A-1 property, excluding including residential uses; provided however, that the proper density required under the ordinance is maintained.
- ~~5. In the event any division is sought for a tract of land which contains thirty (30) acres or less for the purpose of creating a Rural Residential~~

lot, the entire tract of land must be rezoned to Rural Residential to avoid creation of a non-conforming lot in the A-1 or A-2 districts. Further, no Rural Residential zone change shall result in a tract of land remaining in the A-2 zone which is less than thirty (30) acres.

- ~~6. Rural Residential development as set forth in this section shall not be permitted for any farm on which a Small Community (A-4) District has been previously approved.~~
- ~~B. No more than two new lots to be sold per farm may front on an existing public road; provided, however, that an existing residence which fronts on an existing road shall be allowed as a separate lot in addition to such new lots. These two lots to be sold must be a minimum of five (5) acres each. If the nearest property line of any new lots is within 400 feet of the centerline of an existing public road it shall be considered as "fronting on an existing public road" and must be a minimum of five acres.~~
- ~~C. All Rural Residential lots developed under this schedule shall share a common entrance onto the prior existing public road and shall contain no more than one single family dwelling unit per lot.~~
- ~~D. Where the acreage in the farm to be divided is one hundred (100) acres or more, then no more than eight (8) lots may receive a building permit in any one calendar year calculated from the date the plat of the lots is recorded in the Office of the Woodford County Clerk.~~
- ~~E. The owner of the balance of any farm divided under this schedule shall be precluded from utilizing the in-family exception in Article II, Section 203, Agricultural Uses, or utilizing this schedule for the division of any of the remaining property in the farm.~~

#### **703.12 Procedure**

- ~~A. The owner or owners of a tract of land which meets the required minimum lot size and location standards of this section shall submit to the Planning and Zoning Commission a zone change application with a preliminary development plan prepared in accordance with established subdivision regulation requirements and with this section of the Zoning Ordinance. The Preliminary Development plan shall indicate but not be limited to the following:
  - ~~1. The size in acres of the farm tract as of July 16, 1990, for which the zone change request is made.~~
  - ~~2. A listing of every division to this farm tract made since July 16, 1990, identified by grantee and acreage. Copies of all deeds reflecting such division shall be submitted.~~
  - ~~3. The existing size in acres of the farm tract at the time the current zone change request is made.~~
  - ~~4. The number of acres to be a part of the current zone change request.~~
  - ~~5. A statement of the number of acres of the farm tract as of July 16, 1990, which remain eligible for a rural residential district zone change request.~~~~

- ~~6. A Statement of Intent regarding which tract (s) retain the future development rights permitted by this ordinance.~~
- ~~B. Following submission of the zone change request and conceptual development plan a public hearing shall be held and the request considered in accord with customary procedures.~~
- ~~C. For proposals containing two or fewer lots, not including the parent farm, a prima facie application may be submitted by the applicant which shall show:~~
- ~~1. Water availability with written proof from either the appropriate water district or the Woodford County Board of Health as may be applicable. If utilizing public water, the water district must certify that water is available to provide sufficient water service and pressure to ensure an adequate supply for private use.~~
  - ~~2. An encroachment permit from the appropriate agency where the drive will be placed on either a County or State Road.~~
  - ~~3. Onsite sewage treatment system approval from the Woodford County Board of Health. Furthermore, no proposed lot in the Rural Residential District containing less than five (5) acres shall be approved for a zone change under this section without first providing a sub-surface septic system approved by the Woodford County Health Department. Surface, Wetland, or other experimental on-ground sewage treatment systems shall not meet this requirement on lots containing less than five (5) acres.~~
  - ~~4. Evidence that the proposed development meets the dimensional requirements of the Rural Residential District.~~
- ~~A. Proof of the above four items shall be prima facie proof that the proposed development is suitable for a zone change to Rural Residential and shall be so approved and recommended by the Planning and Zoning Commission without delay, and inaction by the Planning and Zoning Commission for a period of more than sixty (60) days from the first Planning and Zoning Commission meeting following submission of the completed application including Items 1 thru 4 of this section, Paragraph C, shall be deemed approval for recommendation to the Fiscal Court and shall be forwarded forthwith to the Fiscal Court for action.~~
- ~~B. If, at a later date, additional tracts are subdivided from the original tract from which lots are approved pursuant to this section, then such additional tracts may not be approved pursuant to this section.~~
- ~~C. For any prima facie application, the applicant shall submit a conceptual development plan that will indicate the applicant's intentions regarding further Rural Residential development including location of such Rural Residential lots and R.R./Residual Farmland. In the event that such a conceptual development plan is not submitted for a proposal containing two or less lots and the request is approved, the applicant shall be precluded from submitting another application for Rural Residential development for twelve (12) months from the date such prima facie application was approved by the Fiscal Court.~~

## 704 SMALL COMMUNITY DISTRICT (SC A-4)

### 704.1 Purpose and Intent Intent Preamble

The purpose of the Small Community District (A-4) is to provide for limited rural scale development low density residential expansion in rural settlements recognized by the Comprehensive Plan. The communities of Millville, Mortonsville, and Nonesuch, have through their residents, stated their desire to have the benefit of the Small Community Regulations to provide houses in those communities and in order to maintain a continued vitality, property values, and community spirit in those places.

### 704.2 Small Community Districts

~~The Small Community District at Millville shall consist of all property located within the Small Community Land Use District Map as shown in the Woodford County Comprehensive Plan. a circle having its center at the intersection of McCracken Pike (KY 1659) and Watts Ferry Road (KY 1964), Coordinate Point: N 1474572.00000, E 226107.92200, with a radius of one and one half (1.5) miles; the Small Community at Mortonsville shall consist of all property located within a circle having its center at the intersection of Carpenter Pike (Clear Creek Road) and Delaneys Ferry Road (KY 1965), Coordinate Point: N 1494064.37525, E 1494064.37525, with a radius of one (1) mile; the Small Community at Nonesuch shall consist of all property located within a circle having its center at the intersection of Cummins Ferry Road and Fords Mill Road (KY 1965), Coordinate Point: N 1494635.50011, E 148307.30610 with a radius of one (1) mile. The Versailles-Midway Woodford County Planning and Zoning Map shall reflect the above descriptions of the Small Communities of Millville, Mortonsville and Nonesuch.~~

~~No division of land in a Small Community District, into a tract smaller than thirty (30) acres, shall be made without prior zone change approval of the Planning and Zoning Commission and finding that the division is in compliance with all applicable requirements in an A-4 District, provided that in family conveyances pursuant to Article II, definitions, Section 202, Agricultural Uses, are not subject to the requirements for this section.~~

~~Land designated for Agricultural Preservation as recognized in the Rural Policy Plan adopted June 13, 1991, shall not be permitted to be rezoned to A-4. Small community (A-4) development as set forth in this section shall not be permitted for any farm, as defined in Section 703.2 of this ordinance, on which a Rural Residential (Rural Residential) development has been previously approved.~~

### 704.3 Principal Uses

- A. Single-Family Dwelling;
- B. Home Office/Home Occupation
- C. Religious Institution Facility
- D. Parks

### ~~704.3 Principal Uses~~

- ~~A. Single family detached dwellings.~~
- ~~B. General horticultural and non-commercial uses.~~

### **704.4 Accessory Uses**

~~Any use on the same lot and of a nature customarily incidental and subordinate to the principal use, shall be permitted as an accessory use in the Small Community District (A-4).~~

Accessory Uses and Structures - Accessory uses, buildings and structures shall be subject to the following regulations:

- A. Accessory uses and structures customarily incidental to any principal use located on the same lot.
- B. Accessory uses, buildings and structures include the following: accessory apartments, private garages, or parking areas.
- C. Accessory buildings/structures shall be permanently affixed to the ground and shall not include mobile home, bus, travel trailer, RV, trailer, cooler or vehicle.
- D. Fences. For the purpose of determining yard setback, the accessory structure setback shall not apply to fences.
- E. Swimming Pools. All swimming pools shall require a Building or Zoning Permit. 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.
- F. Accessory Dwelling: An Accessory Dwelling may be attached or detached from the principal residence. The floor area of the accessory apartment may not exceed 25 percent of the floor area of the principal structure. Accessory Dwellings 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. If attached to the principal residence, any entrance into the Accessory Dwelling shall be located on the side or rear facade(s) of the building. The Accessory Dwelling must not alter the character of the residence or the development pattern of the neighborhood. A minimum of 1 parking space (in addition to the parking required for the primary residence) shall be provided for Accessory Dwelling. The number of bedrooms located within Accessory Dwelling shall not exceed two (2).
- G. Solar Panels. Roof-mounted and ground-mounted solar panel systems shall comply with the following:
  - 1. Solar panel systems shall be permitted on the roof of a building provided that the panels located on a front or side roof slope facing any public street do not cause glare or light trespass onto adjoining residential properties.

2. Solar panel systems shall have a top edge that is parallel to the roof ridge and shall conform to the slope of the roof. Solar panel systems shall be positioned on the roof so as not to extend above or beyond the edge of any ridge, hip, valley, or eave.
3. A ground-mounted solar panel system is not permitted as the primary use of a property.
4. Ground-mounted solar panel systems shall comply with the maximum square footage and minimum setback requirements for residential accessory buildings and structures.
5. Ground-mounted solar panel systems shall not be located between a property line abutting a street and the building.
6. The maximum height of ground mounted solar panel systems should not exceed the height of eight (8) feet.
7. Supporting equipment for solar panel systems, including power conditioning equipment such as batteries for electricity storage and stand-by generators shall be screened by an opaque screening device, except that wall-mounted inverters may be located next to the electric meter. Long lengths of conduit and wiring associated with the system's connection to the primary electrical panel shall be placed underground.

**704.5 Conditional Uses**

- A. ~~Churches.~~
- B. ~~Parks~~
- C. ~~Home Occupations.~~
- D. **Bed and Breakfast Home, Bed and Breakfast Inn, and Bed and Breakfast Farmstay Establishments.**
- E. **Short Term Rental Establishments: Hosted Home-Sharing and Dedicated Short Term Rental Establishments.**
- F. Convenience type stores provided that the primary items sold or rented are gasoline, household items, or food products for human consumption provided that the stores gross square footage floor area does not exceed four thousand (2500) square feet.
- G. Health Care Facility, Dental Offices and Clinic provided that the stores gross square footage floor area does not exceed four thousand (2500) square feet.
- H. Schools for Academic Instruction
- I. Private Clubs and Lodges.
- J. Eating Establishment (No Drive-Through) provided that the stores gross square footage floor area does not exceed four thousand (2500) square feet.
- K. Day Care Center, Child
- L. Day Care Center, Adult

**704.6 Property Development Standards**

B. Dimensional standards for this District are found in the following table.

**Small Community District (SC)**

<u>Lot Area (minimum Residential)</u>	<u>1 Acre</u>
<u>Lot Area (minimum Non-Residential)</u>	<u>3 Acres</u>
<u>Lot Width (minimum at 50-foot front setback line)</u>	<u>150 ft</u>
<u>Lot Frontage (minimum)</u>	<u>150 ft</u>
<u>Lot Coverage (maximum)</u>	<u>35%</u>
<u>Setback (minimum)</u>	<u>50 ft</u>
<u>Front Yard</u>	<u>25 ft</u>
<u>Side Yard</u>	<u>25 ft</u>
<u>Rear Yard</u>	<u>25 ft</u>
<u>Accessory Structure</u>	<u>25 ft</u>
<u>Front</u>	<u>10 ft</u>
<u>Rear</u>	<u>10 ft</u>
<u>Side</u>	<u>10 ft</u>
<u>Height (maximum)</u>	<u>42 ft</u>
<u>Off-Street Parking Spaces</u>	<u>2</u>

**704.6 Lot, Yard and Height Requirements**

<u>Minimum Lot Area</u>	<u>1 Acre</u>
<u>Minimum ROW Frontage</u>	<u>150 feet</u>
<u>Minimum Lot Width at Building Line</u>	<u>150 feet</u>
<u>Minimum Front Yard</u>	<u>50 feet</u>
<u>Minimum Rear Yard</u>	<u>50 feet</u>
<u>Minimum Side Yard</u>	<u>15 feet</u>
<u>Maximum Building Height</u>	<u>35 feet</u>

**Permitted Residential Unit Types**

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

	SC
Single-Family Detached	YES
Modular Home	YES
Manufactured Home, Qualified	YES
Manufactured/ Mobile Home	NO
Accessory Dwelling	YES

#### 704.7 Special Provisions

- A. Approval of the ~~A-4~~ Small Community Zoning District shall be contingent upon, but not limited to the following:
1. If utilizing a public water source, certification by the Water District of its ability to provide sufficient water service and pressure to ensure an adequate supply for private use and fill-up for fire trucks; or; If utilizing a private water source, certification approving the water supply by the Woodford County Health Department in accordance with Woodford County Board of Health regulations;
  2. Certification that a site evaluation for each of the lots has been completed by the Woodford County Health Department in accordance with Woodford County Board of Health regulations to ensure that individual on-site sewage treatment systems can be installed and used safely and efficiently for wastewater treatment. ~~Furthermore, no proposed lot in the A-4 District containing less than five (5) acres shall be approved for a zone change under this section without first providing a sub-surface septic system approved by the Woodford County Health Department. Surface, Wetland, or other experimental on-ground sewage treatment systems shall not meet this requirement on lots containing less than five (5) acres.~~
- B. Each lot occurring within the Small Community ~~(A-4)~~ zone shall be required to have frontage on county or state roads which exist as of the effective date of this amendment.
- C. Approved encroachment permit(s) for each lot proposed ~~within the A-4 zone~~ shall be required prior to the approval of the zoning district to ensure that entrances can be installed and used safely and efficiently for vehicular ingress and egress.
- D. ~~In cases where portions of the property fall outside the radius, eighty percent (80%) of the property must lie within the radius.~~
- E. ~~It shall be provided that in family conveyances shall be permitted at a density that shall not exceed one (1) dwelling for each five (5) acres. In family conveyance shall be defined as a tract to be continuously occupied by an immediate family member. It shall be comprised of a lot no smaller than one (1) acre in size, with access to an existing public road through an existing~~

~~private driveway to be shared with the original residence, through a platted and recorded access easement of fifteen (15) feet, or, the in-family lot can be comprised of a lot no smaller than five (5) acres in size with frontage on an existing public road or if the nearest property line of any new lot is within four hundred (400') feet of the centerline of an existing public road; with a limit of no more than two (2) in-family lots fronting on an existing public road and sharing a common entrance; and which meets all health and sanitation regulations in effect contained herein, and provided further that the number of lots be limited to one lot in Woodford County per each immediate family member's lifetime and that such family member shall hold title to the tract so conveyed for at least five (5) years, if said conveyance is made to a minor, the five (5) year restriction for holding title begins when the minor turns eighteen (18), and should the family member, within five (5) years, re-convey the tract to anyone other than to the person or persons from whom it was received, then such deed of re-conveyance shall be void, and provided further, that all such deeds from a farm owner to a family member shall contain a restrictive covenant stating clearly the five (5) year restriction for holding title and stating that any conveyance prior to said five (5) years shall be void, and any deed from a farm owner be provided further that in the case of a judicial sale the restriction on re-conveyance shall not apply. On farms where in-family conveyances are permitted, all lots shall be counted against the sliding scale of "Lots to be Sold" as defined in Section 703.11 (A). In no case shall any farm of 100 acres or more be permitted to have more than fifteen (15) in-family conveyance lots.~~

## 705 LOW DENSITY-SINGLE FAMILY RESIDENTIAL (R-1A)

### 705.1 Purpose and Intent

These zones are established to provide for single family detached residences and supporting uses. The zones should be located in areas of the community where services and facilities will be adequate to serve the anticipated population.

### 705.2 Principal Uses

- A. Single family detached dwellings.
- B. Customary general horticulture uses and buildings including non-commercial greenhouses.

### 705.3 Accessory Uses

- A. Accessory uses and structures customarily incidental to any permitted principal uses located on the same lot therewith.
- B. 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.
- C. Private garages and parking areas.
- D. Accessory Dwellings are allowed in the R-1A Single Family Residential District. An Accessory Dwelling may be attached or detached from the principal residence. The floor area of the accessory dwelling may not exceed 25 percent of the floor area of the principal structure. Accessory Dwellings 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. If attached to the principal residence, any entrance into the Accessory Dwelling shall be located on the side or rear facade(s) of the building. The Accessory Dwelling must not alter the character of the single family residence or the development pattern of the neighborhood. A minimum of 1 parking space (in addition to the parking required for the primary residence) shall be provided for Accessory Dwelling. The number of bedrooms located within Accessory Dwelling shall not exceed two (2). Living quarters without cooking facilities and not rented, for employees of the premises.
- E. Private swimming pools not to exceed eight and one half (8) feet in height and located no closer than eight (8) feet from the side and/or rear lot lines, when they meet yard requirements for principal buildings and when adequately fenced to prevent the free access of small children.
- F. Agricultural structures.
- G. Home Office.
- H. Solar Panels. Roof-mounted and ground-mounted solar panel systems shall comply with the following:

1. Solar panel systems shall be permitted on the roof of a building provided that the panels located on a front or side roof slope facing any public street do not cause glare or light trespass onto adjoining residential properties.
2. Solar panel systems shall have a top edge that is parallel to the roof ridge and shall conform to the slope of the roof. Solar panel systems shall be positioned on the roof so as not to extend above or beyond the edge of any ridge, hip, valley, or eave.
3. A ground-mounted solar panel system is not permitted as the primary use of a property.
4. Ground-mounted solar panel systems shall comply with the maximum square footage and minimum setback requirements for residential accessory buildings and structures.
5. Ground-mounted solar panel systems shall not be located between a property line abutting a street and the building.
6. The maximum height of ground mounted solar panel systems should not exceed the height of eight (8) feet.
7. Supporting equipment for solar panel systems, including power conditioning equipment such as batteries for electricity storage and stand-by generators shall be screened by an opaque screening device, except that wall-mounted inverters may be located next to the electric meter. Long lengths of conduit and wiring associated with the system's connection to the primary electrical panel shall be placed underground.

**705.4 Conditional Uses**

- A. Home Occupation.
- B. Religious Institution Facility Churches and Sunday school buildings.
- C. Parks, playgrounds, and golf courses.
- D. Schools for Academic Instruction.
- E. Cemeteries.
- F. Day Care Center, Home Family Child Care
- G. Telecommunications Structure

**705.5 Prohibited Uses**

All uses, other than those listed as principal, accessory, or conditional uses or substantially similar to principal accessory, or conditional uses shall be prohibited.

**705.6 Lot, Yard, and Height Requirements**

Minimum Lot Size	<u>10,000</u> <del>15,000</del> square feet
Minimum ROW Frontage	50 feet
Minimum Width at Building Line	<u>80</u> <del>100</del> feet
Minimum Front Yard	<u>25</u> <del>35</del> feet
Minimum Side Yard	<u>10</u> <del>8</del> feet
<del>Minimum Sum of Side Yard</del>	<del>20</del> feet

Minimum Rear Yard 10 50 feet  
 Maximum Height of Building 42 35 feet  
 Maximum Density Not to exceed four (4) units per gross acre

**Permitted Residential Unit Types**

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

	R-1A
Single-Family Detached	YES
Modular Home	YES
Manufactured Home, Qualified	YES
Manufactured/ Mobile Home	NO
Accessory Dwelling	YES

**705.7 Other Requirements**

Parking - See Article VI.

Signs - See Article V, Section 508.

**706 SINGLE FAMILY RESIDENTIAL (R-1B)**

**706.1 Purpose and Intent**  
Same as for R-1A (See 705.1)

**706.2 Principal Uses**  
Same as for R-1A (See 705.2)

**706.3 Accessory Uses**  
Same as for R-1A (See 705.2)

**706.4 Conditional Uses**  
Same as for R-1A (See 705.4)

**706.5 Prohibited Uses**

All uses, other than those listed as principal, accessory, or conditional uses or substantially similar to principal accessory, or conditional uses shall be prohibited.

**706.6 Lot, Yard, and Height Requirements**

Minimum Lot Size	<del>8,000</del> 10,000 square feet
Minimum ROW Frontage	50 feet
Minimum Width at Building Line	<del>70</del> 80 feet
Minimum Front Yard	<del>25</del> 30 feet
Minimum Side Yard	8 feet
<del>Minimum Sum of Side Yards</del>	<del>20</del> feet
Minimum Rear Yard	<del>10</del> 35 feet
Maximum Height of Building	<del>42</del> 35 feet
Maximum Density	Not to exceed <del>five (5)</del> four (4) units per gross acre.

**Permitted Residential Unit Types**

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

	R-1B
Single-Family Detached	YES
Modular Home	YES
Manufactured Home, Qualified	YES
Manufactured/ Mobile Home	NO
Accessory Dwelling	YES

**706.7 Other Requirements**

Parking - See Article VI.

Signs - See Article V, Section 508.

**707 SINGLE - FAMILY RESIDENTIAL (R-1C)**

**707.1 Purpose and Intent**

Same as for R-1A (See 705.1)

**707.2 Principal Uses**

Same as for R-1A (See 705.2)

**707.3 Accessory Uses**

Same as for R-1A (See 705.2)

**707.4 Conditional Uses**

Same as for R-1A (See 705.4)

**707.5 Prohibited Uses**

All uses, other than those listed as principal, accessory, or conditional uses or substantially similar to principal accessory, or conditional uses shall be prohibited.

**707.6 Lot, Yard and Height Requirements**

Minimum Lot Size	<del>5,000</del> 7,500 square feet
Minimum ROW Frontage	50 feet
Minimum Width at Building Line	60 feet
Minimum Front Yard	25 feet
Minimum Side Yard	<del>5</del> 8 feet
Minimum Sum of Side Yards	<del>18</del> feet
Minimum Rear Yard	<del>10</del> 35 feet
Maximum Height of Building	<del>42</del> 35 feet
Maximum Density	Not to exceed <del>eight (8)</del> four (4) units per gross acre.

**Permitted Residential Unit Types**

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

	R-1C
Single-Family Detached	YES
Modular Home	YES
Manufactured Home, Qualified	YES
Manufactured/ Mobile Home	NO
Accessory Dwelling	YES

**707.7 Other Requirements**

Parking - See Article VI.

Signs - See Article V, Section 508.

**707B SINGLE - FAMILY RESIDENTIAL (R-1D)**

**707B.1 Purpose and Intent**

Same as for R-1A (See 705.1)

**707B.2 Principal Uses**

Same as for R-1A (See 705.2)

**707B.3 Accessory Uses**

Same as for R-1A (See 705.2)

**707B.4 Conditional Uses**

Same as for R-1A (See 705.4)

**707B.5 Prohibited Uses**

All uses, other than those listed as principal, accessory, or conditional uses or substantially similar to principal accessory, or conditional uses shall be prohibited.

**707B.6 Lot, Yard and Height Requirements**

Minimum Lot Size	3,500 square feet
Minimum ROW Frontage	50 feet
Minimum Width at Building Line	50 feet
Minimum Front Yard	25 feet
Minimum Side Yard	5 feet
Minimum Rear Yard	10 feet
Maximum Height of Building	42 feet
Maximum Density	Not to exceed twelve (12) units per gross acre.

**Permitted Residential Unit Types**

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

	R-1D
Single-Family Detached	YES
Modular Home	YES
Manufactured Home, Qualified	YES
Manufactured/ Mobile Home	NO
Accessory Dwelling	YES

**707B.7 Other Requirements**

Parking - See Article VI.

Signs - See Article V, Section 508.

**708 TWO FAMILY RESIDENTIAL (R-2)**

**708.1 Purpose and Intent**

This zone is primarily for low density multiple family dwellings. This zone should be in locations where necessary services and facilities will be adequate to serve the anticipated population.

**A.2 Principal Uses**

A. Single family dwellings.

~~B. Duplex, Twinhome Two family dwellings having a common wall and no more than two dwelling units shall be attached. Only one two-family dwelling shall be permitted on each lot.~~

**708.3 Accessory Uses**

A. Accessory uses and structures customarily incidental to any permitted principal uses located on the same lot therewith.

~~B. 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.~~

C. Private garages and parking areas.

D. Private swimming pools not to exceed eight and one half (8) feet in height and located no closer than eight (8) feet from the side and/or rear lot lines, when they meet yard requirements for principal buildings and when adequately fenced to prevent the free access of small children.

E. Home Office

F. Solar Panels. Roof-mounted and ground-mounted solar panel systems shall comply with the following:

- ~~1. Solar panel systems shall be permitted on the roof of a building provided that the panels located on a front or side roof slope facing any public street do not cause glare or light trespass onto adjoining residential properties.~~
- ~~2. Solar panel systems shall have a top edge that is parallel to the roof ridge and shall conform to the slope of the roof. Solar panel systems shall be positioned on the roof so as not to extend above or beyond the edge of any ridge, hip, valley, or eave.~~
- ~~3. A ground-mounted solar panel system is not permitted as the primary use of a property.~~
- ~~4. Ground-mounted solar panel systems shall comply with the maximum square footage and minimum setback requirements for residential accessory buildings and structures.~~
- ~~5. Ground-mounted solar panel systems shall not be located between a property line abutting a street and the building.~~

6. The maximum height of ground mounted solar panel systems should not exceed the height of eight (8) feet.
7. Supporting equipment for solar panel systems, including power conditioning equipment such as batteries for electricity storage and stand-by generators shall be screened by an opaque screening device, except that wall-mounted inverters may be located next to the electric meter. Long lengths of conduit and wiring associated with the system's connection to the primary electrical panel shall be placed underground.

**708.4 Conditional Uses**

- A. Home Occupation ~~The permitted conditional uses in the R-1A zone. (See 705.4)~~
- B. Parks and Playgrounds ~~Private clubs, lodges, social, charitable, and recreational buildings.~~
- C. Day Care Center, Home Family Child Care.
- D. Commercial Sewing Business.
- E. Funeral Homes when adjoining a business zone.
- F. Bed and Breakfast Home and Bed and Breakfast Inn.
- G. Short Term Rental Establishments: Hosted Home Sharing and Dedicated Short Term Rental Establishments.
- H. Religious Institution Facility
- I. Telecommunications Structure

**708.5 Prohibited Uses**

All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal, accessory, or conditional uses shall be prohibited.

**708.6 Lot, Yard and Height Requirements**

Minimum Lot Size	<del>8,000 square feet (Single family dwelling)</del>
	<u>10,000</u> <del>12,000</del> square feet (Two family dwelling)
Minimum ROW Frontage	50 feet
Minimum Width at Building Line	70 feet
Minimum Front Yard	25 feet
Minimum Each Side Yard	<u>10</u> <del>8</del> feet
<del>Minimum Sum of Sides</del>	<del>18 feet</del>
Minimum Rear Yard	<u>10</u> <del>35</del> feet
Maximum Height of Building	Two (2) stories or <u>42</u> <del>35</del> feet
Maximum Density	Not to exceed eight (8) units per gross acre

**Permitted Residential Unit Types**

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

	R-2
Duplex or Twinhome	YES
Single-Family Detached	YES
Modular Home	YES
Manufactured Home, Qualified	YES
Manufactured/ Mobile Home	NO
Accessory Dwelling	NO

**708.7 Special Provisions**

A. Lot, yard, and height requirements for Single Family Dwellings shall be as required by R-1B. (See 706.6)

**708.8 Other Requirements**

Parking - See Article VI

Signs - See Article V, Section 508.

**709 MEDIUM DENSITY RESIDENTIAL (R-3)**

**709.1 Purpose and Intent**

This zone is primarily for multi-family dwellings and other residential uses. This zone should be in locations where necessary services and facilities will be adequate to serve the anticipated population.

**709.2 Principal Uses**

- A. Single Family Dwellings
- B. Townhouses. (See Special Provisions, 709.7)
- C. Dormitories adjoining schools for academic instruction owned thereby and operated in connection therewith.
- D. ~~Day Care Center, Child Child Care Centers~~
- E. ~~Day Care Center, Adult~~
- F. Multiple Family Dwellings
- G. Duplex, Twinhome

**709.3 Accessory Uses**

- A. Accessory uses and structures customarily incidental to any permitted principal uses located on the same lot therewith.
- B. 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.
- C. Private garages and parking areas.
- D. Private swimming pools not to exceed eight and one half (8) feet in height and located no closer than eight (8) feet from the side and/or rear lot lines, when they meet yard requirements for principal buildings and when adequately fenced to prevent the free access of small children.

**709.4 Conditional Uses**

- A. ~~The permitted conditional uses in the R-2 zone. (See 708.4)~~
- B. Offices of civic committees or charitable organizations.
- C. Fraternity and Sorority Houses.
- D. Assisted Living Facilities. (See 509 & 709.7)
- E. Bed and Breakfast Home and Bed and Breakfast Inn.
- F. Short Term Rental Establishments: Hosted Home-Sharing and Dedicated Short Term Rental Establishments (Versailles & Midway Only).

- G. Religious Institution Facility
- H. Cemetery
- I. Rehabilitation Home, Residential Care Facility or Group Living Facility
- J. Parks and Playgrounds
- K. Telecommunications Structure

**709.5 Prohibited Uses**

All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal, accessory, or conditional uses shall be prohibited.

**709.6 Lot, Yard, and Height Requirements**

Minimum Lot Size	6,000 square feet
Minimum ROW Frontage	50 feet
Minimum Width at Building Line	60 feet
Minimum Front Yard	<u>20</u> 25 feet
Minimum Each Side Yard	<u>10</u> 1-1.5 stories = 5 feet 2-2.5 stories = 6 feet 3 stories = 8 feet
<u>Minimum Sum of Sides</u>	<u>1-1.5 stories = 12 feet</u> <u>2-2.5 stories = 14 feet</u> <u>3 stories = 18 feet</u>
Minimum Rear Yard	<u>1-5 stories = 20</u> 30 feet <u>2-2.5 stories = 35 feet</u> <u>3 stories = 40 feet</u>
Maximum Height of Building	3 stories or <u>48</u> 49 feet
<u>Minimum Usable Open Space</u>	<u>20%</u>
Maximum Lot Coverage	<u>75%</u> 25% and a floor area ratio of 0.5
Maximum Density	Not to exceed <u>sixteen (16)</u> eight (8) units per gross acre.

**Permitted Residential Unit Types**

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

	R-3
Multi Family Dwellings	YES
Townhouses	YES
Duplex or Twinhome	YES
Single-Family Detached	YES
Modular Home	YES
<u>Manufactured Home, Qualified</u>	<u>YES</u>
Manufactured/ Mobile Home	NO

Accessory Dwelling
--------------------

NO
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**709.7 Special Provisions**

- A. Lot, yard, and height requirements for Townhouses shall be as required in Article V, Section 502, Townhouse Requirements.
- B. Lot, yard, and height requirements for Two Family Dwellings shall be as required by R-2. (See 708.6)
- B. Lot, yard, and height requirements for Assisted Living Facilities shall be as required in Article V, Section 509.
- C. Lot, yard, and height requirements for Single Family Dwellings shall be as required by R-1C. (See 707.6)

**709.8 Other Requirements**

Parking - See Article VI.

Signs - See Article V, Section 508.

**710 HIGH DENSITY RESIDENTIAL (R-4)**

**710.1 Purpose and Intent**

This zone is primarily for multi-family dwellings but at a higher density than the R-3 zone. The R-4 zone should be at locations in areas of the community where necessary services and facilities will be adequate to serve the anticipated population.

**710.2 Principal Uses**

The principal permitted uses in the R-3 zone. (See 709.2)

**710.3 Accessory Uses**

The permitted accessory uses in the R-3 zone. (See 709.3)

**710.4 Conditional Uses**

The permitted conditional uses in the R-3 zone (See 709.4)

**710.5 Prohibited Uses**

All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal, accessory, or conditional uses shall be prohibited.

**710.6 Lot, Yard, and Height Requirements**

Minimum Lot Size	6,000 sq. ft.
Minimum ROW Frontage	50 feet
Minimum Width at Building Line	50 feet
Minimum Front Yard	20 feet
Minimum Side Yard	<u>10 feet</u> Building height 30 feet = 5 feet Building height 35 feet = 10 feet Building height 40 feet = 15 feet Building height 45 feet = 20 feet Building height 50 feet = 25 feet
Minimum Sum of Sides	Building Height 30 feet = 10 feet Building Height 35 feet = 22 feet Building Height 40 feet = 34 feet Building Height 45 feet = 44 feet Building Height 50 feet = 50 feet
Minimum Rear Yard	<u>20 feet</u> Equal to the height of the building built not less than 30 feet or more than 80 feet. Add 5 feet to side yard requirements for each additional story.
Maximum Height of Building	<u>Five (5) Stories</u> Equal to the distance from the center line of the street.
Minimum Usable Open Space	20%
Maximum Lot Coverage	<u>90% 30% and a floor area ratio of 0.7.</u>
Maximum Density	Not to exceed <u>thirty-two (32) sixteen (16) units</u> per gross acre.

**Permitted Residential Unit Types**

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

	R-4
Multi Family Dwellings	YES
Townhouses	YES
Duplex or Twinhome	NO
Single-Family Detached	NO
Modular Home	NO
Manufactured Home, Qualified	NO
Manufactured/ Mobile Home	NO
Accessory Dwelling	NO

**710.7 Special Provisions**

- A. Lot, yard, and height requirements for Townhouses shall be as required in Article V, Section 502, Townhouse Requirements.
- ~~B. Lot, yard, and height requirements for two-family dwellings shall be as required by R-2. (Section 708.6)~~
- C. Lot, yard and height requirements for assisted living facilities shall be as required in Article V, Section 509.
- ~~D. Lot, yard, and height requirements for Single Family Dwellings shall be as required by R-1D. (See 707B.6)~~

**710.8 Other Requirements**

Parking - See Article VI.

Signs - See Article V, Section 508.

**711 MOBILE AND Manufactured HOME DISTRICT (M-1)**

**711.1 Purpose and Intent**

The Intent of the Mobile and Manufactured Home District is to permit the establishment of Mobile and Manufactured Home parks in areas providing a residential setting and convenient to major traffic arterials. In attempting to preserve the residential quality of this district, recognition is given to the change in character of the Mobile and Manufactured Home in terms of size, design, and function and to the present trend in mobile and Manufactured Home living as a semi-permanent place of residence. ~~Residents in these districts need the same amenities, services and protection generally associated with and provided for residential dwelling districts, including proximity to elementary schools, churches, and shopping centers in an area relatively free from the noise and congestion of commercial and industrial use. Because of their unusual characteristics, Mobile Home Parks pose special problems in the application of land use control techniques and require special consideration as to their proper location and character in relation to adjacent uses and to the development of the area and as to the circumstances and conditions under which each such use may be permitted. The standards contained in this provision represent an attempt to provide adequate protection for, and consideration of, both the community and the mobile home dweller.~~

**711.2 Scope - Mobile and Manufactured Home Park**

A. General Property Development Standards. Each area proposed to be zoned M-1 District shall meet the standards set forth in the Subdivision Regulations, prior to issuance of Building Permits.

1. Minimum Area of Park.

a. Each Mobile or Manufactured Home Park shall contain a minimum of 5 contiguous acres of land and minimum of 25 home spaces.

b. Development of a smaller tract of land adjacent to an existing Mobile or Manufactured Home Park may be permitted, provided that:

(1) The proposed development conforms to and extends the original Mobile or Manufactured 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.

2. Space Standards. Minimum space standards for the Mobile or Manufactured Home Park are as follows:

Space Standard	Requirement
Home Space Size (minimum)	<u>5,000 sf</u>
Front Setback (minimum from pavement)	<u>20 ft</u>
Unit Separation (minimum from other units, buildings or accessory structures)	<u>15 ft</u>

**4. 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 or Manufactured Home Parks shall be provided with visual perimeter screening in accordance with the Commercial Development landscaping provisions in Article XI.

5. **Minimum Frontage.** The Mobile or Manufactured Home Park shall be located with direct access to an arterial or collector street as designated by the Kentucky Transportation Cabinet or the applicable City and shall have a minimum of 50 feet of frontage.

6. **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 or Manufactured Home Park shall be equipped with street lights on all streets.
- d. All streets within the Mobile or Manufactured Home Park shall conform to the street construction and design standards of the Subdivision Regulations of Woodford County except as herein modified.

7. **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.

8. **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.

9. **Water Supply.** All Mobile or Manufactured Home Parks shall be served by a public water system that can provide 600 GPM at 20 PSI residual pressure and meet any applicable fire hydrant ordinance.

10. **Sewage Disposal.** All Mobile or Manufactured Home Parks shall be connected to the public sewer system. Individual septic systems may not be used.

~~No mobile home or trailer shall be parked or maintained and used as a dwelling unit on any lot or tract of land other than one located in an "M-1" district and approved as a mobile home park by the Planning Commission except that in any "I" district not more than one (1) mobile home or trailer for each establishment may be occupied as sleeping quarters for a caretaker or watchman, and in any A-1 district any number of mobile homes or trailers may be occupied as a residence provided that they meet the following requirements:~~

- ~~A. That one or more of the occupants thereof are employed in agricultural activity on the farm on which such mobile home or trailer is located; or that the occupants thereof are the immediate family members of the farm owner.~~
- ~~B. That any such mobile home shall meet the same yard requirements as required for a dwelling.~~
- ~~C. That water supply and sewage disposal system has been approved by the County Health Officer.~~
- ~~D. That it is placed on a solid foundation and is underpinned.~~
- ~~E. That all density requirements are met in all aspects of the definitions of "Agricultural Uses" and "Mobile Homes in Agricultural Districts" as stated in Article II, Section 203.~~
- ~~F. That such mobile home shall be owned by the farm owner or, in the event the mobile home is occupied by an immediate family member(s), that such mobile home be owned by one or more of the immediate family members(s) occupying same. In the event that the immediate family member(s) who owns the mobile home ceases to occupy the mobile home, then that mobile home must, within thirty (30) days from the date it is vacated, either be removed from the farm property or ownership of the mobile home must be placed in the farm owner's name.~~

- ~~G. That the farm owner shall receive nothing of value for rent, other than labor services which are provided by the occupant (s) of said mobile home or trailer.~~
- ~~H. That the farm owner shall sign and file with the Planning Commission Office an affidavit upon application of a Building Permit and each year thereafter that said owner is in compliance with (A) through (G) above as well as all aspects of Article II, Section 203 Definitions "Agricultural Uses" and "Mobile Homes in Agricultural Districts".~~

### 711.3 Principal Uses

- A. Mobile Home or Manufactured Home Parks, provided that they conform to the requirements of this section.
- ~~B. Two family dwellings, provided that they conform to the height, area and yard requirements of the "R-2" Residence District. (See 708.6)~~

### 711.4 Accessory Uses

Those accessory uses and structures customarily accessory and incidental to any permitted principal use. 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.

Private swimming pools not to exceed eight and one half (8) feet in height and located no closer than eight (8) feet from the side and/or rear lot lines, when they meet yard requirements for principal buildings and when adequately fenced to prevent the free access of small children.

### 711.5 Conditional Uses

- ~~G. Incidental accessory retail uses such as barber and beauty shops, news and novelty stands, snack bars and commissaries conducted solely for the convenience of the residents of any mobile home park containing one hundred fifty (150) or more mobile homes when located wholly within a main building with access only to an interior arcade or open court and having no exterior display space or identification sign visible from any adjacent public right of way, and provided that such uses do not exceed a total of twenty five hundred (2500) square feet in area as may be permitted by the Board of Adjustment.~~
- H. Day Nurseries, Nursery Schools and Day Child Care Centers, when located within a main building and conducted solely for the convenience of the resident of the Mobile Home or Manufactured Home park and provided that there is established and maintained in connection therewith, a suitable fenced and screened play lot meeting the requirements of the ordinance.
- ~~I. Swimming pools, when accessory to a mobile home park and intended solely for the use of the residents thereof.~~
- J. Meetings Rooms and Community Centers when located within the main building and intended solely for the use of the residents for the mobile home park in which located.

## 711.6 Procedure

Before any Mobile Home ~~or Manufactured Home~~ park is established and before any buildings for mobile home ~~or Manufactured Home~~ park use are erected, the applicant for such use shall submit a site or development plan to the Planning Commission which shows thereon the area and dimensions of the proposed mobile home ~~or Manufactured Home~~ park, ~~the location of all points of ingress and egress, the width and location of all driveways, the location of all mobile home spaces, drying areas, recreational areas, required setbacks, and other building lines, the location and type of landscaping proposed, and such mobile home park shall be required to conform to the following standards.~~

### A. ~~Development Standards~~

- ~~1. A mobile home park shall have a minimum of two hundred (200) feet of frontage on a street designated on the official Major Thoroughfare Plan as an arterial or collector street and shall have its principal access to and from said street.~~
- ~~2. The principal access to and from a mobile home park shall be at a location where traffic congestion does not exist at the present on the street or streets to be utilized for access to the proposed mobile home park, and the possibility of such congestion in the future shall be minimized by provision in the required site or development plan for proper entrances and exits and by internal provisions for traffic circulation and parking.~~
- ~~3. Each proposed mobile home park site shall be free from objectionable smoke, odors and noise, shall be well drained and properly graded to ensure rapid drainage, shall have available an adjacent public water supply and public sanitary sewer service, and shall be located so as to provide for the availability of community facilities and services such as schools, parks, shopping facilities, and police and fire protection.~~

### ~~B. Design Standards~~

- ~~1. All new mobile home parks shall have a minimum site area of ten (10) acres. There shall be no area limitation on additions to existing parks containing fifty (50) or more mobile home spaces.~~
- ~~2. There shall be a minimum of five thousand (5000) square feet for each mobile home space and a maximum overall density of eight (8) units per gross acre.~~
- ~~3. Each mobile home space shall have a minimum of twenty (20) feet of frontage on an improved access road or driveway and the average width of all spaces shall not be less than forty (40) feet.~~
- ~~4. Each mobile home shall be located at least ten (10) feet from any access road or driveway and at least twenty (20) feet from any other mobile home, except that the end-to-end clearance between mobile homes may be twenty (20) but not less than fifteen (15) feet. This end-to-end clearance shall not be required for units which are staggered or off set and which meet the minimum side yard requirements.~~

- ~~5. Each mobile home shall be located at least twenty (20) feet from any service building or area within the mobile home park, at least ten (10) feet from any property line, and at least twenty (20) feet from any street or dedicated right-of-way.~~
- ~~6. All access roads and driveways within a mobile home park shall be paved to a width of not less than twenty-six (26) feet and shall be improved in accordance with the requirements of the Administrative Official and the City or County Engineer.~~
- ~~7. There shall be provided along one (1) side of each access road or driveway a sidewalk not less than three (3) feet in width to provide for pedestrian circulation throughout the mobile home park.~~
- ~~8. A greenbelt planting strip at least ten (10) feet in width shall be provided along all boundaries of the mobile home park. Such greenbelt shall be landscaped with deciduous and/or evergreen trees and shrubs in a manner approved by the Planning Commission.~~
- ~~9. No mobile home shall be located closer to any other district than the rear yard required for such district, and in no case less than twenty-five (25) feet from such district.~~
- ~~10. All areas not used for mobile home spaces, access, parking circulation or service buildings and recreation areas shall be completely and permanently landscaped, and the entire site shall be maintained in good condition.~~
- ~~11. There shall be provided on the same space with the mobile home, or on a lot contiguous thereto, at least two (2) parking spaces.~~
- ~~12. No accessory building shall be constructed as a permanent part of a mobile home or trailer nor shall any other device be attached to a trailer other than a cloth or metal awning or similar temporary device.~~
- ~~13. Cabanas, ramadas and other similar permanent structures may be erected in conjunction with a trailer parking space and will not be closer to any other such structure or any mobile home, other than the one it is intended to serve, than the minimum distance required between mobile homes.~~
- ~~14. There shall be a minimum of fifty (50) spaces completed and ready for occupancy before a Certificate of Occupancy is issued by the Administrative Official to ensure completion of all improvements required for aforesaid fifty (50) spaces.~~
- ~~15. Each mobile home space shall have sanitary sewer service available before a Certificate of Occupancy is issued by the Building Inspector.~~
- ~~16. All provisions for water supply, laundry, sewage and fire protection to be provided on any mobile home park shall have been approved by the appropriate City, County or State officer or agency.~~

~~17. No vehicular entrance to or exit from any mobile home park shall be within two hundred (200) feet along streets from any school, public playground, church, hospital, library, or institution for dependents or for children, except where such building or property is in another block or fronts on a street on which such park will have no entrance or exit.~~

~~18. Maximum height permitted in this district is twenty five (25) feet.~~

#### **711.7 Non-conforming Mobile Homes and Mobile Home Parks**

It is further provided that existing mobile home parks legally operating at the time of passage of this ordinance may continue to operate but shall be required to maintain a lot size of at least two thousand four hundred (2,400) square feet for all additions per existing mobile home and five thousand (5,000) square feet for all additions and comply with other provisions of this ordinance. Existing occupants will be allowed to remain, but as the occupants move out, no new residents will be permitted until a new resident can be located on a lot comprising of at least five thousand (5,000) square feet.

#### **711.8 Other Requirements**

~~Parking - See Article VI.~~

~~Sign - See Article V, Section 508.~~

#### ~~711.9 Temporary Uses of Mobile Homes~~

~~A. Permitting mobile homes for the purpose of construction trailers on premises.~~

~~1. A temporary permit may be granted by the Board of Adjustment for one (1) or more mobile homes to be located on the tract of land subject to construction, to be used as a construction office for a period of one (1) year with extensions of six (6) months if the builder maintains active, continuous construction within the tract where such mobile structure is located; however, in no case shall more than two (2) such extensions be granted absent of showing an extreme hardship or need.~~

~~2. Issuance of a permit under this provision prohibits the use of a mobile home for living quarters.~~

~~3. The structures must be removed from the tract within thirty (30) days after completion of the project, voluntary suspension of work, revocation or expiration of building permit, or by order of the Building Inspector upon finding the structure hazardous to the public health, safety, and welfare.~~

~~4. Structures may not be located closer than twenty five (25) feet to a property line of any adjacent property.~~

~~5. Mobile homes for the purpose of use as construction trailers may be allowed in all zones so long as a temporary permit is obtained.~~

~~B. Permitting mobile homes in residential districts during construction of a permanent single-family dwelling.~~

- ~~1. A temporary permit may be granted by the Board of Adjustment for one (1) mobile home for the use as a temporary residence by the owner of the tract of land on which it is placed if the mobile home is to be occupied by the owner of the tract of land during the active construction of a permanent single family residence on said tract of land.~~
- ~~2. A temporary permit may be granted by the Administrative Official for one (1) mobile home to be used temporarily for emergency housing after fire, flood, or other natural disaster in which the existing single family dwelling is inhabitable and only where such dwelling is to be rebuilt or repaired.~~
- ~~3. A temporary permit may be issued for a period not to exceed six (6) months. Extensions of six (6) months may be granted so as no more than two (2) such extensions are granted and so long as progress of construction activity can be shown.~~
- ~~4. Such use shall be allowed only on a lot where a single family detached dwelling is permitted by provision of this ordinance.~~
- ~~5. Occupancy shall be allowed only if the applicant submits an adequate site plan, proposed water supply, proposed method of sewage treatment approved by the Health Department and meets requirements of any other agency having jurisdiction over the project.~~
- ~~6. Occupancy shall terminate immediately upon completion or occupancy of the dwelling on the same lot. The mobile home shall be removed within thirty (30) days of occupancy of the dwelling.~~

## 712 PROFESSIONAL OFFICE (P-1)

### 712.1 Purpose and Intent

This zone is primarily for offices and related uses. Retail sales are prohibited except where directly related to office functions.

### 712.2 Principal Uses

- A. Administrative, Executive, and Business editorial Offices.
- B. Health Care Facility, ~~Medical and~~ Dental Offices and Clinics.
- C. ~~Hospitals.~~
- D. Drive-Thru Bank, ~~General business and professional offices provided that there be no merchandise sold or offered for sale on the premises.~~
- E. Real estate and insurance offices.
- F. Governmental office buildings, post offices, telephone exchanges, general research and medical laboratories not involving a manufacturer of fabrication or sales or products; providing that also that such research is not obnoxious or offensive to nearby areas.
- G. Radio and television stations.
- H. Business College, Technical, or Trade Schools.
- I. Theatrical, studio, art galleries, museums, libraries.
- J. Funeral Homes (Crematorium facility prohibited as an accessory use).
- K. Schools for Academic Instruction.
- L. Religious Institutions, assembly halls, gymnasiums, and community centers.
- M. Day Nurseries, Nursery Schools, and Daycare Centers.
- N. Private Clubs and Lodges.
- O. Parking Garage.

### 712.3 Accessory Uses

- A. Those accessory uses and structures customarily accessory and incidental to any permitted principal use.
- B. 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.

- C. ~~including—a~~ Helicopter medical ambulance service where operated as an accessory use to and on the same premises as a hospital provided that such service is limited to no more than one helicopter on the premises, that there are no on-site fueling nor other support facilities and that all necessary State and Federal approvals have been obtained.
- D. Residential (~~2<sup>nd</sup> story and above~~) - See 712.7 below.
- E. Incidental accessory retail uses such as prescription filling, barber and beauty shops, gift shops, flower shops and snack bars conducted for the convenience of the employees, patrons, patients, visitors, on the premises provided that such establishments are clearly accessory and incidental to the primary use of the property and do not attract business from other than the site on which it is located.

#### 712.4 Conditional Uses

- A. ~~Incidental accessory retail uses such as prescription filling, barber and beauty shops, gift shops, flower shops and snack bars conducted for the convenience of the employees, patrons, patients, visitors, on the premises provided that such establishments are clearly accessory and incidental to the primary use of the property and do not attract business from other than the site on which it is located.~~
- B. Fraternities, sorority houses, dormitories, when adjoining public schools for academic instruction.
- C. Veterinarian and animal hospitals when all structures and/or areas intended for such use are located at least one hundred (100) feet from any residential district.
- ~~D. Drive thru banks and building and loan associations.~~
- ~~E. Day nurseries, nursery schools, and childcare centers.~~
- F. ~~Private clubs and lodges.~~
- G. Parking lot ~~or garage.~~
- H. Bed and Breakfast Home and Bed and Breakfast Inn.
- I. Short Term Rental Establishments: Hosted Home-Sharing and Dedicated Short Term Rental Establishments.
- J. Rehabilitation Home, Residential Care Facility or Group Living Facility
- K. Telecommunications Structure

#### 712.5 Prohibited Uses

All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal, accessory, or conditional uses shall be prohibited.

**712.6 Lot, Yard, and Height Requirements**

Minimum Lot Size	5,000 square feet
Minimum ROW Frontage	50 feet
Minimum Width at Building Line	50 feet
Minimum Front Yard	30 feet
Minimum Side Yard	10 feet
Minimum Sum of Sides	22 feet
Minimum Rear Yard	20 feet or twenty percent (20%) of lot depth, whichever is greater.
Maximum Lot Coverage	<del>Fifty (50%)</del> Thirty five percent (35%) with a floor area ratio of 1.25.
Maximum Height of Building	3 stories or 40 feet

**712.7 Special Provisions**

- A. Lot, yard and height requirements for residential shall be as required by ~~R-3 R-4~~ (See 709.6).

**712.8 Other Requirements**

Parking - See Article VI.

Signs - See Article V, Section 508.

## 713 NEIGHBORHOOD BUSINESS (B-1)

### 713.1 Purpose and Intent ~~Purpose and Intent~~ ~~Intent~~

This zone is intended to accommodate neighborhood shopping facilities to serve the needs of the surrounding residential area. Generally, they should be planned facilities and should be oriented to the residential neighborhood and should have a roadway system which will be adequate to accommodate the anticipated vehicular traffic.

### 713.2 Principal Uses

- A. Retail Sales and Service up to 5,000sf (See Section 714.7.C - Retail Sales and Service Uses) ~~Retail business and service establishments including grocery stores, self laundries, laundry and dry cleaning pick up stations where no laundry or dry cleaning is done on the premises.~~
- B. Eating Establishment (No Drive-Through)
- C. ~~Meat, fruit, and vegetable markets.~~
- D. ~~Drug and hardware stores.~~
- E. ~~Personal Service Establishments.~~
- F. ~~Athletic Club Facility.~~
- G. Professional Offices.
- H. ~~Bank, building and loan associations.~~
- I. ~~Indoor theaters.~~
- J. Micro-Brewery ONLY.
- K. Bed and Breakfast Home and Bed and Breakfast Inn.
- L. Short Term Rental Establishments: Hosted Home-Sharing and Dedicated Short Term Rental Establishments.
- M. Single Family Dwellings
- N. Day Care Center, Child
- O. Day Care Center, Adult
- P. Home Office/Home Occupation
- Q. Accessory Apartment

### 713.3 Accessory Uses

Uses and structures which are customarily accessory, clearly incidental and subordinate to permitted uses. 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.

#### **713.4 Conditional Uses**

- A. Automobile filling stations, restaurants, and cafes, and soda fountains.
- B. ~~Medium Density Residential. (See Special Provision 713.7)~~
- C. When abutting and accessible from State and Federal highways the following may be permitted: drive-in eating and drinking establishments, a restaurant or café, bowling alleys, billiards & pool halls, motels or hotels, and public garages for minor repairs only.
- D. Religious Institution Facility
- E. Convenience type stores provided that the primary items sold or rented are gasoline, household items, or food products for human consumption provided that the stores gross square footage floor area does not exceed four thousand (4000) square feet.
- F. Parking Garages and/or Commercial Parking Lots
- G. Eating Establishment (With Drive-Through)
- H. Retail Sales and Service over 5,000sf (See Section 714.7.C - Retail Sales and Service)
- I. Retail Sales and Service with a Drive Through or Pick-Up Window
- J. Telecommunications Structure

#### **713.5 Prohibited Uses**

All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal accessory, or conditional uses shall be prohibited.

#### **713.6 Lot, Yard, and Height Requirements**

Minimum Lot Size	No limitation
Minimum ROW Frontage	50 feet
Minimum Width at Building Line	No limitation
Minimum Front Yard	25 feet
Minimum Each Side Yard	No limitation except on lots adjacent to residential districts. In such a case, the B-1 parcel shall conform on the adjacent side yard to the requirements of the residential district.
Minimum Rear Yard	20 feet
Maximum Height of Building	2 ½ stories or 25 feet
Minimum Useable Open Space	No limitation
Maximum Lot Coverage	No limitation

**713.7 Special Provisions**

- A. Lot, Yard, and Height Requirements for Single-Family ~~Medium-Density~~ Residential shall be as required by R-1C ~~R-3.~~ ~~(See 700.6)~~

**713.8 Other Requirements**

Parking - See Article VI.

Signs - See Article V, Section 508.

## 714 CENTRAL BUSINESS DISTRICT (B-2)

### 714.1 Purpose and Intent ~~Purpose and Intent~~ Intent

This zone is intended to accommodate existing and future development in the Central Business District.

### 714.2 Principal Uses

- A. ~~Any use permitted in the B-1 zone, except as follows: filling stations, public garages, any business that consists primarily of a wholesale storage, warehousing, or manufacturing nature and any similar use which in the opinion of the Board of Adjustment would be detrimental to the orderly development of the Central Business District.~~
- B. Retail Sales and Service up to 5,000sf (See Section 714.7.C - Retail Sales and Service)
- C. Bar or Lounge
- D. Indoor Recreation and Entertainment
- E. Overnight Accommodations (Hotel, Motel Extended Stay Facility, Inn)
- F. Office Use
- G. Eating Establishment (No Drive-Through, Bar/Lounge with a Restaurant, Micro-Brewery/Class B Distiller with a Restaurant)
- H. College
- I. Community Services
- J. Day Care
- K. Health Care Facility
- L. Parks and Open Space
- M. Religious Institution
- N. School
- O. Safety Services
- P. Utilities (Basic)
- Q. ~~High density residential in 2<sup>nd</sup>-story and above~~
- R. **Micro-Brewery/Class B Distiller**
- S. **Bed and Breakfast Home and Bed and Breakfast Inn.**

- T. Short Term Rental Establishments: Hosted Home-Sharing and Dedicated Short Term Rental establishments.
- U. Single Family Detached Structure or Use (See Section 714.7.D - Residential Restrictive Area)
- V. Single-Family Attached Structure or Use (See Section 714.7.D - Residential Restrictive Area)
- W. Multi-Family Structure or Use (See Section 714.7.D - Residential Restrictive Area)
- X. Home Office/Home Occupation
- Y. Accessory Apartment (See Section 714.7.D - Residential Restrictive Area)

**714.3 Accessory Uses**

Uses and structures which are customarily accessory, clearly incidental and subordinate to permitted uses.

**714.4 Conditional Uses**

- A. Parking Garages and/or Commercial Parking Lots ~~filling stations.~~
- B. Eating Establishment (With Drive-Through)
- C. Retail Sales and Service over 5,000sf (See Section 714.7.C - Retail Sales and Service)
- D. Retail Sales and Service with a Drive Through or Pick-Up Window
- E. Telecommunications Structure
- F. 1<sup>st</sup> Floor Residential.
- G. Hotels and Motels (See 714.7B Special Provisions)

**714.5 Prohibited Uses**

All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal, accessory, or conditional uses shall be prohibited.

**714.6 Lot, Yard and Height Requirements**

Minimum Lot Size	Not applicable
Minimum ROW Frontage	Not applicable
Minimum Width at Building Line	Not applicable
Minimum Front Yard	Not applicable
Minimum Each Side Yard	Not applicable
Minimum Rear Yard	Not applicable
Maximum Height of Building	60 feet

## 714.7 Special Provisions

- A. Lot, Yard, and Height Requirements for High-Density Multi-Family Residential shall be as required by R-4. (See 710.6)
- B. Off-Street parking is required for Hotels and Motels at a ratio of one (1) space per suite, plus one (1) for each employee on maximum shift, with a minimum of five (5) spaces.
- C. Retail Sales and Service - Retail Sales and Service firms are involved in the sale, lease or rent of new or used products to the general public. They may also provide personal services or entertainment or provide product repair or services for consumer and business goods. Accessory uses may include offices, storage of goods, manufacture or repackaging of goods for on-site sale and parking.
  - 1. Examples include uses from the following groups:
    - a. Sales-Oriented: Stores selling, leasing or renting consumer, home and business goods including art, art supplies, bicycles, clothing, dry goods, electronic equipment, fabric, furniture, garden supplies, gifts, groceries, hardware, home improvements, household products, jewelry, pets, pet food, pharmaceuticals, plants, printed material, stationary and videos; food sales.
    - b. Personal Service-Oriented: Branch banks; laundromats and dry cleaners; urgent and emergency medical care; photographic studios; photocopy services; hair, tanning, nail, massage, reflexology, and personal care services; health clubs and gyms, business, martial arts and other trade schools; dance or music classes; taxidermists; funeral homes.
    - c. Repair-Oriented: Repair of televisions, bicycles, clocks, watches, shoes, and office equipment; laundry or dry-cleaner drop-off; tailor; locksmith; and non-vehicle upholsterer.
  - 2. Exceptions.
    - a. Lumberyards and other building material sales that sell primarily to contractors and do not have a retail orientation are classified as Wholesale Sales.
    - b. Sales facilities that use greater than 50 percent of the gross floor area for storage are classified as Wholesale Sales.
    - c. Sales or leasing of consumer vehicles including passenger vehicles, motorcycles, light and medium trucks and other recreational vehicles, construction equipment, manufactured housing/mobile home sales, heavy trucks are not permitted in the Central Business Zoning District.
    - d. Repair and service of consumer motor vehicles, motorcycles and light and medium trucks is classified as Vehicle Repair or Limited Vehicle Service. Repair and service of industrial vehicles and equipment and heavy trucks is classified as Industrial Service.



**714.8 Other Requirements**

Parking -See Article VI.

Signs - See Article V, Section 508.

## 716 HIGHWAY BUSINESS DISTRICT (B-4)

### 716.1 Purpose and Intent ~~Purpose and Intent~~ Intent

This zone is intended to provide for retail and other uses which are necessary to the economic vitality of the community but may be inappropriate in other zones. Special consideration should be given to the relationship of the uses in the zone to the surrounding land uses and to the adequacy of the street system to serve the traffic needs.

### 716.2 Principal Uses

- A. ~~Retail Business and Service establishments (See Section 716.7.A - Retail Sales and Service) These uses permitted in the B-1 District, including hotels/ motels, convenience stores/filling stations, restaurants, building supplies, lumber yards, produce stands, new and used automobile sales, and public garages.~~
- B. Animal hospitals, veterinarian clinics and kennels.
- C. ~~Planned Shopping Center Commercial greenhouses, and plant nurseries, garden centers including offices and sales yards.~~
- D. ~~Drive-In Or Drive-Through Eating and Drinking Establishment Drive-Thru eating and drinking establishments.~~
- E. Outdoor and indoor display and sales of farm implements, contractors' equipment, and mobile homes.
- F. Vehicle Service Limited and Car-washing establishments provided that surface water from such use shall not drain onto adjacent property or over a public sidewalk, and that adequate on site storage lanes and parking facilities shall be provided so that no public way shall be used for such purposes.
- G. ~~Vehicle Sales or leasing of consumer vehicles including passenger vehicles, motorcycles, light and medium trucks and other recreational vehicles, construction equipment, manufactured housing/mobile home sales, heavy trucks. Any other uses which are determined by the Board of Adjustment to be of the same general character as the permitted principal uses which will not be detrimental to the district in which they are located or to neighboring districts.~~
- H. Micro-Brewery/Class B Distiller
- I. Bed and Breakfast Home, Bed and Breakfast Inn, and Bed and Breakfast Farmstay Establishments.
- J. Short Term Rental Establishments: Hosted Home-Sharing and Dedicated Short Term Rental establishments.
- K. Religious Institution Facility
- L. Bar or Lounge
- M. Indoor Recreation and Entertainment

- N. Overnight Accommodations (Hotel, Motel Extended Stay Facility, Inn)
- O. Office Use
- P. Eating Establishment (No Drive-Through, Bar/Lounge with a Restaurant, Micro-Brewery/Class B Distiller with a Restaurant)
- Q. College
- R. Community Services
- S. Day Care Facility
- T. Health Care Facility
- U. School
- V. Safety Services
- W. Utilities (Basic)
- X. Telecommunications Structure

### **716.3 Accessory Uses**

Uses and structures which are customarily accessory to the principal uses permitted. 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.

### **716.4 Conditional Uses**

- A. Recreational activities such as:
  1. Billiards or pool halls
  2. Athletic club facilities
  3. Skating rinks
  4. Theaters
  5. bowling alleys
- B. Climate controlled personal indoor storage facilities, if in compliance with the following:
  1. Located in an existing structure consisting of greater than 80,000 square feet of space;
  2. Individual unit doors are not visible from any street or road; and
  3. Used for individual personal storage (not industrialized commercial storage.)
- C. Rehabilitation Home, Residential Care Facility or Group Living Facility
- D. Heavy Equipment Sales
- E. Medium Density Residential - Lot, yard, and height requirements for multi-family dwellings shall be as required by R-3. (Section 709.6)

## 716.5 Prohibited Uses

All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal, accessory, or conditional uses shall be prohibited.

## 716.6 Lot, Yard, and Height Requirements

Minimum Lot Size	Not applicable
Minimum ROW Frontage	50 feet
Minimum Width at Building Line	40 feet
Minimum Front Yard	30 feet
Minimum Side Yard	Not applicable
Minimum Rear Yard	30 feet
Maximum Height of Building	50 feet
Minimum Usable Open Space	No limitation
Maximum Lot Coverage	No limitation

## 714.7 Special Provisions

A. Retail Sales and Service - Retail Sales and Service firms are involved in the sale, lease or rent of new or used products to the general public. They may also provide personal services or entertainment or provide product repair or services for consumer and business goods. Accessory uses may include offices, storage of goods, manufacture or repackaging of goods for on-site sale and parking.

1. Examples include uses from the following groups:

- a. Sales-Oriented: Stores selling, leasing or renting consumer, home and business goods including art, art supplies, bicycles, clothing, dry goods, electronic equipment, fabric, furniture, garden supplies, gifts, groceries, hardware, home improvements, household products, jewelry, pets, pet food, pharmaceuticals, plants, printed material, stationary and videos; food sales.
- b. Personal Service-Oriented: Branch banks; laundromats and dry cleaners; urgent and emergency medical care; photographic studios; photocopy services; hair, tanning, nail, massage, reflexology, and personal care services; health clubs and gyms, business, martial arts and other trade schools; dance or music classes; taxidermists; funeral homes.
- c. Repair-Oriented: Repair of televisions, bicycles, clocks, watches, shoes, and office equipment; laundry or dry-cleaner drop-off; tailor; locksmith, and non-vehicle upholsterer.

2. Exceptions.

- a. Lumberyards and other building material sales that sell primarily to contractors and do not have a retail orientation are classified as Wholesale Sales.
- b. Sales facilities that use greater than 50 percent of the gross floor area for storage are classified as Wholesale Sales.

**716.8 Other Requirements**

Parking - See Article VI.

Signs - See Article V, Section 508.

## 717 HIGHWAY INTERCHANGE SERVICE BUSINESS (B-5)

### 717.1 Purpose and Intent ~~Purpose and Intent~~ Intent

The intent of the Interchange Service Business (B-5) zone is to permit the establishment of limited commercial facilities at limited access highway interchange areas so that the traveling public is conveniently provided with transient type services without endangering the movement along, as well as access to and from, the limited access highway. The standards contained in this article are intended to provide adequate protection for, and consideration of the traveling public.

### 717.2 Principal Uses

- A. ~~Planned Shopping Center~~ Automobile service stations.
- B. ~~Eating Establishment,~~ Restaurants, cafes, ~~and cafeterias.~~
- C. Hotels or Motels.
- D. Convenience type stores provided that the primary items sold or rented are gasoline, household items, or food products for human consumption ~~provided that the stores gross square footage floor area does not exceed four thousand (4000) square feet (Truck Stop / Heavy Vehicle Convenience Center prohibited in B-5 Zone, see Industrial Zone).~~
- E. ~~Drive-In Or Drive-Through Eating and Drinking Establishment~~ Gandy store.
- F. As adopted by the City of Midway, drive through restaurants provided inside seating is also available.
- G. As adopted by the City of Midway, commercial facilities designed to attract consumers from outside the immediate service area such as an outlet mall, factory outlet store, single product, or single manufacture store, not primarily designed to offer services or retail products to the community, and further that any development in the B-5 zone shall require the proposal to be a planned development requiring a site plan with uses being reviewed and approved by the Planning Commission.
- H. Retail Business and Services Establishments (See Section 717.7.A - Retail Sales and Service)
- I. Business and Professional Offices. (See P-1)
- J. Government Offices.
- K. Artisanal Workshops, including retail sales, storage and gallery space on premises.
- L. Computer repair, manufacturing, training.
- M. Business College, Technical or Trade School, and Schools for Academic Instruction.

- N. Athletic Club Facility.
- O. Mail Order Business.
- P. Micro-Brewery/Class B Distiller.
- Q. Day Care
- R. Health Care Facility
- S. Religious Institution
- T. RV Park (See Special Provision 717.7.B)
- U. Safety Services
- V. Utilities (Basic)

**717.3 Accessory Uses**

- A. 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.
- B. Swimming pools and meeting rooms when accessory to motels or hotels and other uses which are customarily accessory and incidental to any permitted principal use.

**717.4 Conditional Uses**

- A. Vehicle Sales or leasing of consumer vehicles including passenger vehicles, motorcycles, light and medium trucks and other recreational vehicles, construction equipment, manufactured housing/mobile home sales, heavy trucks. None
- B. Outdoor and indoor display and sales of farm implements, contractors' equipment or heavy equipment.
- C. Vehicle Service Limited
- D. Telecommunications Structure

**717.5 Prohibited Uses**

All uses, other than those specifically named as permitted uses, shall be prohibited in the B-5 zone.

**717.6 Lot, Yard and Height Requirements**

Minimum Lot Size	No applicable
Minimum ROW Frontage	50 feet
Minimum Width at Building Line	40 feet
Minimum Front Yard	30 feet

Least Side	Not applicable
Minimum Sum of Sides	Not applicable
Minimum Rear Yard	30 feet
Maximum Building Height	Not applicable

### 717.7 Special Provisions

- A. Retail Sales and Service - Retail Sales and Service firms are involved in the sale, lease or rent of new or used products to the general public. They may also provide personal services or entertainment or provide product repair or services for consumer and business goods. Accessory uses may include offices, storage of goods, manufacture or repackaging of goods for on-site sale and parking.
1. Examples include uses from the following groups:
    - a. Sales-Oriented: Stores selling, leasing or renting consumer, home and business goods including art, art supplies, bicycles, clothing, dry goods, electronic equipment, fabric, furniture, garden supplies, gifts, groceries, hardware, home improvements, household products, jewelry, pets, pet food, pharmaceuticals, plants, printed material, stationary and videos; food sales.
    - b. Personal Service-Oriented: Branch banks; laundromats and dry cleaners; urgent and emergency medical care; photographic studios; photocopy services; hair, tanning, nail, massage, reflexology, and personal care services; health clubs and gyms; business, martial arts and other trade schools; dance or music classes; taxidermists; funeral homes.
    - c. Repair-Oriented: Repair of televisions, bicycles, clocks, watches, shoes, and office equipment; laundry or dry-cleaner drop-off; tailor; locksmith; and non-vehicle upholsterer.
  2. Exceptions.
    - a. Lumberyards and other building material sales that sell primarily to contractors and do not have a retail orientation are classified as Wholesale Sales.
    - b. Sales facilities that use greater than 50 percent of the gross floor area for storage are classified as Wholesale Sales.
- B. The following Standards apply to all Recreational Vehicle (RV) Parks:
1. An RV Park may be established and maintained in accordance with the applicable Zoning District outlined in Article VII and KRS 219;
  2. RV Parks shall only be located in a Highway Interchange Service (B-5) or Light Industry (I-1) zoning district;
  3. Minimum Park Area. Twenty (20) acres;
  4. Maximum RV Spaces, Campsites and/or Cabins: One Hundred (100);
  5. All RV Parks shall be connected to public sanitary sewer and shall conform to appropriate Commonwealth of Kentucky Plumbing Code and Woodford County Health Department Rules and Regulations; and
  6. All campsites, buildings and structures shall be at least 100 feet from any property line.

### 717.7 Other Requirements

- Parking -See Article VI.  
Signs - See Article V, Section 508.

## 718 LIGHT INDUSTRIAL (I-1)

### 718.1 Purpose and Intent Purpose and Intent Intent

This zone is intended for manufacturing, industrial, and related uses not involving a potential nuisance in terms of smoke, noise, odor, vibration, heat, light, or industrial waste. The Comprehensive Plan should be used to determine the appropriate locations for this zone. Consideration should be given to the relationship of this zone to the surrounding land uses and to the adequacy of the street system to serve the anticipated traffic needs.

### 718.2 Principal Uses

- A. Industrial Service and Manufacturing - Light Only (See Section 718.7.C - Industrial Service, Manufacturing and Production)
- B. Wholesale Business or Sales.
- C. Warehouse or Self-Storage Facility.
- D. Laboratories.
- E. Assembly Plants.
- F. Machine Shops.
- G. ~~Manufacturing Plants, including but not limited to plants or facilities principally utilized for the manufacture of compost, soil conditions and/or other products having economic value by the conversion of waste material to the same.~~
- H. Mulch, Wood or Other Organic Composting Facility (KRS 224.1-010);
- I. Food Processing establishments.
- J. Other similar operations for making and preparing, canning, packing, and storing of items.
- K. Major automobile and truck repair.
- L. Professional offices, such as, Administrative, Executive and editorial offices, medical and dental offices and clinics, hospitals, general business and professional offices provided that there be no merchandise sold or offered for sale on the premises, real estate and insurance offices, governmental office buildings, post offices, telephone exchanges, utility companies, general research and medical laboratories not involving a manufacturer of fabrication or sales or products; providing also that such research is not obnoxious or offensive to nearby areas, radio and television stations, Business College, Technical, or Trade School, Schools for Academic Instruction, theatrical, studio, art galleries, museums, libraries, funeral homes, religious institutions, assembly halls, gymnasiums, and community centers.
- M. Computer Repair, manufacturing, training.

- N. Mail Order Business.
- O. Agricultural Marketing Center (See Article V, Section 510)
- P. Micro-Brewery/Class B Distiller
- Q. Distilled Spirit Production, Storage and other Distillery Related Uses
- R. Merchant Electric Generating Facility (KRS 278.700)
- S. Crematorium Facility
- T. Community Services
- U. Day Care Centers
- V. RV Park (See Special Provision 718.7.B)
- W. Safety Services
- X. Utilities (Basic)

### 718.3 Accessory Uses

Uses and structures which are customarily accessory, clearly incidental and subordinate to permitted uses. Accessory buildings/structures shall be permanently affixed to the ground and shall not include mobile home, bus, travel trailer, RV, trailer, cooler or vehicle.

### 718.4 Conditional Uses

- A. Recreational activities such as: billiards or pool halls; athletic club facility, fitness, exercise and sports centers.
- B. Truck terminals and freight yards.
- C. Contractor Equipment Rental.
- D. Wrecker Service and Vehicle Storage if in compliance with the following:
  1. That a fence be erected at least six (6) feet in height so that no vehicles stored on the premises shall be visible from the street or adjoining property.
  2. That individual vehicles shall not be present on the premises more than six months.
  3. There shall be no disassembly or salvaging of any of the vehicles.
  4. There shall be no sale of vehicles and/or automotive parts.
  5. Hazardous materials shall be contained in one area.
- E. Commercial Kennels and pet grooming.
- F. Restaurants, Cafes, Drive-In or Drive-Through Eating and Drinking Establishments) Restaurants with no drive through facilities.

- G. Retail Sales and Service up to 5,000sf (See Section 717.7.A - Retail Sales and Service)
- H. Truck Stop / Heavy Vehicle Convenience Center-Child-Care-Centers.
- I. Helistop.
- J. Commercial Woodlot.
- K. Adult Entertainment Establishments.
- L. Airports and Airstrips;
- M. Mine, Quarry or Borrow Pit;

**718.5 Prohibited Uses**

All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal, accessory, or conditional uses shall be prohibited.

**718.6 Lot, Yard, and Height Requirements**

Minimum Lot Size	No limitation
Minimum ROW Frontage	50 feet
Minimum Width at Building Line	No limitation
Minimum Front Yard	25 feet (City) 40 feet (County)
Minimum Each Side Yard	No limitation
Minimum Rear Yard	1 story 20 feet 2 stories 30 feet + 5 feet for each story over 3
Maximum Height of Building	<del>100</del> 50 feet <u>except in cases where a variance has been approved by the Board of Adjustment</u>
Minimum Useable Open Space	No limitation
Maximum Lot Coverage	No limitation

**718.7 Special Provisions**

- A. All uses shall be conducted in a complete privacy enclosed building, except for outdoor storage uses which shall be enclosed on all sides by a solid wall or fence not less than six (6) feet in height; except as provided for in Article V, Section 510.5 C for Agricultural Marketing Centers.
- B. All buildings and structures shall be at least 100' from any residential zone.
- C. Industrial Service, Manufacturing and Production
  - 1. Industrial Service firms are engaged in the repair or servicing of industrial, business or consumer machinery, equipment, products or by-products. Firms that service consumer goods do so by mainly providing centralized services for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site. Manufacturing and Production firms are involved in the manufacturing.

processing, fabrication, packaging or assembly of goods. Natural, man-made, raw, secondary or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants or to order for firms or consumers. Goods are generally not displayed or sold on site, but if so, they are a subordinate part of sales. Relatively few customers come to the manufacturing site.

2. Accessory activities may include offices, parking, employee day care, and storage, cafeterias, employee day care, employee recreational facilities, warehouses, storage yards, repair facilities, truck fleets and caretaker's quarters.

3. **Examples.**

a. Light Industrial Service - Welding; machine shop; tool repair; electric motor repair; repair of scientific or professional instruments; towing/ vehicle storage; heavy truck service/ repair; truck stop; general and other contractors; building, heating, plumbing or electrical contractors; exterminator; janitorial/ business maintenance services; research/ development laboratory; vehicle repair and vehicle body work (that does not include outdoor storage of parts or vehicles); recycling operations (that have limited or no outdoor storage).

b. Light Industrial Manufacturing and Production. Custom woodworking and cabinet making, printing, publishing, lithography, movie production, sign making, mulch and other wood products manufacturing, and other manufacturing processing, craft beverage or distilled spirit production; fabrication, packaging or assembly of goods (Light Industrial uses) 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.

c. Heavy Industrial Service - Sales, repair, storage, salvage or wrecking of heavy machinery, metal and building materials; auto and truck salvage and wrecking; auto and truck body shop; tire retreading or re-capping; recycling operations; fuel oil distributors; solid fuel yards; laundry, dry-cleaning, or carpet cleaning plants.

d. Heavy Industrial Manufacturing and Production. Processing of food and related products; craft beverage or distilled spirit production; slaughterhouses and meat packing; weaving or production of textiles or apparel; lumber mills, pulp and paper mills, and other wood products manufacturing; production of chemical, rubber, leather, clay, bone, plastic, stone or glass materials or products; concrete batching and asphalt mixing; production or fabrication of metals or metal products including enameling and galvanizing; manufacture or assembly of machinery, equipment, instruments, including musical

instruments, vehicles, appliances, precision items and other electrical items; production of artwork and toys; and production of prefabricated structures, including manufactured homes.

4. **Exceptions.**

- a. Contractors and others who perform services off-site are included in the Office category, if equipment and materials are not stored at the site and fabrication or similar work is not carried on at the site.
- b. Manufacturing of goods to be sold primarily on-site and to the general public are classified as Retail Sales and Service.
- c. Printing, publishing and sign-making operations where there is no outdoor component or outdoor storage associated with such use are classified as retail sales and service.

D. **The following Standards apply to all Recreational Vehicle (RV) Parks:**

- 1. An RV Park may be established and maintained in accordance with the applicable Zoning District outlined in Article VII and KRS 219;
- 2. RV Parks shall only be located in a Highway Interchange Service (B-5) or Light Industry (I-1) zoning district;
- 3. Minimum Park Area. Twenty (20) acres;
- 4. Maximum RV Spaces, Campsites and/or Cabins: One Hundred (100);
- 5. All RV Parks shall be connected to public sanitary sewer and shall conform to appropriate Commonwealth of Kentucky Plumbing Code and Woodford County Health Department Rules and Regulations; and
- 6. All campsites, buildings and structures shall be at least 100 feet from any property line.

**718.8 Other Requirements**

Parking - See Article VI.

Signs - See Article V, Section 508.

## 719 HEAVY INDUSTRIAL (1-2)

### 719.1 Purpose and Intent ~~Purpose and Intent~~ Intent

This zone is intended for manufacturing, industrial, and related uses, that involve potential nuisance factors. Consideration should be given to the relationship of this zone, to the surrounding land uses, and to the adequacy of the street system to serve the anticipated traffic needs.

### 719.2 Principal Uses

- A. Those uses permitted in the I-1 District.
- B. Industrial Service and Manufacturing – Light or Heavy (See Section 718.7.C – Industrial Service, Manufacturing and Production) ~~Tourist Destination~~
- C. Truck Stop / Heavy Vehicle Convenience Center

### 719.3 Accessory Uses

Uses and structures which are customarily accessory, clearly incidental, and subordinate to permitted uses. Accessory buildings/structures shall be permanently affixed to the ground and shall not include mobile home, bus, travel trailer, RV, trailer, cooler or vehicle.

### 719.4 Conditional Uses

- A. Any industrial use not in conflict with other ordinances, including central mixing plants, foundries, etc.
- ~~B. Shops of special trade including the manufacturing, compounding, assembling, processing, packaging, or similar treatment of such products as: bakery goods, candy, ceramics, pottery, china, weaving, painting, cooperage, woodworking, and other similar trades. Retail sales of products made on the premises are permitted.~~
- C. Heliport
- D. ~~Tourist Destination-Expanded~~

~~A unique, regionally recognized existing landmark or historic structure that is primarily known for its existing architectural significance and/or uniqueness, that promotes tourism and the overall economy, which naturally draws the general public as a destination that meets the criteria of a Tourist Destination as defined herein with the following special allowances:~~

- ~~1. Overnight accommodations to guests may be permitted by the Board of Adjustment, with the number of guest rooms exceeding 10 but as stipulated and approved by the Board of Adjustment.~~
- ~~2. A restaurant serving registered overnight guests and/or the public, with the number of seats for patrons exceeding 75 but as stipulated and approved by the Board of Adjustment.~~

~~3. Special events, including charitable events, receptions, parties, corporate picnics, weddings, or any other events/activities which are determined by the Agricultural Advisory Review Committee to be of the same general character as those listed herein, are allowed but the number of such events may exceed 7 per week or with more than 2 held on any one day as stipulated and approved by the Board of Adjustment.~~

**719.5 Prohibited Uses**

All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal, accessory, or conditional uses shall be prohibited.

**719.6 Lot, Yard, and Height Requirements**

Minimum Lot Size	No limitation
Minimum ROW Frontage	50 feet
Minimum width at Building Line	No limitation
Minimum Front Yard	25 feet (City) 40 feet (County)
Minimum Each Side Yard	No limitation
Minimum Rear Yard	1 story 30 feet 2 stories 35 feet 3 stories 40 feet + 5 feet for each story over 3
Maximum Height of Building	<del>100</del> 50 feet <del>except in cases where a variance has been approved by the Board of Adjustment</del>

**719.7 Special Provisions**

Same as I-1.

**719.8 Other Requirements**

Parking - See Article VI.

Sign - See Article V, Section 508.

## **720 ARCHITECTURAL REVIEW BOARD & HISTORIC OVERLAY DISTRICTS (HD)**

### **720.1 Purpose and Intent**

Within zones now existing or hereafter created as shown on the zoning map atlas, it is intended to permit, by amendment to the zoning map atlas and establishment of suitable regulations, the creation of Historic Overlay Districts to give protection to certain areas or individual structures and premises designated as having substantial historic or architectural or cultural significance. Such districts and regulations are intended to protect against destruction, degradation, or encroachment upon the areas, structures and premises designated to be of substantial historic significance; to encourage the adaptation of existing buildings to current use; to encourage construction which will lead to their continuance, conservation, and improvement in a manner appropriate to the preservation of the historic heritage of Woodford County, and the Commonwealth of Kentucky. To promote the economy by maintaining tourist attractions; to prevent creation of environmental influences adverse to such purposes; and to assure that new structures and alterations to existing structures within Historic Overlay Districts will be in keeping with the character to be preserved and enhanced.

Historical preservation of old and historic districts superimposed over another zoning district wherein the restrictions of the zoning district are further enhanced by the regulations in keeping with the historical preservation of the district.

### **720.2 Purpose of Historic Overlay Districts**

The districts described herein are an overlay of land use regulations and are supplemental to existing zoning ordinances, subdivision regulations and site plan requirements. These overlay districts and regulations are intended to address land or structures that have substantial historic value and are located within a specific geographic area. The special characteristics of the geographic area require regulations that would be different from any other geographic area within Woodford County.

### **720.3 Legislative Authority**

The legislative authority for the creation and application of overlay districts is Kentucky Revised Statutes, Chapter 86. However, the method by which such districts may be created by ordinance shall be as specified in Kentucky Revised Statutes, Chapter 100.211.

### **720.4 Old and Historic Districts (HD)**

- A. A new overlay district is hereby created to be called "Business Old and Historic-1."
- B. A new overlay district is hereby created to be called "Residential Old and Historic - 1."
- C. A new overlay district is hereby created to be called "Residential Old and Historic - 2."

### **720.5 Use Regulations**

- A. A building or premises located in a Business Old and Historic-1 district may be used for any use permitted in the present B-2 District regulations.

- B. A building or premises located in the Residential Old and Historic-1 District shall be used only for uses permitted in the present Residential (R-1A) District regulations.
- C. A building or premises located in the Residential Old and Historic-2 District shall be used only for the following purposes:
  - 1. Any use permitted in the present Residential (R-1A) District regulations.
  - 2. For offices such as that of a physician, dentist, musician, engineer, or other professional person, government offices, banks, building and loan association, insurance offices, studios, tearooms, gifts, antique, book, and handicraft shops and other similar purposes, provided that no alterations other than those necessary to assure the safety of the structure shall be made to any buildings for the purpose of maintaining such accessory uses unless approved by the Board of Architectural Review hereinafter created. Where a non-residential use is permitted, the yard regulations in the P-1 District shall apply. (See Section 712.6)

## 720.6 Definitions

As used in Section 720, the following terms shall mean:

**Addition** - New construction attached to an existing structure.

**Alteration** - Any construction, replacement or change to the exterior of a building or structure. An alteration shall include a proposed sign or change to an existing sign.

**Appropriate** - Meaning especially suitable, compatible, or fitting. Changes to historic properties are evaluated for appropriateness during the design review process.

**Architectural Feature** - A prominent or significant part of a building, structure or site.

**Board** - The Versailles-Midway-Woodford County Board of Architectural Review (BOAR).

**Building** - Any structure designed or constructed for residential, commercial, industrial, agricultural or other use.

**Certificate of Appropriateness** - The permit, issued by the Board of Architectural Review, which gives its approval for work or demolition to be done in a historic district or on a landmark. The Certificate shall also delineate any conditions imposed by the Board in approving the request. In order to grant a Certificate, the Board shall consider all circumstances related to the proposal, and may grant the Certificate if it finds that the proposed changes are consistent with the guidelines adopted by the Board.

**Character** - The qualities and attributions of any structure, site, or district which separate and distinguish the individual from its context.

**Characteristic** - A quality or aspect of an element, component, structure, site, street, or district which distinguishes individual elements, structures, sites, streets, and districts from their context.

**Commission** - The Versailles-Midway-Woodford County Planning Commission.

**Conservation** - The protection and care that prevent destruction or deterioration of historical or otherwise significant structures, buildings, or natural resources.

**Construction** - The act of placing an addition on an existing structure or the erection of a new principal or accessory structure on a lot or property.

**Demolition** - Any act that destroys in whole or in part a landmark or building in a historic district.

**Design Guideline** - A standard of appropriate activity that will preserve the historic and architectural character of a structure or area.

**Historic District** - An area of architectural, historical, or cultural significance.

**Infill** - A type of construction which fills in vacancies found in sites, streets, and districts created by earlier demolition of historic buildings. Infill describes the insertion of new components and structures into vacancies.

**Landmark** - A building or structure of architectural, historical, or cultural significance.

**Landscape** - Site features including topography, transportation patterns, vegetation, etc. A landscape may be an important historic property for communication contexts.

**New Construction** - An addition to an existing building or structure or the construction of a new building or structure.

**Ordinary Maintenance and Repairs** - Any work, the purpose of which is to correct deterioration or to prevent deterioration of a designated historic property. The work shall restore the property to its appearance prior to deterioration or shall result in the protection of its present appearance. The work shall involve the use of the same building materials or available materials of that era as close as possible to the original. Work that changes the external appearance of a property shall be considered an alteration.

**Preservation** - Retaining, the historic integrity of a building, site or structure through reconstruction, restoration, rehabilitation, adaptive use or compatible design.

**Reconstruction** - Reproducing by new construction the exact form and detail of a vanished structure, or part thereof as it appeared at a specific period of time.

**Rehabilitation** - To restore a building or structure to a good condition for a new purpose. The activity involves the retention and repair of historic elements.

**Restoration** - To return a building, structure, or site to its original condition.

**Removal** - A relocation of a structure to another position on the same site or to another site.

**Re-Use** - Use again.

**Setting** - The time, period and physical environment reflected by historic elements, sites, structures, streets and districts.

**Street** - Any public or private right-of-way, twenty five (25) feet or more in width, dedicated to vehicular and pedestrian movement, and which may also provide space for the location of under or above ground utilities, the word street shall include the words road, highway, and thoroughfare. (Not to include Alleys).

#### **720.7 Certificate of Appropriateness**

- A. In order to promote the general welfare through the preservation of historical places and areas of historical interest, no building in a Historic Overlay District shall be constructed, reconstructed, altered, restored, or razed, and no building lot in said districts shall be altered or improved unless a Certificate of Appropriateness (in addition to the building permit required by other provisions) shall first have been issued by the Board of Architectural Review hereinafter created.
- B. Evidence of such required approval shall be a Certificate of Appropriateness issued by the Board of Architectural Review as created herein. Such certificate shall be a statement signed by the Chairman of the Board of Architectural Review stating that:
  - 1. The exterior architectural features of the proposed construction, reconstruction, alteration, restoration or use for which application has been made are approved by the Board of Architectural Review, or,
  - 2. That the building proposed to be razed is structurally unsound beyond economic repair or of insufficient historical or architectural significance.

#### **720.8 Board of Architectural Review**

- A. A Board of Architectural Review is hereby established. Such Board shall consist of five members. Preferred experience for members is in the areas of historic preservation or a preservation related profession (architecture, history, archaeology, landscape architecture, architectural history, planning or related field). The Mayor of Versailles shall appoint two members, the Mayor of Midway shall appoint one member, and the Woodford County Judge-Executive shall appoint two members. All appointments shall be with the approval of the respective legislative bodies. The term of office of the members shall be for two (2) years, except the terms of two of the original appointments, one each from the City of Versailles and Woodford County, shall expire within one (1) year of the original appointment. ~~Any appointment to fill a casual vacancy shall be only for the unexpired portion of the term.~~
- B. The Board of Architectural Review shall elect a Chairman and Secretary from its membership and shall keep minutes and records of all meetings and actions by the Board and shall establish and maintain bylaws and fees.
- C. ~~Applications for a Certificate of Appropriateness should be turned into the Planning Director no later than 10 days prior to the scheduled meeting of the Board of Architectural Review, for their consideration.~~
- D. The Board of Architectural Review may from time to time utilize the services of experts in the fields of architecture, history, engineering, and similar fields to advise and direct the Board in its actions and serve as ex-officio members of

the Board.

- E. All members shall be reimbursed for any necessary authorized expenses.
- F. It shall be the function and duty of the Board of Architectural Review to pass upon the appropriateness of exterior architectural features of buildings and structures and signs and other exterior fixtures hereafter constructed, reconstructed, altered, restored, or razed in the Historic Overlay District, wherever such exterior features are subject to public view from a public street right of way.
- G. ~~Any person or entity claiming to be injured or aggrieved by any final action of the Board of Architectural Review shall appeal from the action to the circuit court of the county in which the property, which is the subject of the action of the Board of Architectural Review lies. Such appeal shall be taken within thirty (30) days after the final action of the Board of Architectural Review. All final actions which have not been appealed within thirty (30) days shall not be subject to judicial review. The Board of Architectural Review shall be a party in any such appeal filed in the circuit court.~~
- H. ~~For failure to comply with any of the requirements set forth herein, the Penalties for Violation, Article III, Section 304, shall apply.~~

#### **720.9 Review of Plans**

- A. All plans (scaled drawings), elevations, site plans, photographs, materials list, and other information necessary to determine the appropriateness of the architectural or other features of proposed plans, to be passed upon, together with a copy of the application for a building permit, shall be made available to the Board of Architectural Review through the office of the Planning Commission.
- B. The Board of Architectural Review in passing upon cases shall consider, among other things, the general design, arrangement, texture, and material of the building or structure in question and the relation of such factors to similar features of buildings in the immediate surroundings. The Board of Architectural Review shall not consider detailed design; relative size of buildings in plan, interior arrangement; or building features not subject to public view; nor shall it make requirements except for the purpose of preventing development incongruous to the old historic aspects of the surroundings.
- C. In order to satisfy the intent of the Historic Overlay Districts, the Board of Architectural Review shall utilize the Secretary of the Interior's Standards for Rehabilitation, attached hereto as Appendix A, and the Design Guidelines attached hereto as Appendix B.
- D. In case of disapproval, the Board of Architectural Review shall state the reasons therefore in a written statement to the applicant and may advise the applicant and make recommendations thereto in regard to appropriateness of design, arrangement, texture, materials, and the like of the property involved.

**720.10 Approval**

Upon the approval of the plans, the Board of Architectural Review shall forthwith transmit a report to the Planning Director stating the basis upon which such approval was made and if applicable, cause a Certificate of Appropriateness to be issued to the applicant. If the Board of Architectural Review shall fail to take final action upon any case within forty-five (45) days from the date of application for permit, except where mutual agreement has been made for an extension of the time limit, the application for permit shall be considered approved. The property owner shall obtain permits, when required, and commence work on all work authorized by the Certificate of Appropriateness within one (1) year from the issuance of the Certificate.

**APPENDIX A1  
Secretary of the Interior's Standards**

**APPENDIX A2  
Design Guidelines**

**(SEE APPENDIX SECTION OF ZONING ORDINANCE)**

## ~~721 CONSERVATION DISTRICT (CO-1) (MOVED TO SECTION 702)~~

### ~~721.1 Preamble~~

~~The Conservation District (CO-1) is intended to promote and protect significant natural features, wooded areas, water courses, existing and potential lake sites, other recreation and conservation resources, wildlife habitat, present and future water supplies, and to minimize erosion of soil, siltation and pollution of streams and lakes.~~

### ~~721.2 Permitted Uses~~

~~Within any CO-1 Conservation District, no building or premises shall be used or arranged, or designed to be used except for one or more of the following uses which shall be subject to all regulations and requirements for permit of this ordinance.~~

~~A. Lakes (artificial).~~

~~B. Public or private picnic grounds, beaches, bridle and bicycle paths.~~

~~C. Public parks and forest preserves.~~

~~D. Agriculture and agricultural buildings.~~

~~E. Single family dwellings.~~

### ~~721.3 Accessory Uses~~

~~Accessory uses and structures customarily incidental to any principal use located on the same lot therewith such as agricultural structures, tenant homes, private garages, private stables or parking areas, not including any business, trade or industry.~~

### ~~721.4 Conditional Uses~~

~~The following uses may be permitted as conditional uses in the CO-1 District by the Board of Adjustment after public hearing. Such conditional uses shall be subject to any requirements the Board of Adjustment feels necessary to further the purpose of the Conservation District as stated in the preamble.~~

~~A. Public utility substations, booster stations, radio and television relay towers, repeater stations, etc., but not including power generation or gas manufacturing plants.~~

~~K. Private Camps/ Campgrounds~~

~~L. Mobile Homes of a temporary, seasonal nature.~~

~~M. Bed and Breakfast Home, Bed and Breakfast Inn, and Bed and Breakfast Farmstay Establishments.~~

~~N. Short Term Rental Establishments: Hosted Home Sharing and Dedicated Short Term Rental Establishments.~~

~~O. Marinas.~~

**721.5 Prohibited Uses**

All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal accessory or conditional uses shall be prohibited.

**721.6 Lot, Yard, and Height Requirements**

Minimum Lot Size	30 Acres*
Minimum ROW Frontage	100-150 feet
Minimum Width at Building Line	150-200 feet
Minimum Front Yard	75-80 feet
Minimum Each Side Yard	25 feet
Minimum Rear Yard	50 feet
Maximum Height of Building	2 stories or 35 feet
Maximum Density	1 dwelling per 5 acres

\*A tract of land that is at least a minimum of 30 acres in size, and that is partially zoned A-1 (Agricultural) and partially zoned CO-1 (Conservation), is also considered to meet the minimum lot size requirements of this zone.

**721.7 Special Provisions**

- A. No building shall be erected within fifty (50) feet of the right of way of any public street, road or highway, nor within fifteen (15) feet, or one foot for each foot of building height, whichever is the greater, of any lot line.
- B. Any building to be located in possible flood lands shall be so placed as to offer the minimum obstruction to flow of waters and shall be firmly anchored to prevent the building from being moved or destroyed by the flow of water (See Article X).
- C. A Rural Residential shall only be allowed in a CO-1 zone provided rezoning application has been made to, and approved by, the Versailles-Midway-Woodford County Planning and Zoning Commission. (See Section 703).
- D. It shall be provided that in family conveyances shall be permitted at a density that shall not exceed one (1) dwelling for each five (5) acres. In family conveyance shall be defined as a tract to be continuously occupied by an immediate family member. It shall be comprised of a lot no smaller than one (1) acre in size, with access to an existing public road through an existing private driveway to be shared with the original residence, through a platted and recorded access easement of fifteen (15) feet, or, the in family lot can be comprised of a lot no smaller than five (5) acres in size with frontage on an existing public road or if the nearest property line of any new lot is within four hundred (400') feet of the centerline of an existing public road; with a limit of no more than two (2) in family lots fronting on an existing public road and sharing a common entrance; and which meets all health and sanitation regulations in effect contained herein, and provided further that the number of lots be limited to one lot in Woodford County per each immediate family member's lifetime and that such family member shall hold title to the tract so conveyed for at least five (5) years, if said conveyance is made to a minor, the five (5) year restriction for holding title begins when the minor turns eighteen (18), and should the family member, within five (5) years, re-convey the tract

~~to anyone other than to the person or persons from whom it was received, then such deed of re-conveyance shall be void, and provided further, that all such deeds from a farm owner to a family member shall contain a restrictive covenant stating clearly the five (5) year restriction for holding title and stating that any conveyance prior to said five (5) years shall be void, and any deed from a farm owner be provided further that in the case of a judicial sale the restriction on re-conveyance shall not apply. On farms where in family conveyances are permitted, all lots shall be counted against the sliding scale of "Lots to be Sold" as defined in Section 703.11 (A). In no case shall any farm of 100 acres or more be permitted to have more than fifteen (15) in family conveyance lots.~~



ON THURSDAY, OCTOBER 9, 2025, THE VERSAILLES-MIDWAY-WOODFORD COUNTY PLANNING AND ZONING COMMISSION HELD A MEETING AT 6:30 PM IN THE 2nd FLOOR COURTROOM OF THE COURTHOUSE.

Madam Chair Perry called the meeting to order at 6:30 p.m.

#### **PLEDGE OF ALLEGIANCE**

**Members Present:** Chad Wells, Patty Perry, Rich Schein (via Zoom), Tim Middleton, Whitney Stepp, Floyd Greene. **Members Absent:** Randal Bohannon, Chris Sharp

PC Staff attorney Henry Smith was present.

**MINUTES:** Motion was made by Mr. Greene, as seconded by Ms. Stepp to approve the September 11, 2025 minutes, as submitted. Motion carried with seven (7) aye votes.

#### **NON-PUBLIC HEARING ITEMS**

29:11 Versailles LLC, Edgewood Farm LLC, City of Versailles, Hardin Field III Irrevocable Trust #1 and Hardin & Virginia Field have applied for an approval of a Subdivision (Major Plat) on tracts of land containing 68.310 acres located at 1218 & 1450 Lexington Road, Versailles, KY. The property is zoned Highway Business (B-4).

Madam Chair called upon Steve Hunter, Planning Director for comments. Mr. Hunter noted that the Commission had seen the development plan for this property at the September meeting. Mr. Hunter shared aerials and zoning map on the monitors. Mr. Hunter noted that this was a major plat because it showed future new infrastructure by way of the road. The plat also showed the proposed right-of-way that ran east to west. Mr. Hunter noted that it went to TRC in preliminary fashion and was now in front of the Commission in final plat fashion. Mr. Hunter noted that because some of the processes were changed there was still a lot left to do and he shared the process list. Mr. Hunter noted that the developer's representative was present to answer questions. Ms. Stepp asked Mr. Hunter to address public concern as to whether not there would be a public hearing on this. Mr. Hunter noted that there would not be a public hearing on plats that took place when it was rezoned. No further comments.

Madam Chair asked if anyone was prepared to take action.

**Motion was made by Mr. Wells, as seconded by Ms. Stepp to approve application for 29:11 Versailles LLC, Edgewood Farm LLC, City of Versailles, Hardin Field III Irrevocable Trust #1 and Hardin & Virginia Field for a Subdivision (Major Plat) on a tract of land containing 68.310 acres located at 1218 & 1450 Lexington Road, Versailles, KY. The property is zoned Highway Business (B-4). No further discussion. Motion carried with seven (7) aye votes.**

#### **PUBLIC HEARING ITEMS**

**TABLED ITEM FROM PRIOR MEETING** - The Versailles-Midway-Woodford County Planning Commission has filed a Zoning Ordinance Text Amendment related to Articles II & VII of the Versailles-Midway-Woodford County Zoning Ordinance.

Mr. Hunter noted that the item was postponed due to an error by the newspaper. They ran the wrong ad in the October 2, 2025 edition. The item will be placed on the November agenda.

**COMMUNICATIONS & OTHER BUSINESS:**

**BILLS – October**

Mr. Wells questioned what was added to the list. The City of Versailles bill for engineering services was added after packets were mailed. The amended report was accepted.

**MONTHLY BUDGET REPORT/PROFIT LOSS – September 2025**

The reports were accepted.

**CONSTRUCTION SURETIES – September 2025**

**PERMITS ISSUED – September 2025**

The report was accepted.

Motion was made by Ms. Stepp, as seconded by Mr. Green to adjourn the meeting at 6:42 p.m. The motion carried with seven (7) aye votes.

  
\_\_\_\_\_  
Patty Perry, Chair

PP:ko

**Motion was made by Mr. Schein, as seconded by Ms. Stepp to approve The Versailles-Midway-Woodford County Planning Commission Zoning Ordinance Text Amendment related to Articles VIII & X of the Versailles-Midway-Woodford County Zoning Ordinance. No further discussion. Motion carried with nine (9) aye votes.**

**TABLED ITEM FROM PRIOR MEETING - The Versailles-Midway-Woodford County Planning Commission has filed a Zoning Ordinance Text Amendment related to Articles II & VII of the Versailles-Midway-Woodford County Zoning Ordinance.**

**Motion was made by Mr. Bohannon, as seconded by Ms. Stepp to un-table The Versailles-Midway-Woodford County Planning Commission Zoning Ordinance Text Amendment related to Articles II & VII of the Versailles-Midway-Woodford County Zoning Ordinance. Motion carried with nine (9) aye votes.**

Vice Chair Wells called upon Mr. Hunter for comments. Mr. Hunter distributed a sheet to the Commission that had A-1 at the top. Mr. Hunter noted that the Advisory Committee had meet on two separate occasions for a total of four hours to discuss this item. Mr. Hunter reviewed the history of the amendments to Article II and VII. Mr. Hunter noted that changes were made in the committee meeting today that was not available for the full Commission to review. Mr. Hunter noted that the in-family conveyance verbiage as amended by the court directive was in front of the Commission with an option A and B. Mr. Hunter noted that the recommendation from the committee was to place a two year hold on the primary parcel and ten year hold on the conveyed parcel. Mr. Hunter deferred to Mr. Bohannon, chair of the Advisory Committee, for further comment. Mr. Bohannon reiterated the options. Ms. Stepp questioned the rationale for going with two years given there is an exception for hardship and the judicial action. Mr. Sharp noted that if you have a conforming tract of 30 acres or once or if this was adopted, that conforming tract of 30 acres, which is as small of a tract it could go to, is conforming. So with that being conforming, that lot should be allowed to do with at any given time. Mr. Sharp noted the two years was a compromise on the committee to not have an immediate sale, but give leeway to the owner to sell it a quicker point in time. Hardship or judicial, Mr. Sharp didn't think that really comes into play with just giving the individual the freedom to sell a conforming tract of 30 acres at any point in time that they want to whether or not it's the day of the approval of an in-family conveyance. Mr. Schein noted that he thought the conveyance thirty plus years ago was about the possibility to stay on a farm and have their kids have land as well, and that's gone. Mr. Hunter noted that farming industry in this county is protected as stated in the purpose statement and the Comprehensive Plan was clear that we are in the business of preserving farmland and family farms. Mr. Hunter believed that we were going about this backwards and it should start with the Comprehensive Plan and the exception lot rule ran 100% afoul of the Goals and Objectives. Mr. Smith suggested changing paragraph five, when talking about exceptions, change it to parties of the original in-family conveyance plat application, strike "due judicial action" and make it "pursuant to court order or arising from substantial hardship". Mr. Smith also suggested language for paragraph 7, to clarify what the restrictions are and should read, "the in-family conveyance lots restrictions in paragraph five as well as a note of ineligibility for further in-family conveyance shall be recorded".

Vice Chair Wells asked if anyone from the public wished to speak.

Lori Garkovich, noted that she wanted to speak about in-family conveyance and had questions regarding solar panels in the A-1 district. Ms. Garkovich questioned who determines a substantial hardship? What is the definition of substantial hardship and who determines that. Ms. Garkovich believed that when those things are not answered in the ordinance then it creates opportunities for litigation. Ms. Garkovich noted that you can't take four acres from 32 acres, because that would put you below 30 acres. Ms. Garkovich noted that Kentucky ranks 11th in the nation in the percentage of land in principal cover crops, 24.1%. That's almost a 4% decline, that was in 2025 and that was almost a 5% decline from the 2020 estimate of that of coverage by principal crops in all of Kentucky. But if you drive around Woodford County, you realize we have a lot of cover crops and think about what's happening to them. Secondly, she pointed out that Woodford County farm income net cash income from farming \$78.379 million, from crop sales, \$16.355 million, Animal sales, \$219.47 million, and this was from the 2023 ag census 2021 direct to consumer sales 1.6 million and ag tourism 1.446 million. Ms. Garkovich noted that it just so happens that there are 1861 hired hands and 1403 producers. She suggested that farming was a viable economic activity in Woodford County, otherwise it would be hard to produce those kinds of numbers. Ms. Garkovich wanted clarity on which option the Commission was going to take and how it was phrased and how they were going to define substantial hardship. Ms. Garkovich addressed the use of solar panels for large scale merchant type in the agriculture zone. She noted one problem in the Ordinance and that was ground mounted solar panel systems were a primary use in A-1 and Conservation districts on tracts of land less than 10 acres. Mr. Hunter noted that was for private solar. Ms. Garkovich suggested tightening the language so the tract is not covered with just solar panels.

No further public comment. Vice Chair Wells closed the public hearing. Mr. Schein addressed the definition of hardship and a mechanism of adjudication that would take care of that. Mr. Smith noted that the Commission would not define substantial hardship because that would be a case by case basis. Mr. Hunter noted that it was a deed restriction. Mr. Smith noted that it could be the Commission because they were empowered by KRS to take action. The Commission agreed to Option A (one and two lots) by a vote of 6-3 and agreed to the five and ten year hold by a vote of 5-4. Vice Chair Wells reminded the Commission that Mr. Smith recommended language in numbers 5 and 7. Mr. Hunter noted that the City of Versailles had sent over changes in Article VII in relation to the R zones and the Advisory Committee looked at that today but the full Commission had not gone through it. There was discussion on how and when to send the amendments to the legislative bodies.

Vice Chair Wells asked for a motion to table until next month.

**Motion was made by Mr. Greene, as seconded by Mr. Curl to table action of the Zoning Ordinance Text Amendment related to Articles II & VII of the Versailles-Midway-Woodford County Zoning Ordinance until the October 9, 2025 meeting to review and for action. No further discussion. Motion carried with nine (9) aye votes.**

#### **COMMUNICATIONS & OTHER BUSINESS:**

##### **Construction Sureties**

Anderson Troy Pike LLC. – Vice Chair Wells called upon Mr. Hunter for comment. Mr. Hunter noted that this was a late addition to the agenda and distributed a copy of the contract to Commissioners. Mr. Hunter

noted that they were ready to start construction and part of our process is the developers have to sign a contract and do a bond estimate, fee and post the surety. Mr. Hunter noted that going forward we are going to make sure we get Planning Commission action on that. The construction fee would be \$24,718 and the bond amount would be 20% of 2,471,839. Mr. Hunter asked the Commission to accept a Corporate Surety Bond (Insurance Bond) in the amount of \$494,386 for grading, utility and street related items. We would need the Commission chair to sign the developer agreement. Mr. Smith asked to have a day to review the bond.

**Motion was made by Mr. Schein, as seconded by Mr. Middleton to accept the surety bond for Anderson Troy Pike LLC as presented in this meeting and authorize the chair to sign the developer contract/agreement. No further discussion. Motion carried with nine (9) aye votes.**

#### **Housing Study Contract**

Mr. Hunter noted that they did get in touch with Dr. Davis and selected a consultant to do the housing study, Blueprint Kentucky. Mr. Smith received the contract today. Mr. Smith noted that they tried to get the time frame moved from June to January and there would be added costs with that and maybe we weren't interested in those added costs so the June completion date was fine. The Commission has a copy of the contract and Mr. Smith requested any feedback on subsection A in the deliverable.

**Motion was made by Mr. Schein, as seconded by Mr. Middleton to accept the contract with Blue Print Kentucky contingent upon staff counsel review and authorize the Planning Commission Chair to sign. No further discussion. Motion carried with eight (8) aye votes and one (1) abstention (Stepp).**

#### **BILLS – September**

The report was accepted.

#### **MONTHLY BUDGET REPORT/PROFIT LOSS –August 2025**

The reports were accepted.

#### **CONSTRUCTION SURETIES – August 2025**

#### **PERMITS ISSUED – August 2025**

The report was accepted.

**Motion was made by Ms. Stepp, as seconded by Mr. Greene to adjourn the meeting at 9:00 p.m. The motion carried with nine (9) aye votes.**



Chad Wells, Vice Chair

CW:ko

the 284 acres to only get 15 lots. Madam Chair noted that is what was presented to the Commission at that time.

Madam Chair asked if anyone was prepared to take action.

**Motion was made by Mr. Bohannon, as seconded by Ms. Stepp, to deny the Walter Schott application to rezone property on a tract of land containing 184.665 acres located at 2705 Scotts Ferry East Road based on the adoption of the Findings of Fact and Conclusions of Law as provided to the Commission by their counsel: In summary of the following full Findings, and in support of recommending Denial of this Application, the Commission finds that the Applicant has not demonstrated conformity with the Comprehensive Plan, with its emphasis on more centralized residential development and preservation of agricultural lands; and the Applicant made no arguments regarding major, unanticipated changes justifying the amendment or that current zoning is inappropriate and proposed zoning is instead appropriate and based on the evidence heard at the July 10, 2025 hearing. The requested Zone Change was from Agricultural (A-2) to Rural Residential/ Residual Farmland (RR).**

Madam Chair asked if there was any further discussion. Mr. Sharp questioned if there would be any further development allowed on the tract if the 14 lots were allowed on this piece of property and if the Comprehensive Plan were to change to incorporate the 184 acres; would that allow for future development even though it states tonight that it will not be allowed for future development? Mr. Hunter noted that if the Planning Commission made a decision tonight they would be basing it on the Comprehensive Plan as we as the prior approval, and again that it was established there were no future development rights. Mr. Hunter noted that the Zoning Ordinance states a farm and not a parcel or lot and the farm was based on their size and date. Mr. Sharp questioned if the property were to be in the Urban Service Boundary, would the lots be allowed? Mr. Hunter noted that it was hard to say what would happen in the future and there are different rules in the USB. No further discussion.

**Motion carried with seven (7) aye votes (Wells, Schein, Stepp, Bohannon, Curl, Greene, Perry), one (1) nay vote (Sharp) and one (1) abstention (Middleton).**

**TABLED ITEM FROM PRIOR MEETING - The Versailles-Midway-Woodford County Planning Commission has filed a Zoning Ordinance Text Amendment related to Articles II & VII of the Versailles-Midway-Woodford County Zoning Ordinance.**

Madam Chair noted that the Commission had sent an amendment to the Fiscal Court and they sent it back with directives for basically the only things that they were concerned about. Mr. Hunter noted that other things in the A-1 zone were housekeeping in general and the Court focused on the In-family Conveyance language. Madam Chair asked MR. Hunter to explain the difference between A-1 and A-2. Mr. Hunter noted that A-2 was used to go from A-1 to Rural Residential and everything was the same in the Ordinance as A-1 and there was a special provision for a property on Scotts Ferry Road. Madam Chair did not understand why A-2 was needed and believed there was some confusion on Fiscal Court regarding Rural Residential and what the Commission sent them. Mr. Hunter thought there may have been confusion on terminology because some words had been changed. Madam Chair noted that she had concerns with a couple of the points that the Court sent back. One was the 10 year provision for both parties, second was

the residency of the owner. Mr. Schein questioned the use of the Conditional Use provision. Mr. Hunter noted that a Conditional Use Permit requires a public hearing and he thought the Court thought that would get the public involved. Madam Chair asked for a motion to un-table the text amendment item.

**Motion was made by Ms. Stepp, as seconded by Mr. Bohannon to un-table The Versailles-Midway-Woodford County Planning Commission Zoning Ordinance Text Amendment related to Articles II & VII of the Versailles-Midway-Woodford County Zoning Ordinance. Motion carried with nine (9) aye votes.**

Ms. Stepp suggested adding an exception to allow the owner to sell their property if an emergency occurs like Madam Chair had pointed out regarding the elderly couple having to be sent to a nursing home. Madam Chair noted that there was discussion at the Fiscal Court regarding the legalities of being able to sell the property prior to the 10 years, and that needed to include issues/concerns that she had mentioned. Madam Chair questioned if a hold was necessary since the number of lots being created are less. There was discussion regarding whether to place a hold on the parent tract or not. Ms. Stepp questioned what constituted proof of residency and may need to add more detail to that requirement. Mr. Hunter noted that was left up to interpretation and would have to create some kind of internal policy. An estate or corporation are not allowed to do in-family conveyances. Mr. Hunter noted that the Advisory Committee was a working committee if the Commission felt it needed to go back to the committee.

Madam Chair called upon the public for comments.

Natalie Blake questioned if there was a time frame for the Comprehensive Plan to be updated because some other properties can sneak through with the rules as they are now. Mr. Hunter noted that in-family plats were not bound by the Comprehensive Plan. Comprehensive Plan policies and directives are more applicable for zone change requests. Mr. Hunter noted that a plat was an administrative process and we don't look to the Comprehensive Plan for guidance on those plats. Ms. Blake felt there should be a hold on the parent tract. Mr. Schein noted that the problem was selling the smaller tract immediately. Mr. Hunter stated that the Comprehensive Plan articles were in draft form and would be going back out to the public for comments. Mr. Hunter noted that the Comp Plan did talk about agricultural properties, tourism and agriculture as business.

Leigh Ann Detwiler of Oregon Road noted that she was pleased that the In-family Conveyance amendment was more restrictive than currently written and showed an effort to rein in the abuse. Ms. Detwiler opposed allowing In-family Conveyances at all because it allowed families to bypass the public process designed to evaluate the impacts of new homes on traffic, infrastructure, emergency response, environmental quality because of family relations. Ms. Detwiler noted that in a couple of generations we will see a different landscape and agricultural viability will be destroyed in the county. Ms. Detwiler noted that small scattered parcels are too hard to farm. There are higher infrastructure costs to cover new roads, utilities, bus routes, etc. Ms. Detwiler noted that according to American Farmland Trust, rural residential lands cost about \$1.30 for every \$1 it generates in tax revenue, where farmland cost is .59; the study was a little old but it was good and the methodology did apply now. Need to make sure that all rural development gets equal oversight and do away with in-family conveyances of agricultural land.

Ken Jones selected Woodford County to live and brought his parents and grandmother with him from California and his mother-in-law sold her place in Missouri and moved here. Mr. Jones noted that his tract is 30 acres and no under the proposed rule, he questioned if he would be able to break that up with an in-family conveyance. Mr. Jones thought that it was odd that we would restrict what a family could do but somebody that had money down the street can do a rural residential neighborhood. Zoning changes the entire community. Mr. Jones agreed that there needed to be some sort of hold so people can't buy things up and immediately sell them.

Hoppy Henton, farmer of Woodford County, noted that he was the eighth or ninth generation farming on the same land. Mr. Henton noted that agriculture was important here, but recognized a long time ago that the in-family conveyance issue could not be ignored. It has to be dealt with and people want their family members to be a part of this community. Mr. Henton noted that the problem was taking advantage of a system that wasn't designed to be that way. Mr. Henton noted that there are loopholes and applauded the court for doing things, but noted that it was difficult because it's value and property. Mr. Henton noted that Woodford County was unique because of the court and the Planning Commission and the job they do and don't turn it loose to be like Madison County or Los Angeles.

Lori Gargovich of McCowans Ferry Road noted that the average number of travel trips per residence was between 10 and 20 trips per day, depending on size and location; that's a one way trip. Ms. Gargovich referenced the American Farmlands Trust – Farms under threat in 2040: Choosing an abundant future projections. They projected three scenarios by 2040, if business runs as usual we would lose 5,502 acres of agricultural land; if we had runaway sprawl, it would be 7,466 acres that would be lost to urban uses; if a better built community option was chosen with clarity of concentration protecting the agricultural resources that are our economic driver, then that would be a loss of 2,900 acres. Ms. Gargovich noted that the land did not care if it was owned by a family member or not, but the question was how it was used. Ms. Gargovich noted that it did not matter if you called it an in-family conveyance or not just go by the rule and sell it.

No further public comment. Madam Chair asked the members what they wished to do. Mr. Sharp addressed something that had been mentioned in the Advisory Committee meeting. There had been several people that bought parcels of land prior to what was getting ready to be changed and he did not believe those people should be punished if they didn't have the opportunity to do in-family conveyance prior to the changes of what we are working towards. Mr. Sharp believed that they should be grandfathered in. Ms. Stepp suggested sending the draft back to the Advisory Committee and any Commissioners that wished to attend could do so. Mr. Schein was ready to vote on it because it had gone on way too long but wanted a guarantee from the Advisory Committee that it would be ready for September meeting.

**Motion was made by Mr. Schein, as seconded by Mr. Greene to forward the Zoning Ordinance Text Amendment related to Articles II & VII of the Versailles-Midway-Woodford County Zoning Ordinance back to the Advisory Committee for review/discussion of three requirements: residency requirement, length of time primary and conveyed property is to be held and definition of hardship; and time was of the essence. No further discussion. Motion carried with nine (9) aye votes.**

**Motion was made by Ms. Stepp, as seconded by Mr. Wells to table the hearing of the Zoning Ordinance Text Amendment related to Articles II & VII of the Versailles-Midway-Woodford County Zoning Ordinance until the September 11, 2025 meeting to review the Advisory Committee recommendation and for action. No further discussion. Motion carried with eight (8) aye votes.**

**COMMUNICATIONS & OTHER BUSINESS:**

**Revised Committee Assignment List**

Madam Chair asked the Commission to review the revised list and asked for a motion.

**Motion was made by Ms. Stepp, as seconded by Mr. Sharp to approve the 2025 Revised Committee Assignment as distributed. No further discussion. Motion carried with nine (9) aye votes.**

**Housing Study RFP**

Mr. Hunter noted that the Comprehensive Plan Committee met prior to this meeting and sent out an RFP because they wanted to hire a consultant to assist with a detailed housing chapter to look at affordable housing initiatives and some targets. Out of eight proposals that were submitted, the committee selected a proposal to move forward. Mr. Wells noted that a motion was needed to allow Mr. Hunter and Mr. Smith to pursue discussion with Blue Print Kentucky out of Lexington with their price of \$16,800. Ms. Stepp noted that she recused herself from that vote in committee because she is an attorney for University of Kentucky and drafts contracts. Mr. Wells noted that the County Judge and both Mayors agreed with the choice.

**Motion was made by Mr. Middleton, as seconded by Mr. Curl to authorize Henry Smith and Steve Hunter to pursue Blue Print Kentucky to negotiate contract and discuss timeline. No further discussion. Motion carried with eight (8) aye votes and one (1) recusal (Stepp).**

**BILLS – August**

The report was accepted.

**MONTHLY BUDGET REPORT/PROFIT LOSS – July 2025**

The reports were accepted.

**CONSTRUCTION SURETIES – July 2025**

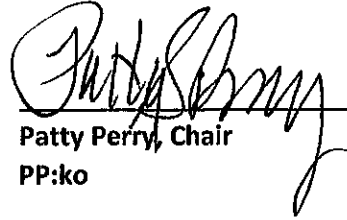
**PERMITS ISSUED – July 2025**

The report was accepted.

**Motion was made by Ms. Stepp, as seconded by Mr. Green to move into closed session for the discussion of litigation and personnel issues. No further discussion. Motion carried with nine (9) aye votes.**

**Motion was made by Mr. Schein, as seconded by Ms. Stepp to accept the budget amendment as discussed in closed session. No further discussion. Motion carried with nine (9) aye votes.**

**Motion was made by Ms. Stepp, as seconded by Mr. Middleton to adjourn the meeting at 8:09 p.m.  
The motion carried with nine (9) aye votes.**



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Patty Perry, Chair  
PP:ko

would be a legal issue between the property owners and was not part of the zone change request and nothing in the Development Plan was showing that any future would be going out to the west. Mr. Hunter noted that there was still a farm there that needs access but access could be created with the new road and we really have two different issues. Ms. Stepp agreed, but if it's in the application where he says use access for X, Y and Z. Madam Chair asked if there was any additional discussion. Mr. Smith noted that we needed more information now and questioned if Mr. Moore was willing to waive the time limit for making a recommendation on this. Mr. Moore agreed to waive the sixty days. Mr. Smith noted that access to the 1995 plan and minutes could be relevant to the Commission's decision. Mr. Smith advised that justification on approving this plan was based on Comp Plan conformity and meets some of the Agricultural Goals and Objectives and there may be parts of the concept on page 19 that would be essential to the Commission's approval, such that they would want to make a condition of approval. The description of the Equestrian Village is an appealing project and didn't know if the Commission wanted to ask the applicant if he was open to doing that. Mr. Moore noted that Mr. Schott was willing to add that as a condition of the zoning and also add that there would be no construction traffic on the private lane. The equestrian trails would not be a public facility, only for the residents of Chukker Hill and Polo Run Subdivisions. Ms. Stepp questioned if this is tabled would the hearing be reopened at the next meeting. Madam Chair noted that it would not be reopened. Madam Chair asked if there was any further discussion, hearing none

**Motion carried with six (6) aye votes (Perry, Wells, Bohannon, Stepp, Sharp and Greene) and two (2) abstentions (Goodrich and Schein).**

**TABLED ITEM FROM PRIOR MEETING - The Versailles-Midway-Woodford County Planning Commission has filed a Zoning Ordinance Text Amendment related to Articles II & VII of the Versailles-Midway-Woodford County Zoning Ordinance.**

**Motion was made by Ms. Stepp, as seconded by Mr. Schein to un-table The Versailles-Midway-Woodford County Planning Commission has filed a Zoning Ordinance Text Amendment related to Articles II & VII of the Versailles-Midway-Woodford County Zoning Ordinance. Motion carried with eight (8) aye votes.**

Madam Chair called upon the public to speak.

Lori Garkovich of McCowans Ferry Road noted that it was ironic that the two tabled public hearing items were on the same agenda. It is ideal that the Commission had illustrated the very incredibly important reason why the proposed text amendment should be considered as rapidly as possible by conducting that prior public meeting. Ms. Garkovich noted that each day we wait to find the perfect solution, means that there is less agricultural land to keep intact for our food security and our economic future. It takes hundreds of years to form a few cm of topsoil, it takes two minutes to pull a bulldozer and bulldoze it off and it's gone forever. Ms. Garkovich noted that between 2017 and 2022, Kentucky lost a half a million acres of farmland, a lot of those were in Woodford County. Kentucky lost over a thousand family farm during that five year period and we are facing the biggest structural change of any state's Ag land base in the US according to Will Snell, who is the Ag economist at UK. Ms. Garkovich noted that market value of Ag production in Woodford County in 2022 was \$235.8 million; per farm that was \$342,774. That occurred

with total farm expenses of \$187.6 million or \$272,622 out of that market value of \$342,774. Farmers tend to buy their inputs, locally. In 2022, feed purchase by Woodford County farms was \$10.1 million, hired farm labor was \$54.6 million, contract labor was \$2.6 million, property taxes paid was \$4.26 million, utilities paid was \$5.18 million, repairs and maintenance costs was \$11.6 million, fertilizers and lime was \$2 million, seed was \$1.2 million, gasoline was \$4.66 million. Ms. Garkovich noted that she had been frustrated as she watched an endless group of people standing around and looking up saying the ceiling's leaking, we should do something about it. We keep looking and keep talking and we should do something about it, in this case the loss of agricultural land, and the hole gets bigger and below it the foundation of the house begins to erode away because that land is gone and urbanized. It's not going back to agricultural production. Ms. Garkovich noted that we will never find the perfect solution to the in-family conveyance, but to delay or to not act is to act, because when we don't take action to change the system as it or the set of rules as they stand now that permits the continued loss of agricultural land, then what we are doing is choosing to act to allow it to continue. Ms. Garkovich asked the Commission to not delay any longer and think about how many of the rural residential and in-family conveyances that they had dealt with in the last year and a half that this issue had been before the Commission, and it's not slowing down.

Mr. Wells noted that the Commission had sent a proposal to the Fiscal Court. Mr. Hunter noted that the proposal went to Fiscal Court in December and they reviewed it and had several meetings and sent a directive back to the Commission and the Advisory Committee met and didn't make any changes because it was a directive from the Court. We are now in month three soliciting public comments and Mr. Hunter noted that we wanted to produce a good record. Madam Chair suggested that the Commission members write down suggestions for language to use in the text amendment. Mr. Smith noted that it was not necessary to re-advertise the hearing to open it up to the public for comment.

Madam Chair asked for a motion to table.

**Motion was made by Mr. Wells, as seconded by Mr. Sharp to table the public hearing for The Versailles-Midway-Woodford County Planning Commission has filed a Zoning Ordinance Text Amendment related to Articles II & VII of the Versailles-Midway-Woodford County Zoning Ordinance, as noted until the August meeting. No further discussion. Motion carried with seven (7) aye votes and one (1) abstention (Goodrich).**

#### **COMMUNICATIONS & OTHER BUSINESS:**

##### **Engineering Contract**

Mr. Hunter noted that the Budget Personnel Committee had looked at it and Mary Beth Robson had moved to the City side July 1 and we are now using the City contractually for engineering services and Mr. Hunter presented the formal agreement.

**Motion was made by Mr. Schein, as seconded by Ms. Stepp to approve the contract with the City of Versailles for engineering services, as submitted. No further discussion. Motion carried with eight (8) aye votes.**

**BILLS – July**

The report was accepted.

**MONTHLY BUDGET REPORT/PROFIT LOSS –June 2025**

The reports were accepted.

**CONSTRUCTION SURETIES – June 2025**

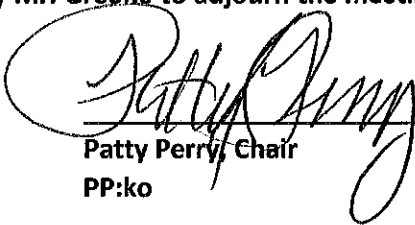
**PERMITS ISSUED – June 2025**

The report was accepted.

**Announcements**

Mr. Hunter noted that Ms. Goodrich had tendered her resignation and this was her last meeting. The City of Versailles appointed Doug Curl to fill her vacancy. Ms. Goodrich noted that it had been an enlightening experience and was grateful to serve with each Commissioner.

**Motion was made by Ms. Stepp, as seconded by Mr. Greene to adjourn the meeting at 8:43 p.m. The motion carried with eight (8) aye votes.**



\_\_\_\_\_  
Patty Perry, Chair  
PP:ko

waterline easement through three tracts. The plat went through the Technical Review Committee and was technically correct and was recommended for approval.

Madam Chair asked if anyone had questions or comments, hearing none, Madam Chair asked if anyone was prepared to take action.

**Motion was made by Ms. Stepp, as seconded by Mr. Middleton to approve the Robert Daniel & Diana Whalen Subdivision (In-Family Conveyance Plat Amendment) on a tract of land containing 105.167 acres, located at 1744, 1598, 1526, 1500 & 1480 Germany Road, Frankfort, KY. The property is zoned Agricultural (A-1) & Conservation (CO-1), as submitted. No further discussion. Motion carried with eight (8) aye votes.**

### **PUBLIC HEARING ITEMS**

**Tabled - The Versailles-Midway-Woodford County Planning Commission has filed a Zoning Ordinance Text Amendment related to Articles II & VII of the Versailles-Midway-Woodford County Zoning Ordinance.**

Madam Chair called upon Mr. Hunter for comments. Mr. Hunter noted that this was tabled last month and the plan, as done with other amendments, was to un-table it and hear other public comments. Staff recommended that this be tabled over the summer to allow for general public comments. Mr. Hunter noted that this was the amendment for the In-family Conveyance that was sent to the Fiscal Court. The Fiscal Court looked at the recommendation over several months and rejected the amendment. The Fiscal Court sent a directive back to the Planning Commission on what they wanted in the Ordinance going forward. Mr. Hunter shared the directive from the Fiscal Court on the monitors. Mr. Hunter noted that Hank Graddy had submitted a letter to enter into the record. Madam Chair noted that the Commission had a lot of comments on this and the Commission may not be fully understand what had been done to date and needs to be moved on with further discussion. Ms. Stepp agreed with the chair but was concerned that they continue to receive applications for the in-family conveyances. Madam Chair asked if anyone from the public was present to speak on this item, hearing none, Madam Chair asked for a motion to un-table the item in order to enter Mr. Graddy's letter into the record.

**Motion was made by Ms. Goodrich, as seconded by Mr. Greene to untable The Versailles-Midway-Woodford County Planning Zoning Ordinance Text Amendment related to Articles II & VII of the Versailles-Midway-Woodford County Zoning Ordinance, as noted. No further discussion. Motion carried with eight (8) aye votes.**

Madam Chair noted that the letter from dated June 12, 2025 from Mr. Graddy would be entered into the record and that no one from the public was present to speak on this item. Madam Chair asked for a motion to table.

**Motion was made by Ms. Stepp, as seconded by Mr. Wells to table the public hearing for The Versailles-Midway-Woodford County Planning Commission Zoning Ordinance Text Amendment related to Articles**

**II & VII of the Versailles-Midway-Woodford County Zoning Ordinance, as noted. No further discussion. Motion carried with eight (8) aye votes.**

**TABLED - PUBLIC HEARING - Vision Engineering LLC have filed an application to rezone a tract of land containing 22.500 acres located at 1470 Troy Pike, Versailles KY. The requested zone change is from Agricultural (A-1) to High Density Residential (R-4).**

Madam Chair noted that a request had been received to reopen the Public Hearing and called upon Mr. Hunter for comments. Mr. Hunter deferred to the Commission's attorney. Mr. Smith noted that a motion was needed to take the item off the table in order to hear out the requester so that if the hearing is reopened then the Commission needed to know specifically what reasons/information they are seeking out. Ms. Stepp questioned the statutory requirements to take action. Mr. Smith deferred to Mr. Schuette. Mr. Schuette noted that they would waive the 60 day requirement.

**Motion was made by Ms. Stepp, as seconded by Mr. Greene to un-table the application for Vision Engineering LLC Zone change request on a tract of land containing 22.500 acres located at 1470 Troy Pike, Versailles KY. The requested zone change is from Agricultural (A-1) to High Density Residential (R-4), as noted. No further discussion. Motion carried with eight (8) aye votes.**

Madam Chair called upon a representative from Childers and Baxter and asked that they state whether or not they have new information and asked them to explain. Bethany Baxter, attorney representing Cedar Ridge Subdivision Homeowners Association, Helmsley Homeowners Association, Stourbridge I, Stourbridge II Homeowners Association and Karen Isberg, Redbud Farm, noted that this was an important issue for the community and not everyone was able to speak at the last hearing. Ms. Baxter noted that her clients were not able to hire counsel until very recently and noted that Planning Commission office received a letter on June 11, 2025. Ms. Baxter noted that there were two different general development plans submitted and the second one came very close in time to the last meeting and her clients, along with other folks, had taken the position to have the hearing reopened. Ms. Baxter noted that they were requesting additional time to digest the information, review the law and submit that information to the Planning Commission at the July 10, 2025 meeting. Ms. Baxter noted that traffic issue had been raised and there were several different traffic studies; two have come from the applicant and a couple were commissioned by the City. They would like time to provide the Commission with additional information to put them in the best position possible to make a decision about this important zone change application.

Madam Chair asked if there was anyone else in the audience that wanted to request the hearing be reopened on the basis of specific issues. Mr. Smith asked Ms. Baxter to explain other reasons beyond traffic for requesting the hearing to be reopened. Ms. Baxter noted that they wanted to look at the Comprehensive Plan and how the application does or does not further the goals of the Comprehensive Plan. Madam Chair asked if anyone else in the audience had a specific reason for requesting the hearing to be reopened.

Joe Johnson of Cedar Ridge and President of Cedar Ridge Homeowner Association noted that the bullet points that their attorney spoke to; addressed concerns over the retention structure for the plat and he understood that it did not have a retention basin design other than just using an existing pond structure. So there was concern with regards to the water mitigation of the proposed plat. That would involve a little bit more of a geological perspective from an engineer, someone with more expertise and authority that they can consult to bring that information to the table.

ON THURSDAY, MAY 8, 2025, THE VERSAILLES-MIDWAY-WOODFORD COUNTY PLANNING AND ZONING COMMISSION HELD A MEETING AT 6:30 PM IN THE 3rd FLOOR COURTROOM OF THE COURTHOUSE.

Madam Chair Perry called the meeting to order at 6:34 p.m.

#### **PLEDGE OF ALLEGIANCE**

**Members Present:** Chad Wells, Ashley Goodrich, Patty Perry, Rich Schein, Tim Middleton, Chris Sharp, Whitney Stepp, Floyd Greene. **Members Absent:** Randal Bohannon

PC Staff attorney Henry Smith was present.

**MINUTES:** Motion was made by Ms. Stepp, as seconded by Mr. Middleton to approve the April 10, 2025 and April 17, 2025 (special meeting) minutes, as submitted. Motion carried with seven (7) aye votes and one (1) abstention (Wells).

#### **PUBLIC HEARING ITEMS**

The Versailles-Midway-Woodford County Planning Commission has filed a Zoning Ordinance Text Amendment related to Articles II & VII of the Versailles-Midway-Woodford County Zoning Ordinance.

Madam Chair called upon Steve Hunter, Planning Director for comments. Mr. Hunter noted that staff recommended that this be tabled over the next couple of months to allow for general public comments. Mr. Hunter noted that this was the amendment for the In-family Conveyance that was sent to the Fiscal Court. The Fiscal Court looked at the recommendation over several months and rejected the amendment. The Fiscal Court sent a directive back to the Planning Commission on what they wanted in the Ordinance and want the language to read that way going forward. Mr. Hunter noted that the Court also voted that the Planning Commission consider a Conditional Use Permit option for this type of use. Mr. Hunter summarized and reviewed the Committee's recommendation to the Planning Commission as noted in the packets. Mr. Hunter noted that what the County put together included a residency test, ag affidavit, lots would be at least two acres, there would still be only one or two lot cuts depending on the size of the farm, the remnant piece has to be a legal tract or be added to another piece, all setbacks and lot standards must be met, must hold all tracts for ten years, can only be conveyed from parent to child or grandparent to grandchild and the last was dealing with deeds.

Madam Chair opened the public hearing and asked if anyone from the public was present to speak on this item. Hearing none, Madam Chair asked for a motion on action.

**Motion was made by Mr. Schein, as seconded by Mr. Sharp to table the public hearing for The Versailles-Midway-Woodford County Planning Commission has filed a Zoning Ordinance Text Amendment related to Articles II & VII of the Versailles-Midway-Woodford County Zoning Ordinance, as noted. No further discussion. Motion carried with eight (8) aye votes.**

## ARTICLE II

### DEFINITIONS

#### 200 USE OF TERMS

All words herein used in the present tense shall include the future tense; the singular shall include the plural, and the plural the singular.

The word "shall" is mandatory, not permissive or directory.

The word "used" includes arranged, designed or intended to be used.

#### 201 DEFINED TERMS

Unless otherwise provided, the following words and phrases are defined as follows.

**ACCESSORY BUILDING:** A subordinate building, the use of which is clearly incidental to that of a principal building on the same lot, and which is permanently affixed to the ground. Accessory building shall not include mobile home, bus, travel trailer, RV, trailer, cooler, vehicle, or freight container.

**ACCESSORY STRUCTURE:** A detached, subordinate structure, the use of which is clearly incidental and related to that of the principal structure or use of the land, and which is located on the same lot as that of the principal structure, and which is permanently affixed to the ground. Accessory structure shall not include mobile home, bus, travel trailer, RV, trailer, cooler, vehicle, or freight container.

**ACCESSORY USE:** A use that:

- a. is clearly incidental to and customarily found in connection with a principal use;
- b. is subordinate to and serves a principal building or a principal use;
- c. is subordinate in intent, or purpose to the principal building or principal use served;  
and
- d. is located on the same lot as the principal building or use served.

~~**ACCESSORY USE (OF BUILDING):** A use customarily incidental hereto and subordinate to the principal use or building and located on the same lot with such principal use or building.~~

**ADMINISTRATIVE OFFICIAL:** Any department, employee, or advisory, elected or appointed body which is authorized to administer any provision of the zoning regulations, subdivision regulations, and if delegated, any provision of any housing or building regulations or any other land use control regulations.

**ADULT ENTERTAINMENT ESTABLISHMENT:** As defined in the City of Midway, City of Versailles and/or Woodford County Fiscal Court Code of Ordinances.

**AGRICULTURAL MARKETING CENTER:** A regulated regional development designed exclusively for the purpose of buying, selling and showing agricultural products, livestock and related farm supplies and equipment. Agricultural Marketing Centers provide a common commercial area for promoting the products produced through the sciences of aquaculture, horticulture, floriculture, viticulture, forestry, dairy, livestock, poultry, bees, and any and all other forms of farm products cultivated, grown or produced by the agrarian community. Centers may include banks, restaurants, gift shops, ~~equine and other~~ livestock pavilions and show rings, veterinarian clinics and farm equipment sales. Other established components include commonly recognized commercial vendors whose commodities are traded through facilities known as farmer's markets; feed, seed and fertilizer sales; and livestock sales facilities, all of which are conducted, operated or managed for profit or non-profit as public markets for agricultural producers, market agencies and buyers.

**AGRICULTURAL USE (KRS 100.111):** Shall mean the use of:

- a. A tract of at least five contiguous acres for the production of agricultural or horticultural crops, including but not limited to livestock, livestock products, poultry, poultry products, grain, hay, pastures, soybeans, tobacco, timber, orchard fruits, vegetables, flowers or ornamental plants, including provision for dwellings for persons and their families who are engaged in the above agriculture use on the tract, but not including residential building development for sale or lease to the public. For purposes of this subsection, "livestock" means cattle, sheep, swine, goats, horses, alpacas, llamas, buffaloes, and any other animals of the bovine, ovine, porcine, caprine, equine, or camelid species;
- b. Regardless of the size of the tract of land used, small farm wineries licensed under KRS 243.155.
- c. A tract of at least five (5) contiguous acres used for the following activities involving horses: Riding lessons; Rides; Training; Projects for educational purposes; Boarding and related care; or Shows, competitions, sporting events, and similar activities that are associated with youth and amateur programs, none of which are regulated by KRS Chapter 230, involving seventy (70) or less participants. Shows, competitions, sporting events, and similar activities that are associated with youth and amateur programs, none of which are regulated by KRS Chapter 230, involving more than seventy (70) participants shall be subject to local applicable zoning regulations; or
- d. A tract of land used for the following activities involving horses: Riding lessons; Rides; Training; Projects for educational purposes; Boarding and related care; or Shows, competitions, sporting events, and similar activities that are associated with youth and amateur programs, none of which are regulated by KRS Chapter 230, involving seventy (70) or less participants. Shows, competitions, sporting

events, and similar activities that are associated with youth and amateur programs, none of which are regulated by KRS Chapter 230, involving more than seventy (70) participants shall be subject to local applicable zoning regulations. This paragraph (d) shall only apply to acreage that was being used for these activities before July 13, 2004.

**AGRICULTURAL USE (ARTICLE VII):** ~~The growing and harvesting of crops including grass, legume, hay, grain, fruit and truck or vegetable crops, floriculture, horticulture, growing of mushrooms, nursery and forest planting stock, orcharding, forestry and the operation of greenhouses; the keeping, raising and feeding of livestock and poultry, swine, sheep, beef and dairy cattle, pony and horse productions; fur, game, fish and wildlife farm operation; farm buildings used for growing, harvesting and preparing crop products for market; roadside stands and signs pertaining to the sale or use of the premises or products produced thereon; farm buildings for storing and protecting farm machinery and equipment from the elements, for housing livestock and poultry and preparing livestock and poultry products for market; farm dwellings including mobile homes occupied by farm owners, employees on the farm and members of the immediate family of the farm owner. Provided, however, that such dwellings for the farm owners, employees and members of the immediate family of the farm owner do not exceed a density of one dwelling for each five (5) acres, and shall comply with Section 711.2 of this Ordinance as it relates to employees of the farm on which the mobile home is located, and further it is provided that such dwellings can be subdivided from the farm if it is to be continuously occupied by an immediate family member. It shall be comprised of a lot no smaller than one (1) acre in size, with access to an existing public road through an existing private driveway, to be shared with the original residence, through a platted and recorded access easement of fifteen (15) feet; or, the in-family lot can be comprised of a lot no smaller than five (5) acres in size with frontage on an existing public road or if the nearest property line of any lot is within 400 feet of the centerline of an existing public road; with a limit of no more than two (2) in-family lots fronting on an existing public road and sharing a common entrance; and meets all health and sanitation regulations in effect and contained herein, and provided further that the number of lots be limited to one lot in Woodford County per each immediate family member's lifetime and that such family member shall hold title to the tract so conveyed for at least five (5) years, and if said conveyance is made to a minor, the five (5) year restriction for holding title begins when the minor turns eighteen (18), and should the family members within five (5) years re-convey the tract to anyone other than to the person or persons from whom it was received, then such deed of re-conveyance shall be void, and provided further, that all such deeds from a farm owner to a family member shall contain a restrictive covenant stating clearly the five (5) year restriction for holding title and stating that any conveyance prior to said five (5) year restriction shall be void, and any deed from a farm owner to a family member pursuant to this section that fails to contain said restrictive covenant shall be void ad initio. Provided further, that in the case of a judicial sale the restriction on re-conveyance shall not apply. On farms where in-family conveyances are permitted all lots shall be counted against the sliding scale of "Lots to be Sold" as defined in Section 703.11(A). In no case shall any farm of 100 acres or more be permitted to have more than fifteen (15) lots.~~

~~Mobile homes in Agricultural Districts: It is further provided that mobile homes may be the principal residential structures on farms at least five acres in size. Any additional mobile homes that are used on the farm shall contain a minimum density of one unit for each ten (10) acres~~

~~except when such is subdivided from the farm and is placed on a lot no less than five (5) acres in size and shall comply with Section 711.2 of this Ordinance as it relates to employees of the farm on which the mobile home is located. Mobile homes shall be provided the same yard requirements as for other types of dwelling units in the A-1 District. Mobile homes must obtain a conditional use permit in order to be placed on any existing lot less than five acres in size. In considering a conditional use permit the Board shall determine whether or not the mobile home will have a deleterious effect upon surrounding properties and that there is no objection from fifty percent (50%) of abutting property owners and provided that the mobile home is placed on a solid foundation and is underpinned.~~

**AGRITOURISM (KRS 247.801):** Agritourism means the act of visiting: a farm or ranch; or any agricultural, horticultural, or agribusiness operation; for the purpose of enjoyment, education, or active involvement in the activities of the farm, ranch, or operation. Agritourism activity" means any activity that: is carried out on a farm, ranch, agricultural operation, horticultural operation, or agribusiness operation; and allows or invites participants to view or participate in activities for recreational, entertainment, or educational purposes. Qualifying activities may include farming, ranching, historic, cultural, civic, or ceremonial activities, including but not limited to weddings and ancillary events; harvest-your-own operations; farmers' markets; or natural resource-based activities. The activities may qualify as agritourism activities whether or not a participant pays to view or to participate in the activity. Agritourism building" means any building or structure or any portion thereof that is used for one or more agritourism activities.

**ALLEY:** Any public or private way set aside for public travel, less than twenty-five (25) feet in width.

**ANIMAL HOSPITAL AND CLINIC:** A medical facility that provides for the examination, care, and treatment of animals that does not include boarding of animals except for those requiring emergency or medical treatment, which may include the storage of medicinal supplies when accessory to the primary use.

**ASSISTED LIVING FACILITY:** A building, establishment, complex, or distinct part thereof which: (a) accepts primarily aged persons for domiciliary care, not nursing or medical care; and (b) provides on-site to its residents private lockable residential spaces; (c) provides onsite to its residents in addition to the residential unit, meal service in a community dining facility and non-medical personal care services appropriate to the resident's respective needs, (d) other than supervision of self-administered medication, medical services are not provided. The facility may provide space for an unrelated Home Health Service or a Medical Doctor's Office for ease of access to those services by the residents, (e) provides linkages with hospital, community services and makes transportation available, (f) provides timely assistance to residents for response to urgent or emergency needs.

**ATHLETIC CLUB FACILITY:** An establishment which provides for indoor and/or outdoor commercial or non-commercial services and facilities which purport to improve the user's physical condition or appearance through participation in sports activities, fitness training, exercise, or body building. The establishment may offer access to the following: gymnasiums, swimming pools, tracks, ball courts, weightlifting equipment, exercise equipment or facilities, saunas, steam baths or whirlpools.

**AUTOMOBILE AND TRUCK REPAIR, MAJOR:** Rebuilding or reconditioning of engines or transmissions, vehicles or trailers; repair and collision service, such as body, frame, or fender straightening; painting; upholstering; auto glass work and the like.

**AUTOMOBILE AND TRUCK REPAIR, MINOR:** Minor repairs including auto inspection lanes, engine tune-ups; adjusting lights and brakes; but not including any operation specified under "Automobile and Truck Repair, Major."

**AUTOMOBILE SERVICE STATION (FILLING STATION):** A building or structure used for minor automobile and truck repair, the retail sale and dispensing of fuel, lubricants, tires, batteries, accessories and supplies, including installation and minor services customarily incidental thereto; facilities for washing and for chassis and gear lubrication are permitted if enclosed in a building.

**AUTOMOBILE SALVAGE YARD (INCLUDES JUNK YARDS AND AUTO WRECKING YARDS):** Any place where three or more motor vehicles not in running condition, or other parts thereof, are stored in the open and are not being restored to operation; or any land, building or structure used for the wrecking or storing of such automobiles or the parts thereof.

**BED AND BREAKFAST ESTABLISHMENT (KRS 219.011):** A one-family dwelling unit, but which also has guest rooms or suites used, rented, or hired out for occupancy or which are occupied for sleeping purposes by persons not members of the single-family unit. The innkeeper shall reside on the premises or property adjacent to the premises during periods of occupancy. The building shall be known as either a bed and breakfast home or a bed and breakfast inn.

**BED AND BREAKFAST HOME (KRS 219.011):** A bed and breakfast establishment having five (5) or fewer guest rooms or suites for occupancy, in which breakfast and other meals may be served to guests and whose innkeeper resides on the premises or property adjacent to the premises during periods of occupancy.

**BED AND BREAKFAST INN (KRS 219.011):** A private inn or other unique residential facility having six (6) or more guest rooms or suites for occupancy, in which breakfast and other meals may be served to guests and whose innkeeper resides on the premises or property adjacent to the premises during periods of occupancy.

**BED AND BREAKFAST, FARMSTAY (KRS 219.011):** A bed and breakfast establishment at a farm location whose focus includes agritourism as defined in KRS 247.801.

**BILLIARDS & POOL HALLS:** Any establishment which has, as part of its operation three (3) or more pool or billiard tables on the premises.

**BOARD (KRS 100.111):** The Board of Adjustments unless the context indicated otherwise.

~~**BOARD:** The Board of Adjustment for Versailles-Midway-Woodford County, required by KRS 100, to administer applications for variances and conditional use permits and to hear appeals.~~

~~**BOARDING OR LODGING HOUSE:** A building other than a hotel which maintains a guest register and provides sleeping rooms and meals or cooking facilities for overnight guests, primarily not transients, for compensation for three (3), but not more than twenty (20) persons. A boarding or lodging house is distinguished from any other type of facility or use in that it is designed to~~

~~be occupied and used for long term residents who are registered guests for a minimum of three (3) consecutive days and provides no services for non overnight registered guests. Such a facility must provide off street parking for all guests. Where kitchen facilities are included in a sleeping room, such room shall be deemed a dwelling unit.~~

**BREEZEWAY:** Any open, unenclosed structure consisting of a roof and its support and used as a connecting roofline between a main residence or building and an accessory building, not a primary building.

**BUFFER:** An area of land, including landscaping, berm, walls, fences, and building setbacks, that is located between land uses of different character and is intended to mitigate negative impacts of the more intense use on the adjacent parcel or right-of-way.

**BUILDING:** A structure, but not a mobile home or trailer, built or constructed for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind and having a fixed base on, or fixed connection to the ground.

~~**BUILDING:** Any structure constructed or used for a residence, business, industry or other public or private purpose, or accessory thereto.~~

**BUILDING CODE:** State mandated regulations that govern building, design, construction and maintenance. (Kentucky Building Code - KBC)

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

**BUILDING LINE, WIDTH:** The distance between the side lot lines measured along the front building line of the lot as determined by the prescribed front yard requirement of the zone in which the lot is located or as designated by the final record plat, whichever is greater.

**BUILDING, PRINCIPAL:** A building, including covered porches, carports, and attached garages in which is conducted the principal use of the lot on which it is situated. In any residential district any dwelling shall be deemed to be the principal building on the lot on which the same is situated. The connection of two buildings by means of an open porch, breezeway, passageway, carport or other such open structure, with or without a roof, shall not be deemed to make them one building.

**BUSINESS COLLEGE, TECHNICAL OR TRADE SCHOOL (WOODFORD CO & MIDWAY):** An educational institution primarily owned and operated by an individual, partnership, or corporation offering training in business, trade, technical or related areas through residence, extension, or correspondence, for which tuition is charged. Such training shall not include any courses or instruction in which the field or occupation would not be a permitted use within the zoning category in which the institution is located.

**BUSINESS COLLEGE, TECHNICAL OR TRADE SCHOOL (VERSAILLES):** An educational institution primarily owned and operated by an individual, partnership, or corporation offering training in business, trade, technical or related areas through residence, extension, or correspondence, for which tuition is charged.

~~**CAMPING TRAILER:** A vehicle intended for seasonal recreational use but not for year-round living accommodations. For purpose of this regulation, no trailer of any kind over twenty-two (22) feet in length shall be considered a camping trailer.~~

**CAMP OR CAMPGROUND:** Tracts of land of a design or character suitable for and used for seasonal, recreational, and other similar living purposes. The tracts may have located on them a structure of a seasonable, temporary or movable nature, such as a cabin, hunting shelter, recreational vehicle or tent. Any permanent structures, such as cabins, must comply with the appropriate requirements for dwellings in that district. The following Standards apply to Camp and Campground:

- a. Minimum Campground Area of Five (5) acres;
- b. Camp and Campgrounds shall only be located in a Conservation (CO-1) zoning district;
- c. Maximum Campsites and/ or cabins: Twenty-Five (25);
- d. All Camp and Campground uses shall conform to appropriate Woodford County Health Department Rules and Regulations; and
- e. All campsites, buildings and structures shall be at least 100 feet from any property line.

**CERTIFICATE OF OCCUPANCY:** A certificate issued by the Building Inspector and Zoning Administrator, after construction has taken place, which certifies that the building meets minimum standards for human occupancy.

~~**CHILD CARE CENTER:** Any facility which provides full or part time care to at least four (4) children, other than family childcare, day or night, to children who are not the children, grandchildren, nieces, nephews, or children in legal custody of the operator, as regulated by the Commonwealth of Kentucky. The term shall not include childcare facilities operated by religious organizations while religious services are being conducted, or kindergarten or nursery schools which have as their primary function educational instruction.~~

~~**CHILD CARE, FAMILY:** An incidental and subordinate use within a dwelling and not an accessory structure, where full or part time care is provided by a resident of the dwelling, for a fee, to children, as regulated by the Commonwealth of Kentucky.~~

~~**CHURCH: (SEE RELIGIOUS INSTITUTION)** A facility used primarily for religious worship services of an assembly nature that may secondarily provide social or community services such as counseling, childcare, senior services, and educational programs. For the purposes of this ordinance, synagogues, temples, and other places of religious assembly for worship, regardless of the terminology used by a specific faith or denomination, are considered churches pursuant to this definition.~~

**CLINIC, MEDICAL:** A building or part thereof designed and used for the diagnosis and treatment of human patients that does not including overnight care facilities.

**CLUB, PRIVATE:** Buildings and facilities the purpose of which is to render a social, educational, or recreational service to members and their guests and not primarily to render a service

customarily carried on as a business or to render a profit. Private clubs shall include country clubs.

~~**COMMERCIAL COMPOSTING:** The aerobic or anaerobic decomposition of solid, organic materials to produce a stabilized, humus-like material that can be recycled to the land as a soil conditioner and low-grade fertilizer and primarily for use or distribution off the production site.~~

**COMMERCIAL GREENHOUSES:** Establishments primarily engaged in propagating and growing plants in containers, in soil or in other growing medium for the purpose of being sold and transplanted. This definition shall include sale of the following items: Plants grown on the premises or tended in a controlled environment of the greenhouse or plant nursery; sale of fungicides, insecticides, chemicals, peat moss, humus, mulches, and fertilizer, all to be used in the soil or upon the live plant to preserve the life and health of the plants sold; landscape counseling, site planning contracting services when not the primary activity and when using plants grown or tended on the premises of the greenhouse or plant nursery. ~~Note: This definition only applies to land use as provided for in the Zoning Ordinance and Subdivision Regulations and is not intended to affect the status of any business with regard to any federal or state tax laws or similar statutes.~~

**COMMERCIAL RESORT:** A resort furnishing lodging, meals, and such recreational facilities as swimming, boating, shuffleboard, horseback riding, and golf. The recreational facilities shall be incidental to the furnishing of lodging and meals.

**COMMISSION** (KRS 100.111): Versailles-Midway-Woodford County Planning Commission established pursuant to Chapter 100 of the Kentucky Revised Statutes.

**COMMUNITY CENTER:** Buildings and facilities for a social, educational, or recreational purpose, operated by a non-profit organization, which are generally open to the public and which do not render a service customarily carried on as a business.

**COMPOST (KRS 224.1-010):** Solid waste which has undergone biological decomposition of organic matter, been disinfected using composting or similar technologies, been stabilized to a degree which is potentially beneficial to plant growth and which is approved for use or sale as a soil amendment, artificial topsoil, growing medium amendment, or other similar uses.

**COMPOSTING (KRS 224.1-010):** The process by which biological decomposition of organic solid waste is carried out under controlled aerobic conditions, and which stabilizes the organic fraction into a material which can easily and safely be stored, handled, and used in an environmentally acceptable manner: (a) "Composting" may include a process which creates an anaerobic zone within the composting material; (b) "Composting" does not include simple exposure of solid waste under uncontrolled conditions resulting in natural decay.

**COMPREHENSIVE PLAN:** The adopted plan for Versailles-Midway-Woodford County which serves as a guide for public and private actions and decisions to assure the development of public and private property in the most appropriate relationships. Such plan shall include all elements whether expressed in words, graphics, or other forms.

**CONDITIONAL USE (KRS 100.111):** A use which is essential or would promote the public health, safety, or welfare in one or more zones, but which would impair the integrity and character of the zone in which it is located, or in adjoining zones, unless restrictions on location, size, extent, and character of performance area imposed in addition to those imposed in the zoning regulation.

**CONDITIONAL USE PERMIT (KRS 100.111):** Legal authorization to undertake a conditional use, issued by the administrative official pursuant to authorization by the Board of Adjustment, consisting of two (2) parts: A statement of the factual determination by the Board of Adjustment which justifies the issuance of the permit and A statement of the specific conditions which must be met in order for the use to be permitted.

**CONDOMINIUM:** A form of ownership with the following characteristics:

- a. The unit (the interior and associated exterior areas designated for private use in the development plan) is owned or rented by the occupant; and
- b. All or a portion of the exterior open space and any community interior spaces are owned and maintained in accordance with the Kentucky Revised Statutes Chapter 381.805 and 381.9101 and in accordance with the provisions for open space, roads, or other development features as specified in this Ordinance and the Subdivision Regulations.

**CONTROL MONUMENTS:** Survey markers set in accordance with 201 KAR 18.150 used to locate boundaries and installed Improvements.

**DAY CARE CENTER, ADULT:** An adult care facility which provides part-time care, day or night, but less than 24 hours, to at least 4 adults not related to the operator or the facility by blood, marriage, or adoption.

**DAY CARE CENTER, CHILD:** Any childcare facility which provides full or part-time care, day or night, to at least seven children who are not the children, grandchildren, children in legal custody, nieces, or nephews of the operator.

**DAY CARE CENTER, HOME:** Any childcare facility which provides full or part-time care by a resident of the dwelling, day or night, to at least two, but not more six children who are not the children, grandchildren, children in legal custody, nieces, or nephews of the operator.

**DEMOLITION:** Any act that destroys in whole or in part an existing building or structure, physical feature, or other site improvement.

**DENSITY:** A measure of the intensity of the use of a piece of land expressed in dwelling units, families or housing structures per acre.

**DENSITY:** Number of dwelling units per acre.

**DEVELOPER:** An individual, partnership, corporation, or other legal entity or agent thereof, which undertakes the activities covered by these regulations. In as much as, the subdivision plan drawings are merely a necessary means to the end of assuring development, the term Developer includes subdivider, owner, builder, etc. although the persons and their precise interests may vary at different project stages.

**DEVELOPMENT:** The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any use or change in use of any buildings or land; any extension, landfill, or land disturbance, clearing, or other man induced movements of land.

**DEVELOPMENT CONDITIONS:** Specific items agreed to by the Planning Commission or Board of Adjustments and the developer or owner of real property which are imposed upon a property, development plan, zone change request, conditional use permit or variance application and which control the development and use of the property in question. The conditions may be in writing or by graphic representation.

**DEVELOPMENT PLAN (KRS 100.111):** Written and/or graphic material for the provision of a development, including any or all of the following: location and bulk of buildings and other structures, intensity of use, density of development, streets, ways, parking facilities, signs, drainage of surface water, access points, a plan for screening or buffering, utilities, existing man-made and natural conditions, and all other conditions agreed to by the applicant.

**DRAINAGE PLAN:** A detailed study and design of the storm water flow and control within a designated area that minimizes erosion, sedimentation, and flooding.

**DRIVE-IN or DRIVE-THROUGH EATING AND DRINKING ESTABLISHMENT:** A building or portion thereof where food and/or beverages are sold in a form ready for consumption and where a significant portion of the consumption takes place or is designed to take place outside the confines of the building. Such use often includes an intercom or speaker system, a menu board, and an outside service window. The terms “drive-in” and “drive-through” shall be considered interchangeable.

**DORMITORY:** A building containing sleeping rooms operated by a school for academic instruction, or by a business college, technical or trade school, for which admission to residency is limited exclusively to students of such an institution, school or college. Where kitchen facilities or provisions for such are provided, such rooms shall be deemed dwelling units.

**DUMP:** A lot or tract of land or part thereof used for the disposal by abandonment, dumping, burial, burning, or other means of trash, refuse, junk, discarded machinery, vehicles or parts thereof, or waste material of any kind except garbage.

**DWELLING:** A permanent building used primarily for human habitation but not including mobile homes or facilities for the housing of transient residents, occupied exclusively for residential purposes.

- a. Dwelling, Single Family - A permanent building, separate and free standing, in itself providing living accommodations for one family.
- b. Dwelling, Two Family - A permanent building designed exclusively for occupancy by two families, commonly known as a duplex.
- c. Dwelling, Multiple Family - A permanent building or portion thereof providing separate living accommodations for three or more families.

**DWELLING UNIT:** A single unit, consisting of one room or rooms connected together, providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, kitchen facilities and sanitation.

**FAMILY:** A group of one or more persons occupying a premise and living as a single housekeeping unit, whether or not related to each other by birth, adoption or marriage, but no unrelated group shall consist of more than five persons, as distinguished from a group occupying a boarding or lodging house or hotel.

**FAMILY MEMBER (IMMEDIATE):** One or more persons related to each other by birth, adoption or marriage. For purposes of in-family conveyances this would be parent-to-child, ~~child-to-parent, spouse-to-spouse, sibling-to-sibling, and~~ grandparent to grandchild ~~and grandchild to grandparent. Unrelated individuals jointly owning property are not eligible to utilize the in-family conveyance ordinance.~~

**FENCE:** An artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land.

**FILLING STATION (SEE AUTO SERVICE STATIONS)**

**FINAL ACTION:** Any final adjudication of the application for any zoning map amendment, variance, conditional use permit, development plan, or appeal from any administrative official before the Board or Commission, or appeal from the decision of the Board or Commission to any legislative body, or the highest state or Federal court to which any appeals shall be taken.

**FINISHED FLOOR ELEVATION (FFE):** The minimum elevation that can be used for construction of an occupied level of a structure.

**FLAG:** Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols used as a symbol of a government, political subdivision, or other official designated symbol of any institution or business.

**FLOODPLAIN:** Any land area susceptible to be inundated by water from the base flood. The term refers to that area designated as subject to flooding from the base flood (100-year flood) on the "Flood Boundary and Floodway Map" prepared by the Federal Emergency Management

~~Agency (FEMA) U.S. Department of Housing and Urban Development~~, a copy of which is on file in the planning department.

**FLOODWAY:** The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface more than one foot. The term refers to that area designated as floodway on the "Flood Boundary and Floodway Map" prepared by the ~~Federal Emergency Management Agency (FEMA) U.S. Department of Housing and Urban Development~~, a copy of which is on file in the planning department.

**FLOOR AREA:** The total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage; without deduction for hallways, stairs, closets, thickness of walls, columns or other features; but, including finished attics, and finished basements.

**FLOOR AREA RATIO:** Floor area of buildings on a lot divided by ground area of the lot on which it is located.

**FRONTAGE:** The length of the front lot line measured at the street right-of-way line.

**GARDEN CENTERS (OFFICE & SALES YARD):** Establishments used primarily for the sale of live plants, including greenhouses and plant nurseries. When accessory to the sale of plants, the sale of the following items shall be allowed: Cut plants, cut trees, and wreaths, bulbs and seeds which may have been transported to the premises for the purpose of resale; ground covers; fungicides, chemicals, peat moss, humus, mulches and fertilizers; lawn statuary, furniture, bird baths, bird feeders, birdhouses and pottery; pots and containers for plants; artificial flowers; home lawn and garden equipment including manual and automatic grass cutting devices, grass seeding devices, mulchers, thatchers, tillers, but not including farm tractors and machinery; garden landscape devices including railroad ties, stepping stones, fencing, edging, trellises, plastic and burlap; hand tools such as sprayers, shovels, dusters, rakes, hoes, and watering devices; firewood; landscape planning and contracting services incidental to the garden center to include contractual services for lawn and garden sprigging, maintenance, fertilizing, spraying and mowing.

**GARAGE, PRIVATE:** An accessory building (including a carport) housing not more than four (4) motor driven vehicles. The building owner may lease vehicle space but shall not provide repairing or servicing of motor vehicles for financial gain.

**GARAGE, PUBLIC:** Any building or premises, except those used as a private or storage garage, used for equipping, repairing, hiring, selling or storing motor driven vehicles.

**GARBAGE:** Any odorous, putrescible or combustible waste materials.

**GREENHOUSES, COMMERCIAL (SEE COMMERCIAL GREENHOUSES)**

**GROUP LIVING:** The residential occupancy of a structure by a group of people who do not meet the definition of Household or Family, but which share a common eating and living area. The

residents may receive care, training or treatment, as long as the care givers also reside at the site.

**GROUP OR ROW HOUSE:** A group or row of not more than eight (8) semi-detached singlefamily dwellings not more than two (2) rooms deep with access to a street as herein defined.

**HAZARDOUS MATERIALS:** Any chemical, biological or radiological compound, gas, oil, gasoline, lubricant or other petroleum products, substances, solution or mixture which because of its quality, quantity, concentration, physical or infectious characteristics, or any combination thereof, when released into the environment, presents or may present harmful or potentially harmful effects to human health or welfare or the environment.

**HEIGHT, BUILDING:** The vertical distance from the grade to the top of the highest roof beam of a flat roof, or to the mean level of the highest gable or slope of a hip roof. When a building faces on more than one street, the height shall be measured from the average of the grades at the center of each street front.

**HELIPORT:** A facility used exclusively for helicopter operations including landing, takeoff, loading, discharging, fueling, maintenance, and/or transient storage of helicopters.

**HELISTOP:** A facility used exclusively for helicopter landing, take-off, loading, discharging, and/or transient storage of helicopters but not including facilities for maintenance, fueling or long-term storage of helicopters.

**HISTORIC, STRUCTURE:** Those structures listed or eligible for listing on the National Register.

**HOME IMPROVEMENT STORE:** A facility of more than 50,000 square feet gross floor area engaged in the retail sale of various basic hardware lines such as tools, builders' hardware and materials, paint and glass, house wares and household appliances, home decorating fixtures and accessories, lawn and nursery materials and supplies and other items generally used in the maintenance, repair or construction of buildings or other structures and property.

**HOME OCCUPATION:** A gainful occupation or profession carried on in a residence such as the studio of an artist or sculptor, dressmaking and tailoring, upholstery, handicrafts, tutoring, individual musical instruction (provided no instrument is amplified) and professional services, provided such home occupation is performed under the following conditions:

- (1) The use is clearly incidental and secondary to use for dwelling purposes and occupies no more than twenty-five percent (25%) or three hundred (300) square feet of the total floor area of the dwelling, whichever is less.
- (2) ~~The use is conducted entirely within a dwelling and not in any accessory building.~~
- (3) The use is carried on only by residents of the dwelling.
- (4) No mechanical equipment is installed or used except as is normally used for domestic or professional purposes.
- (5) No stock and trade are kept or commodities sold except such as are produced by the residents on the premises.
- (6) The use does not require external alteration of the dwelling.

- (7) The use does not adversely affect the uses permitted in the immediate neighborhood by excessive traffic generation or noise.
- (8) No outside signage of any kind shall be displayed on the property which identifies the home occupation.
- (9) No additional blacktop, concrete or gravel parking shall be permitted beyond that normally provided in comparable neighborhood homes.

**HOME OFFICE:** An office for record keeping and administration of work. Such office shall be subject to the following conditions:

- (1) The office shall be clearly incidental and secondary to the use for dwelling purposes with no more than twenty-five percent (25%) nor more than five hundred (500) square feet in any case of the dwelling devoted to the office use.
- (2) ~~The office shall be located in the dwelling unit and not in any accessory building.~~
- (3) The office shall be operated by and shall employ only residents of the dwelling unit.
- (4) No sale of merchandise shall be conducted on the property.
- (5) No commodities or merchandise shall be stored on the property and no storage, as defined herein shall be permitted.
- (6) No signs of any kind shall be displayed on the property which identifies the home office use.
- (7) No visits to the home office by customers, clients, patrons and the general public are allowable.
- (8) The residence shall maintain its residential character and shall not be altered or remodeled so as to change the residential appearance of the building.

**HORIZONTAL PROPERTY (KRS 381.805/ 381.9101):** Property developed under the rules and regulations as defined by Kentucky Revised Statutes in Chapter 381.805 or KRS 381.9101 (Also referred to as Condominiums).

**HOTEL (See Motel)**

**HOTEL (KRS 219.011):** A building or structure kept, used, maintained, advertised, or held out to the public as a place where sleeping accommodations are furnished to the public, and includes motels, tourist homes, and similar establishments, but excludes boarding houses and rooming houses.

**HOUSEHOLD:** A single housekeeping unit with common access to and use of all living and eating areas within the dwelling unit.

**HOUSEHOLD LIVING:** Is the residential occupancy of a dwelling unit by a household. Tenancy is arranged on a month-to-month or longer basis. Uses where tenancy may be arranged for a shorter period are not considered residential; they are considered to be a form of overnight accommodation or lodging.

**HOUSING, BUILDING REGULATION (KRS 100.111):** Means the Kentucky Building Code, the Kentucky Plumbing Code, and any other building or structural code promulgated by the Commonwealth or by its political subdivisions.

**HUD CODE:** The Federal Manufactured Home Construction and Safety Standards for construction, design, and performance of manufactured housing as set forth in the Code of Federal Regulations, Title 24, Part 3280, 3282, 3283, and 42 USC 5401, and as administered by the United States Department of Housing and Urban Development.

**IMPERVIOUS SURFACE:** Surfaces through which rain or other water cannot permeate to the underlying soil strata (roofs, asphalt, concrete, etc.).

**JUNK YARDS:** A lot, land, building, or structure, or part thereof used primarily for the collecting, storage, and/or sale of wastepaper, rags, scrap metal, or discarded material or for the collecting, dismantling, storage, and salvaging of machinery or vehicles not in running condition and for the sale of parts there from.

**KENNEL, COMMERCIAL:** A commercial establishment where dogs or other domesticated animals are groomed, bred, boarded, trained or sold.

**KENNEL, NON-COMMERCIAL:** A non-commercial kennel at, in or adjoining a private residence where dogs or other domesticated animals are kept for the hobby of the householder (i.e. hunting, tracking or exhibiting) is permitted in agricultural and residential zoning districts. The occasional breeding of dogs or other domesticated animals (limited to one litter on the property at a time) by the keeper of a non-commercial kennel shall not change the character of the property and shall not constitute a nuisance to the neighborhood.

~~**KENNEL:** Any place where house pets are kept for purposes other than those customary and incidental to a household.~~

**KRS 100:** Kentucky Revised Statutes that enable cities and counties to enact local planning and land use regulations and specify how planning and zoning shall be administered.

**KITCHEN FACILITIES:** Equipment arranged in a room or some other space in a structure which facilitates the preparation of food including, but not limited to, a combination of two or more of the following--a range, microwave oven, dishwasher, kitchen sink, or refrigerator.

**LANDMARK:** Any site, building, structure, or natural feature that has visual, historic, or cultural significance.

**LANDSCAPE, PLAN:** A scaled drawing, including dimensions and distances, existing and proposed buildings, vehicle use areas, driveways, and the location, size, and description of all landscape materials.

**LANDSCAPE, ARCHITECT:** A qualified person currently licensed by the State Board of Examiners and Registration of Landscape Architects of Kentucky.

**LANDSCAPE, LANDSCAPE BUFFER AREA (LBA):** A strip of land to be set aside to separate incompatible land uses on which shall be placed trees, bushes, ground covers and barriers as necessary to reduce the deleterious effects of the activities.

**LANDSCAPE, LANDSCAPING:** The use of planting material, pavements, walls, fences and earth mounds to enhance the aesthetic and safety characteristics of new and existing development.

**LANDSCAPE, EARTH MOUNDS:** Ridges of piled earth constructed with proper slopes (not to exceed 3:1) and plant material to prevent erosion.

**LANDSCAPE, FENCE:** A barrier constructed of wood, metal, stone, brick or other weatherproof material for the purpose of restricting movement, or screening conflicting activities from sight. In the case of wood fences, slats are to be a minimum 1/2" in thickness and are to be placed on the outside of the fence unless the design is two-sided (shadow-box, etc.). Chain link fencing may not be used to meet the requirements of this ordinance. The height of fences shall be governed as set forth in the Zoning Ordinance. Fences shall not be used for advertising purposes.

**LANDSCAPE, HEDGE:** A row of bushes planted at such interval as to create a continuous mass within two years after planting.

**LANDSCAPE, INCOMPATIBLE LAND USES:** Any facility or use on a property which is incompatible with the adjacent use. For example, parking areas and dumpsters would be incompatible uses, but drainage facilities most likely would not.

**LANDSCAPE, INTERIOR LANDSCAPING AREAS:** Planting areas such as islands or peninsulas within a vehicular use area as required by Section 1105.11 of this Ordinance.

**LANDSCAPE, VEHICULAR USE AREA:** Any open or unenclosed area containing more than 1,800 square feet of area and/or used by six or more of any type vehicle or mobile home including but not limited to parking lots, loading and unloading areas, sales and services area.

**LANDSCAPE, GROUND COVER:** Planting with a mature height of twelve inches (12") or less including but not limited to grass, certain junipers, and ivy. Within LBAs next to a public right-of-way, crushed rock, tree bark or process shale may also be used.

**LANDSCAPE, LOW SHRUBS:** Low lying deciduous or evergreen ground covers.

**LANDSCAPE, SCREENING:** A method of visually or audibly shielding or obscuring an adjacent or nearby structure or use from another by fencing, walls, berms or densely planted vegetation.

**LANDSCAPE, SHRUBS:** Planting materials with a functional mature height of two to twelve feet with foliage for its full height.

**LANDSCAPE, TREES:** Planting materials with a functional mature height of ten or more feet. When used in conjunction with interior landscaping areas, trees should have a minimum clear height of five feet from the ground to the lowest branch.

#### **LODGING HOUSE (SEE BOARDING HOUSE)**

**LOT:** A piece, parcel, tract or plot of land occupied or to be occupied by one principal building

Versailles-Midway-Woodford County Zoning Ordinance

PC RECOMMENDATION NOVEMBER 13, 2025

and its' accessory buildings and including the open spaces required under this regulation.

**LOT OF RECORD:** Any lot, the deed of which is on record at the office of the County Clerk of Woodford County at the time of enactment of this resolution.

**LOT AREA, GROSS:** The total area circumscribed by the boundaries of a lot, except when the boundary of the lot extends into a public street right-of-way, then the street right-of-way shall be used in computing the lot area.

**LOT COVERAGE:** The computed portion of ground area occupied by the outside walls of buildings and structures as defined by gross floor areas within a lot.

**MAIL ORDER BUSINESS:** A business engaged in the sale of manufactured products, goods, merchandise and finished products primarily through means of mail or telephone orders, including the administrative offices of such business.

**MANUFACTURED HOME (KRS 219.320 MOBILE HOME PARK):** A single-family residential dwelling constructed in accordance with the National Manufactured Housing Construction in Safety Standards Act, manufactured after June 15, 1976, and designed to be used as a singlefamily residential dwelling with or without a permanent foundation when connected to the required utilities, and including plumbing, heating, air conditioning, and electrical systems. A manufactured home may also be used as a place of business, profession, or trade by the owner, the lessee, or the assigns of the owner or lessee and may comprise an integral unit or condominium structure. Buildings, the construction of which are not preempted by the National Manufactured Housing Construction in Safety Standards Act, are subject to the building code requirements of KRS Chapter 198B.

**MANUFACTURED HOME (KRS 100.348):** A single-family residential dwelling constructed after June 15, 1976, in accordance with the National Manufactured Home Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq., as amended, and designed to be used as a single-family residential dwelling with or without permanent foundation when connected to the required utilities, and which includes the plumbing, heating, air conditioning, and electrical systems contained therein.

**MANUFACTURED HOME, QUALIFIED (KRS 100.348):** A Manufactured Home defined under KRS 100.348 that meets all of the following criteria of an off-site constructed HUD home:

- a. Is manufactured on a date not to exceed five (5) years prior to the date of installation and has all parts that operate only during transport removed;
- b. Is affixed to a permanent foundation and is connected to the appropriate facilities and is installed in compliance with KRS 227.570;
- c. Has a width of at least twenty (20) feet at its smallest width measurement or is two (2) stories in height and oriented on the lot or parcel so that its main entrance door faces the street;
- d. Has a minimum total living area of nine hundred (900) square feet; and

- e. Is affixed to a permanent foundation and is connected to the appropriate facilities and is installed in compliance with KRS 227.570;

**MARINA:** A dock providing secure moorings for boats that may include accessory retail facilities for boat owners, crews and their guests.

**MEDICINAL CANNABIS FACILITY:** (a) Means marijuana as defined in KRS 218B.010 when cultivated, harvested, processed, produced, transported, dispensed, distributed, sold, possessed, or used in accordance with KRS 218B; (b) Includes medicinal cannabis products and raw plant material; and (c) Does not include industrial hemp or industrial hemp products as defined in KRS 260.850.

**MERCHANT ELECTRIC GENERATING FACILITY (KRS 278.700):** A merchant electric generating facility is one that is capable of operating at an aggregate capacity of at least 10 megawatts, and which sells the electricity it produces in the wholesale market at rates not regulated by the Public Service Commission (PSC). This term shall include wind and solar electricity-generating facilities.

**MICRO-BREWERY/CLASS B DISTILLER:** A facility within a completely enclosed building which is intended for the production and packaging of up to 25,000 barrels per calendar year of malt beverages, or 50,000 gallons of distilled spirits per calendar year, which may be associated with a restaurant or tasting room, under the terms and conditions specified by KRS 243.157, KRS 243.150, KRS 243.120, KRS 243.0305, and other applicable laws.

**MOBILE HOME (KRS 219.320 MOBILE PARK):** A structure manufactured prior to June 15, 1976, that was not required to be constructed in accordance with the National Manufactured Housing Construction in Safety Standards Act, that is transportable in one (1) or more sections, that, in the traveling mode is eight (8) body feet or more in width and forty (40) body feet or more in length, or when erected on site, four hundred (400) or more square feet, and that is built on a permanent chassis and designed to be used as a dwelling on a temporary or permanent foundation, when connected with the permanent required utilities, including plumbing, heating, air conditioning, and electrical systems and does not meet the definition of Manufactured Home. As used herein, mobile home shall not include camping trailer, travel trailer, recreational vehicle, pickup coach, bus, auto camper, or any unit with a seal which has been determined to be salvage only.

~~**MOBILE HOME:** A structure transportable in one or more sections which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes park trailers, travel trailers, and similar transportable structures placed on a site for 180 consecutive days or longer and intended to improve property.~~

~~**MOBILE HOME PARK:** An area developed as herein specified with accommodations for not less than ten (10) mobile homes.~~

~~**MOBILE HOME SUBDIVISION:** A residential subdivision designed exclusively for and occupied only by mobile homes and similar units designed for transportation in which the homes and the land are owned by the occupants.~~

**MOBILE OR MANUFACTURED HOME COMMUNITY (KRS 219.320 MOBILE HOME**

**PARK):** A parcel of land, under single or multiple ownership and developed specifically for the purpose of leasing two (2) or more residential spaces for the location of manufactured or mobile home dwellings and which contain common facilities and utilities located on the premises as licensed by the cabinet.

**MOBILE OR MANUFACTURED HOME LOT (KRS 219.320 MOBILE HOME PARK):**

**A parcel of land in a manufactured or mobile home community for the placement of a single manufactured or mobile home.**

**MODULAR HOME:** A dwelling unit constructed on-site in accordance with the state code and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation.

**MONUMENTS:** Survey markers set to 201 KAR 18.150 used to locate boundaries and installed Improvements. Intended to be located in an undisturbed area and used to establish reliable control for the area during construction and for future use.

**MOTEL OR HOTEL:** A building or group of buildings containing individual sleeping or living units (suites) designed for the temporary occupancy of transient guests and including hotels, motor lodges, motor hotels, or auto courts, but not including boarding or lodging houses. (Must provide off-street parking as specified by this Ordinance)

**MOTOR HOME:** A self-propelled vehicle with a dwelling constructed as an integral part of the vehicle. (See more under Recreational Vehicle)

**NONCONFORMING LOT:** A lot of record existing at the effective date of the zoning ordinance (and not created for the purposes of evading the restrictions of this chapter) that does not meet the minimum area requirement of the district in which the lot is located.

**NON-CONFORMING USE OR STRUCTURE:** An activity or a building, sign, structure, or a portion thereof which lawfully existed before the adoption of the zoning ordinance, but which does not conform to all of the regulations contained in the zoning ordinance which pertain to the zone in which it is located.

**NURSING HOME OR REST HOME:** A home for the aged, chronically ill or incurable persons in which three (3) or more persons not of the immediate family are received, kept, or provided with food and shelter and care for compensation, but not including hospitals, clinics, or similar institutions devoted primarily to the diagnoses, treatment, or care of the sick or injured.

**OPEN SPACE:** Outdoor area of a lot or tract which is designated and used for outdoor living, recreation, pedestrian access or planting. Off-street parking and loading areas, driveways, and required front and side street side yard areas do not qualify as useable open space.

**OWNER:** Any person, corporation, partnership or other entity, or any combination thereof, in whom is vested the ownership, dominion or title of property necessary to convey title to such property.

**PARKING AREA:** Any public or private unobstructed land area that has access to a street and which is designed and used for parking motor vehicles. The term includes parking lots, structures, garages, travelways, and private driveways.

**PARKING LOT:** An off-street, ground level area, usually surfaced and improved, for the temporary storage of motor vehicles. This term does not include areas for demolished, wrecked, junked or for sale motor vehicles or where motor vehicle parts are located.

**PARKING SPACE:** The area for the parking of a motor vehicle within a public or private parking area. As used in this Ordinance it is a numerical designation used to determine the size of parking area.

**PARKING, OFF-STREET:** A storage area for a motor vehicle that is located within a parking area which is not located on a dedicated street right-of-way.

**PARKING, ON-STREET:** A temporary storage area for a motor vehicle which is located on a dedicated street right-of-way.

**PEAK HOUR:** The traffic count that represents the highest volume of traffic in a one-hour period.

**PERMANENT FOUNDATION:** A permanent masonry, concrete or other footing approved by the Building Official to which a building, structure, or manufactured home may be affixed.

## **PERMITS**

- (1) Building Permit - A permit issued by the Building Inspector and Zoning Administrator authorizing the construction or alteration of a specific building on a specific lot, submitted and approved per the Kentucky Building Code (KBC) as adopted by jurisdiction.
- (2) Temporary Occupancy Permit - A temporary certificate issued by the Building Inspector for a building or structure, or part thereof, before the entire work covered by the permit has been completed, provided that such portion or portions will be occupied safely prior to full completion of the building or structure without endangering life or public welfare.
- (3) ~~Wrecking Permit~~ (Demolition Permit) - A permit issued by the Building Inspector before a building or structure, or major part thereof is razed.
- (4) Grading/~~Paving~~ Permit - A permit issued by the Zoning Administrator before any ~~stripping, cutting, filling, stockpiling of earth or land~~ grading, excavation, filling or removal of soil, or paving, on any lot or parcel of ground, which significantly affects the permanent drainage characteristics of a site.
- (5) Sign Permit - A permit issued by the Zoning Administrator before any sign is erected, moved, added to, or structurally altered.
- (6) Zoning Permit - A permit issued by the Zoning Administrator that authorizes the recipient to make use of property in accordance with the requirements of this zoning ordinance.

**PERSONAL SERVICES OR PERSONAL SERVICE ESTABLISHMENTS:** Commercial business providing services to individuals such as academic tutoring, music lessons, hair

salon, nail salon, cosmetologist, massage therapy, beauty and barber shops, shoe repair, dressing making and tailoring.

**PLANT NURSERY:** An establishment engaged in the outdoor cultivation of only trees and shrubs for transplanting. A greenhouse may be an accessory structure when used to propagate and prepare the trees or plants for planting on the premises.

**PRINCIPAL PERMITTED USE:** A use which is permitted outright in a district for which a zoning certificate may be issued by the Zoning Administrator in accordance with the provisions of the Ordinance.

**PRINCIPAL STRUCTURE:** A building in which is conducted a principal or conditional use. In any residential zone, any structure containing a dwelling unit shall be deemed a principal structure on the lot on which the same is located. Where a non-conforming use is the primary use on the property, the building in which it is located shall be deemed a principal structure.

**PRINCIPAL USE OF STRUCTURE:** The primary use of the land or the main structure on a lot which determines the primary activity that takes place on the land or in the structure.

**PUBLIC FACILITY (KRS 100.111):** The use of land whether publicly or privately owned for transportation, utilities, or communications, or for the benefit of the general public, including but not limited to libraries, streets, schools, fire or police stations, county buildings, municipal buildings, recreational centers including parks, and cemeteries.

**RECORDING PLAT:** Original Plat to be recorded in the Woodford County Clerk's office.

~~**RECREATIONAL VEHICLE:** A vehicle which is: (a) built on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projection; (c) designed to be selfpropelled or permanently towable to a light duty truck; and (d) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.~~

**RECREATIONAL VEHICLE (KRS 186.650):** Means a vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. The basic entities are: travel trailer, camping trailer, truck camper, and motor home.

**RECREATIONAL VEHICLE (RV) PARK:** Tracts of land of a design or character suitable for and used for seasonal, recreational, and other similar living purposes. The tracts may have located on them a structure of a seasonable, temporary or movable nature, such as a cabin, recreational vehicle or tent. Any permanent structures, such as cabins, must comply with the appropriate requirements for dwellings in that district. The following Standards apply to all Recreational Vehicle (RV) Parks:

- a. An RV Park may be established and maintained in accordance with the applicable Zoning District outlined in Article VII and KRS 219;

- b. RV Parks shall only be located in a Highway Interchange Service (B-5) or Light Industry (I-1) zoning district;
- c. Minimum Park Area. Twenty (20) acres;
- d. Maximum RV Spaces, Campsites and/or Cabins: One Hundred (100);
- e. All RV Parks shall be connected to public sanitary sewer and shall conform to appropriate Commonwealth of Kentucky Plumbing Code and Woodford County Health Department Rules and Regulations; and
- f. All campsites, buildings and structures shall be at least 100 feet from any property line.

**REHABILITATION HOME:** A building or group of buildings providing a supervised residence for persons recovering from the effects of drug or alcohol abuse, psychiatric disorders, or as a condition of their parole or probation. Such homes may provide counseling in educational, vocational, or other areas by a paid or volunteer staff and generally have twenty-four (24) hour-a-day supervision.

**RELIGIOUS INSTITUTION CHURCH:** A facility used primarily for religious worship services of an assembly nature that may secondarily provide social or community services such as counseling, childcare, senior services, and educational programs. For the purposes of this ordinance, synagogues, temples, and other places of religious assembly for worship, regardless of the terminology used by a specific faith or denomination, are considered Religious Institutions churches pursuant to this definition.

**RESIDENTIAL CARE FACILITY (KRS 100.982):** A residence operated and maintained by a sponsoring private, non-profit or governmental agency to provide services in a homelike setting for persons with disabilities.

**RESTAURANT:** An eating establishment where food is served and/or consumed primarily within the building and where consumption of food in motor vehicles on the premises is not encouraged. ~~Note: A restaurant may only include drive-through facilities (where food is served to patrons while in their motor vehicle through a window or other facilities and consumption on the premises in motor vehicles is not encouraged) as permitted and regulated in the zone in which the restaurant is located.~~

~~**RESTAURANT, DRIVE-IN:** An eating establishment where food is served by employees or by self-service outside the building and consumed on the premises principally in a motor vehicle.~~

**RETENTION BASIN:** A drainage storage structure that prevents surface runoff from passing to other surface structures or facilities.

**RIGHT-OF-WAY:** A strip of land dedicated to the public to accommodate access and/or utilities to lots or tracts. The usage of the term "right-of-way" for land platting purposes shall mean that every right-of-way shown on a Final Plat is to be separate and distinct from the lots or

parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels.

**ROADWAY:** That portion of a street intended for vehicular traffic.

**ROOF LINE:** The edge of the roof or the top of the parapet, whichever forms the top line of the building silhouette.

**ROUTINE MAINTENANCE:** To repair or refurbish a sign, structure, or building, or any part of each but not including expansion or total replacement.

**RURAL RESIDENTIAL DISTRICT:** The Rural Residential District is a zoning district classification applicable to residential subdivisions of property located outside existing urban service boundaries of Woodford County ~~and within an A-2 Agricultural district; the number of building lots on any individual property is based on a sliding scale approach which considers the total size of the parcel owned. Eighty percent (80%) of the land in this farm shall be residual farmland or open space utilized for those permitted uses within an A-2 Agricultural District other than single family dwelling units and their accessory structures, except that if there is one existing farm dwelling (as of April 1, 1999) it can remain on the residual farmland and not be subject to Section 803. In the event the residual farmland or open space is thirty acres (30) or less and one farm residence exists or is proposed on the residual, then in that event, the residual farmland or open space shall remain as one undivided parcel; if no farm residence exists or is proposed on the residual farmland, or in the event, that more than thirty (30) acres of residual farmland exists, where a farm residence exists or is proposed, then, in that event, the residual farmland or open space, or in the case when a farm residence exists or is proposed, the excess of the residual farmland over thirty (30) acres may be owned jointly or in common by the owners of the building lots, or an association of the owners of the subdivision or a person or entity who does not necessarily own a dwelling unit within the rural residential subdivision, but who makes a binding commitment to utilize the land for permitted uses other than the construction or maintenance of any dwelling units except one existing farm dwelling as noted above. If one farm dwelling exists or one is proposed on the residual farmland one "Lot to be Sold" shall be reduced from the sliding scale established in 703.11 (A), and all residual farmland acreage up to and including thirty (30) acres of the designated residual farmland shall remain as one undivided parcel.~~

**SCHOOLS FOR ACADEMIC INSTRUCTION:** All schools offering primarily classroom instruction with participation of teachers and students, limited to elementary, junior and middle high schools, high schools, junior colleges, colleges, theological seminaries, bible colleges, and universities; but not including business colleges, technical or trade schools.

**SETBACK:** The required distance between every structure and the lot lines of the lot on which it is located, measured perpendicular to the building (at the eave overhang) and related front, side, or rear property line, exclusive of patio, steps, and HVAC equipment.

**SHORT TERM RENTAL:** A dwelling unit or portion of a dwelling unit that is rented, leased or otherwise assigned for a tenancy of less than 30 consecutive days. This term does not include hotel or motel rooms, extended stay lodging facilities, or bed and breakfast establishments.

This may include renting a portion of a dwelling or accessory structure while the resident is present. Short term rentals include the following arrangements: Hosted Home Sharing, where the primary occupant(s) of the residence remains in the dwelling with the guests; and Dedicated Short Term Rentals, where there is not a primary occupant of the dwelling and it is only used by guests. The term Short Term Rental may include home sharing arrangements described as Boarding, Rooming, Vacation or Tourist House/Home.

**SIGN:** Shall mean and include any outdoor announcement, declaration, device, demonstration or insignia used for direction, information, activity, services or any interests.

- a. Banner Sign - Any sign of lightweight fabric or similar material that is permanently mounted to a pole or building by a permanent frame at one or more edges. National flags, state or municipal flags or official flags of any institution or business shall not be considered banners.
- b. Business Sign - A (on-premise) sign which identifies a building or directs attention to a business, product, activity or service manufactured, sold, offered or stored upon the premises as the primary use(s) where such sign is located.
- c. Pennant or Streamer - Any lightweight fabric or similar material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.
- d. Political Signs - A temporary on-premise sign supporting the candidacy for office or urging action on any other matter on the ballot of a state, local or national election or referendum.
- e. Projecting Sign - A sign suspended from or supported by a building or similar structure and projecting outwards.
- f. Sign Structure - The entire area within a single continuous perimeter enclosing all elements of the sign which form an integral part of the display.
- g. Wall Signs - A sign which is attached directly to a building wall and which does not extend more than fifteen (15) inches therefrom nor higher than the roof line of the building, with the exposed face of the sign in place parallel to the building wall.
- h. Free Standing Sign – A permanent sign erected on a framework not attached to any building, and attached to the ground, on one or more uprights or braces in the ground, whose purpose is to identify the name of a single user located on the lot with user.
- i. Monument sign – A permanent Freestanding Sign which is completely selfsupporting, has its sign face or base no more than six (6) inches above the ground.
- j. Shopping Center Complex or Industrial Park Sign – A freestanding pylon or monument sign within a commercial or industrial development whose purpose is to identify the name of the development, its tenants and its major vehicular access points.
- k. Project Entrance Sign – A freestanding monument sign within a residential, commercial, or industrial development whose purpose is to identify the name of the development (no tenants) and its major vehicular access points.
- l. On-premise Sign – Any on site sign on a permanent structure located on the premises to which sign pertains.

- m. Off-premise Sign – Any off-site sign, available for rent, on a permanent structure on which the copy is periodically changed and which is not located on the premises which such advertising copy pertains.

**STORAGE:** The keeping, either indoors or outdoors, of equipment, vehicles, or supplies used in the conduct of a trade, business, or profession. Storage does not include the overnight parking in residential zones of a single vehicle weighing no more than two and one-half (2½) tons gross vehicle weight which, although used primarily for business, trade or professional purposes, also provides daily transportation to and from work. (Amended December 2005)

**STORY:** That portion of a building, other than a cellar or mezzanine, included between the surface of any floor and the surface of the floor next above it, or, if there be no floor above it, then the space between the floor and ceiling next above it.

**STREET:** Any public or private right-of-way, twenty-five (25) feet or more in width, dedicated to vehicular and pedestrian movement, and which may also provide space for the location of under or above ground utilities. The word "street" shall include the words "road", "highway", and "thoroughfare."

**STRUCTURE:** Anything constructed or made, the use of which requires permanent location in or on the ground or attachment to something having a permanent location in or on the ground, including buildings, signs, and pools (in ground).

**SUBDIVISION (KRS 100.111):** The division of a parcel of land into three (3) or more lots or parcels except in a county containing a city with a population equal to or greater than eight thousand (8,000) based upon the most recent federal decennial census or in an urban-county government or consolidated local government where a subdivision means the division of a parcel of land into two (2) or more lots or parcels; for the purpose, whether immediate or future, of sale, lease, or building development, or if a new street is involved, any division of a parcel of land; provided that a division of land for agricultural use and not involving a new street shall not be deemed a subdivision. The term includes resubdivision and when appropriate to the context, shall relate to the process of subdivision or to the land subdivided; any division or redivision of land into parcels of less than one (1) acre occurring within twelve (12) months following a division of the same land shall be deemed a subdivision.

~~**SUBDIVISION:** The division of a parcel of land into three (3) or more lots or parcels; for the purpose, whether immediate or future, of sale, lease, or building development, or if a new street is involved, any division of a parcel of land; provided that a division of land for agricultural use and not involving a new street shall not be deemed a subdivision. The term includes resubdivision and when appropriate to the context, shall relate to the process of subdivision or to the land subdivided; any division or re-division of land into parcels of less than one (1) acre occurring within twelve (12) months following a division of the same land shall be deemed a subdivision within the meaning of this section.~~

**SUBDIVISION, MAJOR:** (See Subdivision Regulations)

**SUBDIVISION, MINOR:** (See Subdivision Regulations)

**TEMPORARY EMERGENCY, CONSTRUCTION OR REPAIR RESIDENCE:** A residence (which may be a mobile home) that is: (a) located on the same lot as a residence made uninhabitable by fire, flood, or other natural disaster and occupied by the persons displaced by such disaster, or (b) located on a nonresidential construction site and occupied by persons having construction. (Any such use must be approved by the Board of Adjustment).

**TEMPORARY CONSTRUCTION UNIT:** Any transportable facility built on its own chassis used for offices or storage and which is located on a construction site. No temporary construction unit shall be used for sleeping or residential purposes in whole or in part.

~~**TEMPORARY USE PERMIT:** A permit issued for the temporary use of a mobile home for the purposes of a construction trailer or temporary dwelling.~~

**TENANT HOME:** An accessory residence located in an agricultural zone occupied by a person, other than the owner's family or the farm manager, employed in an agricultural use on the property.

~~**TOURIST DESTINATION:** Tourist Destinations provide for the rehabilitation and productive re-use of structures existing as of (date), in the rural areas of Woodford County, thus promoting tourism and the overall economy, while allowing for the continued use of the subject property for agricultural purposes, if any, and preservation of the landmark or historic structure. Tourist Destinations are allowed as a permitted Principal Use in designated Zoning Districts. Tourist Destination is a unique, regionally recognized existing landmark or historic structure as of January 1, 2012, that is primarily known for its existing architectural significance and/or uniqueness, which promote tourism and the overall economy, which naturally draws the general public as a destination that meets the following criteria and limitations:~~

- ~~a. A use or operation must be operated by and located in an existing structure located on land which is occupied by the owner, lessee, or owner's agent.~~
- ~~b. Property must be at least 30 acres in size and have road frontage on a State or Federal Highway.~~
- ~~c. Overnight accommodations to guests are allowed but the number of guest rooms is limited to 10 rooms.~~
- ~~d. A restaurant is allowed and may serve registered overnight guests and/or the public, with the number of seats for patrons limited to 75.~~
- ~~e. Public tours of the structure(s) and grounds are allowed.~~
- ~~f. Gift shops, open to the public, are allowed but must be accessory to other allowed uses.~~
- ~~g. Special events, including charitable events, receptions, parties, corporate picnics, weddings, or any other events/activities which are determined by the Agricultural Advisory Review Committee to be of the same general character as those listed herein, are allowed but the number of such events is limited to 7 per week with no more than 2 held on any one day.~~
- ~~h. Special events and activities must be located at least 300 feet from an adjoining property line.~~
- ~~i. All food preparation must take place in a kitchen inspected, approved, and licensed by the County Health Department.~~
- ~~j. In order to not create noise or lighting conditions detrimental to the surrounding area amplified music shall be prohibited after 11:00 p.m. and outdoor lighting shall be shielded.~~

- ~~k. A current guest register including names, addresses and dates of occupancy of all guests shall be kept on site at all times if overnight accommodations are provided.~~
- ~~l. All business licenses and revenue collection ordinances of Woodford County, Versailles and Midway shall be complied with.~~
- ~~m. The Kentucky Building Code and other applicable local/state laws shall be adhered to.~~
- ~~n. Parking requirements will be as set forth herein in Article VI.~~
- ~~o. All parking areas will be buffered with trees, shrubs, walls, or fences per Article XI-1105.3D.~~
- ~~p. No parking will be allowed for any guest or those attending special events on public road right-of-ways.~~
- ~~q. Overflow parking areas shall remain grass and buffered as provided in section O above.~~
- ~~r. Access to the subject property shall be approved by the appropriate local, state, or federal agency having jurisdiction.~~
- ~~s. Signs shall be limited to one externally illuminated on premise sign on each existing contiguous public road not to exceed twenty-four (24) square feet in area.~~
- ~~t. Additions to the existing structure and/or additional structures if constructed past the date specified herein shall not be used for operations specified herein but rather used as otherwise allowed.~~
- ~~u. The owner, owner's agent, or lessee shall cooperate with the Woodford County Tourist Commission to display, without charge, information on other tourist destinations within Woodford County.~~
- ~~v. A site plan drawn to scale as specified in Article III, Section 301.3 (B) is required for review and approval prior to establishing uses specified herein.~~

~~**TOURIST DESTINATION EXPANDED:** Tourist Destinations provide for the rehabilitation and productive re-use of structures existing as of (date), in the rural areas of Woodford County, thus promoting tourism and the overall economy, while allowing for the continued use of the subject property for agricultural purposes, if any, and preservation of the landmark or historic structure. Tourist Destinations may be allowed only as a Conditional Use in designated Zoning Districts and subject to any conditions imposed. A Tourist Destination is a unique, regionally recognized existing landmark or historic structure that is primarily known for its existing architectural significance and/or uniqueness, which promote tourism and the overall economy, which naturally draws the general public as a destination that meets the following criteria and limitations:~~

- ~~a. Overnight accommodations to guests may be permitted by the Board of Adjustment, with the number of guest rooms exceeding 10 but as stipulated and approved by the Board of Adjustment.~~
- ~~b. A restaurant serving registered overnight guests and/or the public, with the number of seats for patrons exceeding 75 but as stipulated and approved by the Board of Adjustment.~~
- ~~c. Special events, including charitable events, receptions, parties, corporate picnics, weddings, or any other events/activities which are determined by the Agricultural Advisory Review Committee to be of the same general character as those listed herein, are allowed but the number of such events may exceed 7 per week or with more than 2 held on any one day as stipulated and approved by the Board of Adjustment.~~

**TOWNHOUSE:** A group or row of attached single family dwellings in which each unit has its own front, rear, or side access to the outside and each unit is separated from any other unit by one or more common fire-resistant walls and is capable of being subdivided into separate units.

**TRACT:** A lot. The term tract is used interchangeably with the term lot, particularly in the context of subdivision, where one "tract" is subdivided into several "lots." (See Lot)

**TRAFFIC IMPACT STUDY:** The collection, processing and report of data showing current and future conditions of vehicular movement.

**TRUCK STOP -** A facility with direct access from a major transport route, that provides a range of rest, service and fueling facilities for the drivers of heavy duty and long-haul vehicles and trucks, but does not include Overnight Accommodations or Overnight Parking Facilities.

**USE:** The purpose or activity for which a building, structure, or land is occupied or maintained.

**USE, PERMITTED:** Any use allowed in a zoning district and subject to the restrictions applicable to the zoning district.

**USE, TEMPORARY:** A use of land that is designed, operated and occupies a site for a specified period of time, with the intent to discontinue such use upon the expiration of such time and does not involve the construction or alteration of any permanent structure.

**UTILITY FACILITIES:** Any above-ground structures or facilities (other than buildings, unless such buildings are used as storage incidental to the operation of such structures or facilities) owned by a governmental entity, a nonprofit organization, a corporation, or an entity defined as a public utility for any purpose (by the appropriate provision of state law) and used in connection with the production, generation, transmission, delivery, collection, or storage of water, sewage, electricity, gas, oil, or electronic signals.

**VARIANCE (KRS 100.111), DIMENSIONAL:** A departure from dimensional terms of the zoning regulation pertaining to the height, width, or location of structures, and the size of yards and open spaces where such departure meets the requirements of KRS 100.241 to 100.247.

**VEHICLE USE AREA:** Any area occupied in whole or in part by motorized vehicles, including, but not limited to, parking lots, parking stalls, driveways, service areas, and roadways.

**WOODLOT, COMMERCIAL:** Premises, or portions thereof, used for seasoning and storage of firewood and for cutting and splitting of timber to produce firewood for later resale.

~~**YARD:** An open space on the same lot with a principal building, open, unoccupied, and unobstructed by buildings except as otherwise provided in this ordinance~~

~~A. Yard, Front The yard extending across the entire width of the lot between the principal building and the right-of-way line or street line which the building faces.~~

~~B. Yard, Rear The yard extending across the entire width of the lot between the rear lot line and the nearest part of the building.~~

~~C. Yard, Side – The yard extending along the side lot line from the front yard to the rear yard and lying between the side lot line and the nearest part of the principal building.~~

**YARD:** That portion of a lot that is unobstructed by buildings or structures, from the ground to the sky.

**YARD, FRONT:** A space extending the full width of the lot between any building and the front lot and measured perpendicular to the building at the closest point to the front lot line. In case of corner or through lots, front yards shall be provided on all frontages.

**YARD, REAR:** A space extending across the full width of the lot between the principal building and the rear lot line and measured perpendicular to the building to the closest point of the rear lot line.

**YARD, SIDE:** A yard extending along the side lot line from the front yard to the rear yard and lying between the side lot line and the nearest portion of the principal building. In the case of through lots, side yards shall extend from the rear lot lines to the front lot line.

**ZERO LOT LINE:** The location of a building on a lot in such a manner that one of the building's sides rest directly on a property line.

**ZONING DISTRICT:** A classification of areas or parcels of land to which specific land use regulations apply.

**ZONING ORDINANCE:** The Zoning Ordinance of Woodford County and the cities of Versailles and Midway.

# ARTICLE VII

## ZONING DISTRICTS

### 700 Zoning District Regulations Schedule of Zones

Section	Zone	District Title
701	A-1	Agricultural
702	<del>CO-1</del> A-2	<del>Conservation District</del> Agricultural
703	RR / <del>RF</del>	Rural Residential / <del>Residual Farmland</del>
704	<del>SC</del> A-4	Small Community
705	R-1A	Low Density Single Family Residential
706	R-1B	Low Density Single Family Residential
707	R-1C	Low Density Single Family Residential
708	R-2	Two Family Residential
709	R-3	Medium Density Residential
710	R-4	High Density Residential
711	M-1	Mobile/ <del>Manufactured</del> Home District
712	P-1	Professional Office
713	B-1	Neighborhood Business District
714	B-2	Central Business District
716	B-4	Highway Business District
717	B-5	Highway Interchange Service
718	I-1	Light Industrial
719	I-2	Heavy Industrial
720	HD	Historic Overlay District
721	<del>CO-1</del>	<del>Conservation District</del>

**700.1** To facilitate public understanding of this ordinance and for the better administration thereof the regulations limiting the use, buildings and arrangement of buildings are for the most part set forth in the following schedule for each of the districts established by Section 500 of this ordinance. Such schedule is hereby adopted and declared to be a part of this ordinance hereinafter referred to as the schedule and may be amended in the same manner as any other part of this ordinance. Wherever in such schedule there appear the words "same as in (symbol of district) above:" such words shall be construed to include the specific limitations set forth in the same column for the district thus referred to. Otherwise, all limitations as to uses permitted, permissible height, required yard, and minimum sizes thereof and other requirements shall be those set forth in such schedule. The following applies to all Zoning Districts:

- A. All area regulations are subject to the Supplemental District provisions of Article V, Section 504.
- B. All area regulations are subject to the provisions of Article V, Section 503.4 where public sewer system is not accessible.
- C. Minimum Front Yard Dimension is from the street right-of-way line.

**700.2 Transitional Provisions - District Conversion Table**

The District names and standards in effect immediately prior to the effective date of this Article are hereby converted as follows:

<u>OLD</u>	<u>BASE DISTRICT</u>	<u>NEW</u>	<u>PAGE</u>
<u>A-2</u>	<u>Agriculture District</u>	<u>A-1</u>	<u>7-11</u>
<u>A-4</u>	<u>Small Community District</u>	<u>SC</u>	<u>7-28</u>

**701 AGRICULTURAL (A-1)**

~~**701.1 Intent**—This zone is established to preserve the rural character of the agricultural service area by promoting agriculture and related uses, and by discouraging all forms of urban development except for a limited amount of conditional uses.~~

**701.1 Purpose and Intent - The Agricultural District is intended to:**

- A. Maintain, preserve and enhance the prime agriculture lands of Woodford County;
- B. Preserve the natural beauty and open space character of the rural countryside.
- C. Protect the decreasing supply of prime agriculture lands in Woodford County in order to maintain one of the county's principal economic resources; the agriculture economy of the county;
- D. Discourage urban growth on land best suited for agriculture purposes;
- E. Minimize urban-type development in rural areas by discouraging all forms of urban development except for a limited amount of conditional uses;
- F. Right to Farm Policy - In addition to the purposes and intent set out above, there is hereby established a "Right-to-Farm" policy.
  - 1. Any agricultural operation or practice that is historical, traditional, legitimate and reasonable shall be protected. Any new or expanded agricultural operation or practice that is legitimate and reasonable shall be encouraged.
  - 2. Agriculture, as a way of life, benefits all residents of Woodford County. It is an important part of the economy and adds intrinsic value to life in Woodford County. Agriculture, as a business, brings with it noise, odors, dust, mud, smoke and other inconveniences such as equipment and livestock on public roads, odors from manure and feeds, lights and noises at all hours of the day and night, and on-farm processing and marketing of crops and livestock. To maintain this way of life, Woodford County intends to protect agricultural operators from unnecessary, intrusive litigation. Therefore, no inconvenience shall be considered a nuisance as long as it occurs as a part of non-negligent and legal agricultural practice.

**701.2 Principal Uses**

- A. Agriculture Uses (KRS 100.111 & Article II, Section 201);
- B. Riding Stables, and Fishing Lakes;

- C. ~~Public~~ Parks, Playgrounds, ~~public or privately owned~~ Golf Courses, Forests and Conservation Areas;
- D. Single Family Detached Dwellings;
- E. ~~Tourist Destinations (See Article II, Definitions)~~
- F. Greenhouses and Nurseries;
- G. Safety Services;
- H. Basic Utilities and Telecommunication Facilities.

**701.3 Accessory Uses and Structures - Accessory uses, buildings and structures shall be subject to the following regulations:**

- A. Accessory uses and structures customarily incidental to any principal use located on the same lot ~~therewith such as agricultural structures, tenant homes, private garages, private stables or parking areas, not including any business, trade or industry.~~
- B. Accessory uses, buildings and structures include the following: farm/tenant homes, accessory dwellings, private garages, private stables or parking areas, not including any business, trade or industry.
- C. Home Offices and Home Occupations are permitted as Accessory Uses in the Agricultural District (See Article II - Definitions).
- D. Office of a resident physician, farm manager or equine trainer are permitted as an Accessory Use in the Agricultural District. Office of a resident physician, architect, or similar professional person when located within this dwelling.
- E. Roadside Stand offering for sale agricultural products produced in Woodford County.
- F. On-Farm Markets in existing or new on-farm buildings offering for sale agricultural products produced in Woodford County or value-added products made from agricultural or other natural resource products primarily from Kentucky.
- G. Accessory buildings/structures shall be permanently affixed to the ground and shall not include mobile home, bus, travel trailer, RV, trailer, cooler or vehicle.
- H. Fences. For the purpose of determining yard setback, the accessory structure setback shall not apply to fences.
- I. Swimming Pools. All swimming pools shall require a Building or Zoning Permit. 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.

- J. Solar Panels. A ground-mounted solar panel system is not permitted as the principal use of a property in the Agricultural District on tracts greater than 10 acres in size.

#### **701.4 Conditional Uses**

- A. Agritourism Uses (KRS 247.801)\*\*;
- B. Bed and Breakfast Home, Bed and Breakfast Inn, and Bed and Breakfast Farmstay Establishment\*\*;
- C. Short Term Rental Establishment: Hosted Home-Sharing and Dedicated Short Term Rental Establishments;
- D. Religious Institution Facility;
- E. Schools for Academic Instruction (All structures less than 20,000sf);
- F. Sportsmen Farm;
- G. Commercial Kennel;
- H. Private Airstrips;
- I. Cemetery;
- J. Mine, Quarry or Borrow Pit;
- K. Plant Nursery, Sod and Tree Farms\*\*;
- L. Animal Hospital & Veterinary Clinic (All structures less than 10,000sf);
- M. Agricultural Related Research Facility\*\*.
- N. In-Family Conveyance Lots (less than 30 acres in size), see Special Provision 701.9.D (below).

\*\* Agricultural Advisory Review Committee Application required to be submitted and reviewed prior to Board of Adjustments Conditional Use Permit Review.

~~Airport, cemeteries, art or antique shops, quarries and gravel pits, and horse sales.~~

~~Schools for academic instruction.~~

~~Public buildings and properties.~~

~~Commercial golf and driving ranges on a temporary and revocable certificate provided adjacent areas are predominantly undeveloped.~~

~~Garbage or refuse disposal by City or County.~~

~~Animal Hospitals & Clinics.~~

~~Research Facilities.~~

~~Sportsmen Farms and Kennels.~~

~~Agritourism Uses (KRS 247.801), (based on findings and recommendations from the Agricultural Advisory Review Committee).~~

~~Bed and Breakfast Home, Bed and Breakfast Inn, and Bed and Breakfast Farmstay Establishments.~~

~~Short Term Rental Establishments: Hosted Home Sharing and Dedicate Short Term Rental Establishments.~~

~~Churches (Amended November 2003)~~

~~Plant Nursery (Amended December 2005)~~

~~Tourist Destination Expanded (Amended February 2013)~~

~~A unique, regionally recognized existing landmark or historic structure that is primarily known for its existing architectural significance and/or uniqueness, that promotes tourism and the overall economy, which naturally draws the general public as a destination that meets the criteria of a Tourist Destination as defined herein with the following special allowances:~~

- ~~a. Overnight accommodations to guests may be permitted by the Board of Adjustment, with the number of guest rooms exceeding 10 but as stipulated and approved by the Board of Adjustment.~~
- ~~b. A restaurant serving registered overnight guests and/or the public, with the number of seats for patrons exceeding 75 but as stipulated and approved by the Board of Adjustment.~~
- ~~c. Special events, including charitable events, receptions, parties, corporate picnics, weddings, or any other events/activities which are determined by the Agricultural Advisory Review Committee to be of the same general character as those listed herein, are allowed but the number of such events may exceed 7 per week or with more than 2 held on any one day as stipulated and approved by the Board of Adjustment.~~

**701.5 Prohibited Uses**

All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal, accessory, or conditional uses shall be prohibited.

**701.6 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, Qualified;
- D. Manufactured Home;
- E. Farm Dwelling/Tenant Home (See Special Provision 701.9.B); and
- F. Accessory Dwelling (See Special Provision 701.9.C)

**701.7 Property Development Standards**

- A. Dimensional standards for this District are found in the following table.
- B. Only one principal Single Family Detached Dwelling shall be permitted per platted lot.

**Agricultural District (A-1)**

<u>Lot Area (minimum)</u>	<u>30 Acres</u>
<u>Lot Width (minimum at 75-foot front setback line)</u>	<u>200 ft</u>
<u>Lot Frontage (minimum)</u>	<u>150 ft</u>
<u>Lot Coverage (maximum)</u>	<u>25%</u>

<b><u>Setback (minimum)</u></b>	
<u>Front Yard</u>	<u>75 ft</u>
<u>Side Yard</u>	<u>25 ft</u>
<u>Rear Yard</u>	<u>50 ft</u>
<b><u>Accessory Structure</u></b>	
<u>Front</u>	<u>25 ft</u>
<u>Rear</u>	<u>10 ft</u>
<u>Side</u>	<u>10 ft</u>
<b><u>Height (max Principal Structure)</u></b>	<u>42 ft</u>
<b><u>Off-Street Parking Spaces</u></b>	<u>2</u>

**701.7 — Lot, Yard and Height Requirements**

Minimum Lot Size	—30 acres
Minimum ROW Frontage	150 feet
Minimum Width at Building Line	200 feet
Minimum Front Yard	—80 feet
Minimum Each Side Yard	—25 feet
Minimum Rear Yard	—50 feet
Maximum Height of Building	1-1/2 stories or 35 feet
Maximum Density	One Dwelling (See 701.7.C below)

**701.8 Signs** - Signage is allowed within Agricultural District on a limited basis and in accordance with the following table. Non-residential uses and properly permitted conditional uses in the Agriculture District may have a maximum of one freestanding sign (monument) and limited wall signage. No sign shall be internally illuminated.

	<b>A-1</b>
<u>Freestanding Signs Allowed?</u>	<u>Yes</u>
<u>Maximum Number</u>	<u>1</u>
<u>Maximum Face Area</u>	<u>24 sf</u>
<u>Maximum Height</u>	<u>8 ft</u>
<u>Structure Type</u>	<u>Monument</u>
<u>Wall Signs Allowed?</u>	<u>Yes</u>

Maximum Face Area	12 sf
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- A. Temporary On-Premise Signs shall not require a permit. These signs are allowed provided they otherwise comply with the following standards:
  - 1. 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.
  - 2. The maximum sign face per Temporary Sign shall be 4 square feet in total. Maximum height shall be 4 feet.
- B. All permitted signs in the Agricultural District shall also comply with all the General Sign Development Standards in Article V.

**701.9 Special Provisions**

- A. ~~Farm uses need only to comply with the front yard requirements.~~ All other nonagricultural uses shall be a distance at least one hundred (100) feet from any lot in any residential district or any lot adjacent to a dwelling, school, church, or institution for human care.
- B. Farm Dwellings/Tenant Homes: Other Accessory Farm Dwellings to be occupied by farm owners, employees of the farm or members of the immediate family of the farm owner are permitted in the Agricultural A-1 District. Parcels containing Accessory Farm Dwellings are permitted on conforming tracts of at least thirty (30) acres in size shall not exceed a density of one accessory dwelling for each ten (10) acres. All Accessory Farm Dwellings shall have access to an existing public road through an existing driveway or through a platted and recorded access easement. So long as land remains in this district it shall not be eligible for subdivision, except as provided by the definition of "Agricultural Uses" in Article II of the Ordinance.
- C. Accessory Dwellings in the Agriculture District: An Accessory Dwelling is permitted in the Agricultural A-1 District. An Accessory Dwelling may be attached or detached from the principal residence. The floor area of the accessory Dwelling may not exceed 50 percent of the floor area of the principal structure. Accessory Dwellings 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.
- D. In-Family Conveyance Lots (in the Woodford County unincorporated area only): The minimum lot area for A-1 district may be reduced to less than 30 acres only after obtaining a Conditional Use Permit from the Board of Adjustments. The following standards shall be required to create an In-Family

Conveyance Lot from an existing parcel which has existed in the same configuration since January 1, 2026:

1. An Agricultural Use Affidavit shall be submitted as part of an In Family Conveyance Plat Application.
2. All In-Family Conveyance Lots shall be at least one (1) acres in size.
3. Two (2) In-Family Conveyance Lots may be created for existing parcels 31 acres 32-49 acres in size; ~~Two (2) In-Family Conveyance Lots may be created for existing parcels 50 acres and greater in size.~~ The remaining parcel for an In-Family Conveyance shall be a minimum of thirty (30) acres. If the remaining parcel is less than thirty (30) acres, it shall be added by plat to an adjoining tract of land where the resulting acreage of the adjacent parcel is thirty (30) acres or greater.
4. In-Family Conveyance Lots are required to meet all other District Dimensional Standards (Lot Frontage, Lot Width, Lot Setbacks and Lot Coverage).
5. The primary parcel shall be held for at least 5 years and the conveyed parcel shall be held for at least 10 5 years after recordation of the deed conveying the In-Family Conveyance Lot., with said period to commence only after the grantee has established residency in a primary residence constructed on the conveyed property.
6. Exception to this restriction shall be a transfer between the parties of the original In-Family Conveyance Plat Application pursuant to Court Order or arising from substantial hardship.
7. Applicability and Enforcement of Restrictions:
  - a. Enforcement Mechanism: The commencement of the five (5) year holding period and the activation of associated deed restrictions shall be formally triggered by the issuance of a Certificate of Occupancy by the Woodford County Planning Commission.
  - b. Legal Tools: To ensure compliance, the property shall be subject to a Restrictive Covenant recorded with the deed along with a note of ineligibility for further in-family conveyance. This covenant shall include a Reverter Clause, stipulating that if the property is transferred or the residency requirement is vacated prior to the completion of the five (5) year post-occupancy period, title shall revert to the original grantor.
  - c. Exception to this restriction shall be a transfer between the parties of the original In-Family Conveyance Plat Application pursuant to Court Order or arising from substantial hardship.
  - d. Water Service Capacity and Development Condition: Prior to the approval of an In-Family Conveyance Plat, the applicant must provide written certification from the applicable water district confirming that the district is functionally able to provide the necessary service and water pressure to the proposed lot. This certification must state that the additional demand will not result in a reduction of service levels or pressure below the minimum regulatory standards for existing customers in the vicinity. If the water district determines that upgrades are necessary to serve the additional demand, the cost of such upgrades shall be the responsibility of the applicant.

~~8. In-Family Conveyance Lots shall only be conveyed from parent to child (natural or legally adopted), or grandparent to grandchild. Properties in LLCs, Trusts or Estates are prohibited from creating In-Family Conveyance Lots.~~

~~9. The In-Family Conveyance Lots restrictions in paragraph number 5 above, along with a note of ineligibility for further in-family conveyance, shall be recorded on the Plat and set forth in the Deed. The 5-year and 10-year requirement commences upon recordation of the Deed.~~

~~It shall be provided that in-family conveyances shall be permitted at a density that shall not exceed one (1) dwelling for each five (5) acres. In-family conveyance shall be defined as a tract to be continuously occupied by an immediate family member. It shall be comprised of a lot no smaller than one (1) acre in size, with access to an existing public road through an existing private driveway to be shared with the original residence, through a platted and recorded access easement of fifteen (15) feet, or, the in-family lot can be comprised of a lot no smaller than five (5) acres in size with frontage on an existing public road or if the nearest property line of any new lot is within four hundred (400') feet of the centerline of an existing public road; with a limit of no more than two (2) in-family lots fronting on an existing public road and sharing a common entrance; and which meets all health and sanitation regulations in effect contained herein, and provided further that the number of lots be limited to one lot in Woodford County per each immediate family member's lifetime and that such family member shall hold title to the tract so conveyed for at least five (5) years, if said conveyance is made to a minor, the five (5) year restriction for holding title begins when the minor turns eighteen (18), and should the family member, within five (5) years, re-convey the tract to anyone other than to the person or persons from whom it was received, then such deed of re-conveyance shall be void, and provided further, that all such deeds from a farm owner to a family member shall contain a restrictive covenant stating clearly the five (5) year restriction for holding title and stating that any conveyance prior to said five (5) years shall be void, and any deed from a farm owner be provided further that in the case of a judicial sale the restriction on re-conveyance shall not apply. On farms where in-family conveyances are permitted, all lots shall be counted against the sliding scale of "Lots to be Sold" as defined in Section 703.11 (A). In no case shall any farm of 100 acres or more be permitted to have more than fifteen (15) in-family conveyance lots.~~

### **701.10 Agricultural Related Definitions**

~~Agri-tourism enterprise—Refers to a commercial enterprise at a working farm, ranch or agricultural plant conducted for the enjoyment of visitors that generates supplemental income for the owner.~~

~~Agricultural tourism—Refers to the act of visiting a working farm or any agricultural, horticultural, or agribusiness operation for the purpose of enjoyment, education, or active involvement in the activities of the farm or operation.~~

- A. Natural Resource Products - Commodities or products derived from the natural environment including, but not limited to: wood, water, wild plants, and non-domesticated animals.
- B. On-Farm Markets - Refers to the sale of agricultural or natural resource products or value-added agricultural or natural resource products, directly to the consumer from a site on a working farm or any agricultural, horticultural, or agribusiness operation.
- C. Roadside Stands - Also known as farm stands, refers to any activity where the farmer sells agricultural and value-added products directly to consumers at a stand or kiosk located on or near the farm.
- D. Value-Added - Any activity or process that allows farmers to retain ownership and that alters the original agricultural or natural resource products or commodity for the purpose of gaining a marketing advantage. Value-Added may include bagging, packaging, bundling, pre-cutting, cooking, chilling, etc.

~~Agricultural plant—A facility where the value added processing of agricultural and/or other natural resources occurs.~~  
~~Commercial enterprise—A formal business or an activity that involves the buying and selling of goods and services.~~

## 702 CONSERVATION DISTRICT (CO-1)

### 702.1 Purpose and Intent **Preamble**

The Conservation District (CO-1) is intended to promote and protect significant natural features, wooded areas, water courses, existing and potential lake sites, other recreation and conservation resources, wildlife habitat, present and future water supplies, and to minimize erosion of soil, siltation and pollution of streams and lakes.

### 702.2 Permitted Uses

Within any CO-1 Conservation District, no building or premises shall be used or arranged, or designed to be used except for one or more of the following uses which shall be subject to all regulations and requirements for permit of this ordinance.

- A. Lakes (artificial).
- B. Public or private picnic grounds, beaches, bridle and bicycle paths.
- C. Public parks and forest preserves.
- D. Agriculture and agricultural buildings.
- E. Single family dwellings.

**701.3 Accessory Uses and Structures** - Accessory uses, buildings and structures shall be subject to the following regulations:

- A. Accessory uses and structures customarily incidental to any principal use located on the same lot.
- B. Accessory uses, buildings and structures include the following: accessory dwellings, private garages, private stables or parking areas, not including any business, trade or industry.
- C. Home Offices and Home Occupations are permitted as Accessory Uses in the Conservation District (See Article II - Definitions).
- D. Accessory buildings/structures shall be permanently affixed to the ground and shall not include mobile home, bus, travel trailer, RV, trailer, cooler or vehicle.
- E. Fences. For the purpose of determining yard setback, the accessory structure setback shall not apply to fences.
- F. Swimming Pools. All swimming pools shall require a Building or Zoning Permit. 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.
- G. Solar Panels. A ground-mounted solar panel system is not permitted as the primary use of a property in the Conservation District on tracts less than 10 acres in size.
- H. Accessory Dwelling: An Accessory Dwelling may be attached or detached from the principal residence. The floor area of the accessory apartment may not exceed 25 percent of the floor area of the principal structure. Accessory Dwellings 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. If attached to the principal residence, any entrance into the Accessory Dwelling shall be located on the side or rear facade(s) of the building. The Accessory Dwelling must not alter the character of the residence or the development pattern of the neighborhood. A minimum of 1 parking space (in addition to the parking required for the primary residence) shall be provided for Accessory Dwelling. The number of bedrooms located within Accessory Dwelling shall not exceed two (2).

**702.4 Conditional Uses**

The following uses may be permitted as conditional uses in the CO-1 District by the Board of Adjustment after public hearing. Such conditional uses shall be subject to

any requirements the Board of Adjustment feels necessary to further the purpose of the Conservation District as stated in the preamble.

- A. Public utility substations, booster stations, radio and television relay towers, repeater stations, etc., but not including power generation or gas manufacturing plants.
- B. Camp/ Campground (See Special Provision 702.7.D)
- C. ~~Mobile Homes of a temporary, seasonal nature.~~
- D. Bed and Breakfast Home, Bed and Breakfast Inn, and Bed and Breakfast Farmstay Establishments.
- E. Short Term Rental Establishments: Hosted Home-Sharing and Dedicated Short Term Rental Establishments.
- F. Marinas.

**702.5 Prohibited Uses**

All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal accessory or conditional uses shall be prohibited.

**702.6 Lot, Yard, and Height Requirements**

Minimum Lot Size	<del>5</del> 30 Acres
Minimum ROW Frontage	150 feet
Minimum Width at Building Line	200 feet
	<del>(minimum at 75-foot front setback line)</del>
Minimum Front Yard	<del>75</del> 80 feet
Minimum Each Side Yard	25 feet
Minimum Rear Yard	50 feet
Maximum Height of Building	<del>42 feet 1-2 stories or 35 feet</del>
Maximum Density	<del>1 dwelling per 5 acres</del>

~~\*A tract of land that is at least a minimum of 5-30 acres in size, and that is partially zoned A-1 (Agricultural) and partially zoned CO-1 (Conservation), is also considered to meet the minimum lot size requirements of this zone.~~

**Permitted Residential Unit Types**

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

	<b>CO-1</b>
Single-Family Detached	YES

Modular Home	YES
Manufactured Home, Qualified	YES
Manufactured Home	YES
Mobile Home	NO
Accessory Dwelling	YES

**702.7 Special Provisions**

- A. No building shall be erected within fifty (50) feet of the right-of-way of any public street, road or highway, nor within fifteen (15) feet, or one foot for each foot of building height, whichever is the greater, of any lot line.
- B. Any building to be located in possible floodplain shall be so placed as to offer the minimum obstruction to flow of waters and shall be firmly anchored to prevent the building from being moved or destroyed by the flow of water (See Article X).
- C. A Rural Residential shall only be allowed in a CO-1 zone provided rezoning application has been made to, and approved by, the Versailles-MidwayWoodford County Planning and Zoning Commission. (See Section 703).
- D. The following Standards apply to Camp and Campground:
  - 1. Minimum Campground Area of Five (5) acres;
  - 2. Camp and Campgrounds shall only be located in a Conservation (CO-1) zoning district;
  - 3. Maximum Campsites and/ or cabins: Twenty-Five (25);
  - 4. All Camp and Campground uses shall conform to appropriate Woodford County Health Department Rules and Regulations; and
  - 5. All campsites, buildings and structures shall be at least 100 feet from any property line.

~~It shall be provided that in-family conveyances shall be permitted at a density that shall not exceed one (1) dwelling for each five (5) acres. In-family conveyance shall be defined as a tract to be continuously occupied by an immediate family member. It shall be comprised of a lot no smaller than one (1) acre in size, with access to an existing public road through an existing private driveway to be shared with the original residence, through a platted and recorded access easement of fifteen (15) feet, or, the in-family lot can be comprised of a lot no smaller than five (5)~~

~~acres in size with frontage on an existing public road or if the nearest property line of any new lot is within four hundred (400') feet of the centerline of an existing public road; with a limit of no more than two (2) in-family lots fronting on an existing public road and sharing a common entrance; and which meets all health and sanitation regulations in effect contained herein, and provided further that the number of lots be limited to one lot in Woodford County per each immediate family member's lifetime and that such family member shall hold title to the tract so conveyed for at least five (5) years, if said conveyance is made to a minor, the five (5) year restriction for holding title begins when the minor turns eighteen (18), and should the family member, within five (5) years, re-convey the tract to anyone other than to the person or persons from whom it was received, then such deed of re-conveyance shall be void, and provided further, that all such deeds from a farm owner to a family member shall contain a restrictive covenant stating clearly the five (5) year restriction for holding title and stating that any conveyance prior to said five (5) years shall be void, and any deed from a farm owner be provided further that in the case of a judicial sale the restriction on re-conveyance shall not apply. On farms where in-family conveyances are permitted, all lots shall be counted against the sliding scale of "Lots to be Sold" as defined in Section 703.11 (A). In no case shall any farm of 100 acres or more be permitted to have more than fifteen (15) in-family conveyance lots.~~

**702.1 Intent**

~~This zone is established to be comprised of all property outside of the A-1 zone, Small Community, and all other zones in Woodford County.~~

~~702.2 Principal Uses — Same as A-1 (See 701.2)~~

~~702.3 Accessory Uses — Same as A-1 (See 701.3)~~

~~702.4 Conditional Uses — Same as A-1 (See 701.4)~~

~~702.5 Prohibited Uses — All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal, accessory, or conditional uses shall be prohibited.~~

**702.6 Lot, Yard and Height Requirements**

~~Minimum Lot Size — Thirty (30) acres (except with zone change as provided in "Other Provisions" of this chart, and except those tracts platted on the "Bishop" property on Scotts Ferry Road, (which tracts need a road frontage of only one hundred thirty five (135) feet) and all other deeds of record for tracts less than thirty (30) acres filed prior to February 9, 1989, (which tracts shall have no minimum road frontage), or tracts that were platted and the plats recorded prior to February 9, 1989 (which tracts need a road frontage of only one hundred thirty five (135) feet), and any ten (10) acre tracts deeded or platted and recorded after February 9, 1989, and before the effective date of this amendment, September 20, 1990 (which tract needs a road frontage of only one hundred thirty five (135) feet).~~

<del>Minimum Lot Size</del>	<del>—</del>	<del>—30 acres</del>
<del>Minimum ROW Frontage</del>	<del>—</del>	<del>100-150 feet</del>
<del>Minimum Width at Building Line</del>	<del>—</del>	<del>200 feet</del>
<del>Minimum Front Yard</del>	<del>—</del>	<del>—75-80 feet</del>
<del>Minimum Each Side Yard</del>	<del>—</del>	<del>—25 feet</del>
<del>Minimum Rear Yard</del>	<del>—</del>	<del>—50 feet</del>
<del>Maximum Height of Building</del>	<del>—</del>	<del>—42-35 feet</del>
<del>Maximum Density</del>	<del>—</del>	<del>One Dwelling (See 702.7.C below)</del>

**702.7 Special Provision**

~~A. Rural Residential shall only be allowed in an A-2 zone provided rezoning application has been made to, and approved by, the Versailles-Midway Woodford County Planning and Zoning Commission. (See Section 703)~~

## 703 RURAL RESIDENTIAL RR / RESIDUAL FARMLAND (RF) DISTRICT

### 703.1 Purpose and Intent Preamble

The purpose and intent of the Rural Residential / Residual Farmland District is to provide for the preservation of prime farmland, greenspace and watersheds; to allow residential developments; 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.

~~The Rural Residential District (Rural Residential) is intended to maintain the rural and scenic qualities of Woodford County by preserving farmland and significant open lands while allowing landowners a reasonable return on their holdings. It is further intended to provide for controlled rural residential growth beyond the limits of the urban service districts of Woodford County, while maintaining the viability of existing Woodford County agricultural activities, providing for farming opportunities for future farmers, allowing current farmers to realize the monetary value of their land, protecting historic, scenic or environmentally sensitive areas, and ensuring that rural residential growth can be adequately served by public roadways, fire and police protection, and public schools, without requiring unplanned and/or inordinate public expenditures. To achieve this intent, the Rural Residential District is designated to (a) maximize the clustering of rural residential lots on the least number of acres located on existing farmlands and significant open lands, and (b) minimize the loss of farmlands and significant open lands to residential uses through the establishment of contiguous parcels of non-residential acres.~~

### **703.2 Definitions**

~~For purposes of Section 703 of the ordinance, the following terms are expressly defined:~~

~~Farm – Any tract of land in unincorporated Woodford County within the A-1 or A-2 or CO-1 zones on an approved Comprehensive Plan Land Use Map and existing as of July 16, 1990.~~

~~Lot to be Sold – Any division of a farm in Woodford County that existed as of July 16, 1990 constitutes a "lot to be sold" for the express purpose of determining the number of lots eligible for rural residential development under the sliding scale established in Section 703.11 (A), provided however the following divisions shall not be counted as a lot to be sold: a) any out conveyances that are consolidated by deed or plat with another existing contiguous farm; (b) any in family conveyance that is consolidated back with the parent farm prior to a request for Rural Residential development and which has no residential structure located thereon at the time it is reconsolidated. (Any~~

~~in family conveyance consolidated back with the parent farm which has a residential structure on it shall be counted as a Lot to be Sold).~~

### 703.3 Principal Uses

- A. Single Family Dwellings.
- B. ~~Non-commercial horticultural or agricultural uses and buildings, including greenhouses.~~
- C. ~~Non-commercial kennels, riding stables, fishing lakes.~~
- D. ~~Parks, playgrounds, golf courses, forest, and conservation areas and governmental facilities.~~

### 703.4 Prohibited Uses

All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal, accessory, or conditional uses shall be prohibited.

### 703.5 Accessory Uses

- A. Accessory uses and structures customarily incidental to any principal use located on the same lot.
- B. ~~Accessory uses, buildings and structures include the following: accessory structures, private garages, or parking areas. Living quarters for persons employed on the premises without cooking facilities, and not rented.~~
- C. ~~Accessory buildings/structures shall be permanently affixed to the ground and shall not include mobile home, bus, travel trailer, RV, trailer, cooler or vehicle. Private garages and parking areas.~~
- D. ~~Private swimming pools not to exceed eight and one half (8) feet in height and located no closer than eight (8) feet from the side and/or rear lot lines, when they meet yard requirements for principal buildings and when adequately fenced to prevent the free access of small children. Private swimming pools when they meet yard requirements for principal buildings and when adequately fenced.~~
- E. ~~Home Office Incidental home occupation, provided that no stock or trading products are kept or commodity sold except that which is produced on the premises; roadside stands for sale of agricultural products produced on the premises.~~
- F. ~~Office of a resident physician, architect or similar professional person when located within his dwelling, provided that no more than one person, not a resident in said dwelling, is employed in such office. Solar Panels.~~

Roofmounted and ground-mounted solar panel systems shall comply with the following:

1. Solar panel systems shall be permitted on the roof of a building provided that the panels located on a front or side roof slope facing any public street do not cause glare or light trespass onto adjoining residential properties.
2. Solar panel systems shall have a top edge that is parallel to the roof ridge and shall conform to the slope of the roof. Solar panel systems shall be positioned on the roof so as not to extend above or beyond the edge of any ridge, hip, valley, or eave.
3. A ground-mounted solar panel system is not permitted as the primary use of a property.
4. Ground-mounted solar panel systems shall comply with the maximum square footage and minimum setback requirements for residential accessory buildings and structures.
5. Ground-mounted solar panel systems shall not be located between a property line abutting a street and the building.
6. The maximum height of ground mounted solar panel systems should not exceed the height of eight (8) feet.
7. Supporting equipment for solar panel systems, including power conditioning equipment such as batteries for electricity storage and standby generators shall be screened by an opaque screening device, except that wall-mounted inverters may be located next to the electric meter. Long lengths of conduit and wiring associated with the system's connection to the primary electrical panel shall be placed underground.

**703.6 Conditional Uses**

- A. Home Occupation Churches (with the provision that a Final Development Plan is approved by the Planning Commission).

**703.7 Property Development Standards**

- A. Dimensional standards for residential lots this District are found in the following table.

**Rural Residential District (RR)**

<u>Lot Area (minimum)</u>	<u>≥ 1 Acres</u>
<u>Lot Width (minimum at 50-foot front setback line)</u>	<u>100 ft</u>
<u>Lot Frontage (minimum)</u>	<u>100 ft</u>
<u>Lot Coverage (maximum)</u>	<u>35%</u>

<b><u>Setback (minimum)</u></b>	
<u>Front Yard</u>	<u>50 ft</u>
<u>Side Yard</u>	<u>25 ft</u>
<u>Rear Yard</u>	<u>25 ft</u>
<b><u>Accessory Structure</u></b>	
<u>Front</u>	<u>25 ft</u>
<u>Rear</u>	<u>10 ft</u>
<u>Side</u>	<u>10 ft</u>
<b><u>Height (maximum)</u></b>	<u>42 ft</u>
<b><u>Off-Street Parking Spaces</u></b>	<u>2</u>

**703.7 Lot, Yard and Height Requirements**

Minimum Lot Area _____	1 acre
Minimum ROW Frontage _____	100 feet
Minimum Width at Building Setback Line _____	150 feet
Minimum Front Yard _____	50 feet
Minimum Rear Yard _____	75 feet
Least Side Yard _____	25 feet
Minimum Sum of Side Yards _____	50 feet
Maximum Building Height _____	35 feet

**Permitted Residential Unit Types**

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

	<b>RR</b>
Single-Family Detached	YES
Modular Home	YES
Manufactured Home, Qualified	YES
Manufactured/ Mobile Home	NO
Accessory Dwelling	NO

**703.8 Plats**

All plats for lots in the Rural Residential District shall state whether the lot fronts on a public or private road. ~~For purposes of Section 703.11A (a) below, any division of a~~

~~farm tract occurring after July 16, 1990, which fronts on an existing public road, shall be classified as a "lot on an existing public road".~~

### 703.9 Locational Standards

- A. Rural Residential District classification may be granted for parcels containing floodplains, slopes in excess of twelve percent (12%), high concentrations of sink holes, sinkhole drainage areas, areas of Karst topography and aquifers or aquifer recharge areas, lakes, wooded lands, stone (rock) fences or designated historic structures if these features are specifically designated to be a part of the non-dwelling unit portion of the subject property.
- B. Public water shall be available to the subject site, with the providing utility verifying in writing of its ability to provide sufficient water service and water pressure to ensure an adequate supply for private use.
- C. Complete individual onsite sewage treatment systems must be appropriate for the subject site, with the Woodford County Health Department verifying in writing the suitability of the site for such systems, while retaining final approval of the proposed sewage treatment system. ~~Furthermore, no proposed lot in the Rural Residential District containing less than five (5) acres shall be approved for a zone change under this section without first providing a subsurface septic system approved by the Woodford County Health Department. Surface, Wetland, or other experimental on-ground sewage treatment systems shall not meet this requirement on lots containing less than five (5) acres.~~
- D. Permitted development of rural residential should be in conformance with the Versailles-Midway-Woodford County Comprehensive Plan, ~~its population projections and land use plan.~~

### 703.10 Design Standards

In addition to the requirements contained in the Versailles-Midway-Woodford County Subdivision Regulations, the following minimum standards shall be met in order to grant the designation of a Rural Residential District and approve the conceptual Development Plan. In cases of conflict between this ordinance and the Subdivision Regulations, this ordinance will take precedence.

- A. Privately owned streets may be permitted only with the dedication of a minimum right-of-way easement of thirty (30) feet, ~~provided; however, it may be less than thirty (30) feet upon good cause shown and approval by the Planning and Zoning Commission.~~ Any future streets prior to acceptance by the County must be upgraded to county standards at the expense of the homeowners or homeowners' association and any plat showing a street rightof-way of less than fifty (50) feet shall contain a note that the street is not suitable for acceptance into the Woodford County Road System.
- B. Street Driveway or new road (whether private or publicly dedicated) access onto a publicly maintained road shall be spaced a minimum distance of five

hundred (500) feet from center to center of access, or as approved by the Woodford County Engineer or Kentucky Department of Transportation.

- C. Lots should be laid out to the greatest extent feasible to achieve the following objectives:
1. On the most suitable soils for onsite sewage treatment systems (in unsewered areas only);
  2. On the least fertile soils for agricultural uses, and in a manner which maximizes the usable area remaining for such agricultural use;
  3. Within any woodland contained in the parcel, or along the far edges of the open fields adjacent to any woodland (to reduce impact upon agriculture, to provide summer shade and shelter from winter wind, and to enable new construction to be visually absorbed by natural landscape features);
  4. In locations least likely to block or interrupt scenic vistas, as seen from the public roadway (s);
- D. Sidewalks need not be constructed.
- E. ~~For proposals containing four (4) or more lots,~~ property perimeter screening/buffering shall be provided between residential and agricultural uses. This screening/buffering requirement recognizes that agricultural and residential zones may not be visually or functionally compatible. Thus, this screening/buffering requirement is intended to meet the following three objectives:
1. Screening/buffering shall provide for visual screening of the dwelling units from the public thoroughfares and adjacent properties.
  2. Screening/buffering serves to reduce the transfer of farm chemicals, lawn chemicals, pesticides, fertilizers and similar potentially dangerous substances from the adjoining agricultural land to the residential land or transfer from the residential land to the adjoining agricultural land.
  3. Screening/buffering greatly reduces other hazards and conflicts which are likely to occur when a residential zone abuts an agricultural zone. (For example, either zone may produce unpleasant odors, sound, and lighting which would likely have a negative impact on the adjoining zone).

The screening/buffering shall occur in a platted landscape buffer area. The landscape screening/buffer area shall be located on each lot. The landscape screening/buffer area shall be a minimum of fifty (50) feet wide where any proposed lot adjoins any property that is not zoned R.R. (Rural Residential). When a R.R. (Rural Residential) property owner purchases an adjoining, nonR.R. tract prior to the required installation of the screening/buffering on the earlier-acquired tract, the Planning Director may allow for deviation from the normal standards, so that the screening/buffering meets the three objectives

with regard to public thoroughfares and neighboring properties yet allows for unfettered access by the owner across the contiguous tracts. When the acquisition of additional non-R.R. property occurs after the screening/buffering requirement has been met, the Planning Director may allow for partial removal or changes to the existing screening/buffering to allow access between the two contiguous tracts.

### **Alternative Native Screening/Buffering**

When screening/buffering is required, the requirements of the design standards for screening/buffering will be considered to have been met by any conceptual development plan for a Rural Residential District so long as the conceptual development plan satisfies all three screening/buffering objectives listed above, and the following special conditions:

- Condition 1. All species planted must be native to Kentucky and need not be only trees. (Eastern Red-cedar, black locust, and blackberry briars have been proven effective on a wide variety of soils.) No one species shall be utilized for more than 25% of the proposed landscaping.
  
- Condition 2. The alternative screening/buffering must exist, and continue to exist, on a platted screening/buffering area, minimum width 50 feet, though not necessarily on each individual lot. The only required maintenance is whatever maintenance may be necessary to allow the planted species to survive and mature and achieve the objectives listed above.

A one hundred fifty (150) foot building setback on the R.R. (Rural Residential) lot shall be required in any case where any proposed lot adjoins a property owner other than the applicant and that adjoining property owner's land is zoned either A-1, A-2, CO-1 or Rural Residential/Residual Farmland; or in any case where any portion of a proposed lot is within one hundred fifty (150) feet of a property owner other than the applicant and that adjoining property owners land is zoned either A-1, A-2, CO-1 or R.R./Residual Farmland. Otherwise, the minimum yard requirements for lots in the R.R. (Rural Residential) District shall be the same as set forth in Section 703.7. The required fifty (50) foot landscape buffer area can be within any required building setback area. These screening and setback requirements may be waived or modified by the Commission, upon good cause shown by the applicant or subsequent property owner. In evaluating good cause, the Commission shall consider such factors as pre-existing, vegetative buffering; natural topography; the history of past plantings; and poor soil conditions in general locations where buffers would otherwise be required to be placed. Any waiver or modification granted may thereafter be rescinded by the Commission upon a showing by the Planning Director that the pre-existing conditions have changed, and the requisite natural buffering no longer exists or is no longer adequate. In the event of such a finding by the Commission, the screening and setback requirements of this provision shall be deemed to control. No principal or accessory structures may be constructed within any designated landscape buffer area.

Property Perimeter Screens refer to plantings placed in the required landscape buffer areas and are used to minimize the impact between conflicting land uses. Acceptable plants shall meet opacity requirements and height requirements as defined herein. Potential plants shall be either large or medium evergreen shrubs; large evergreen trees; and may be combined with native grasses and seedlings or medium or large deciduous trees. The plants shall have a minimum opacity of 70% during the summer and 50% during other times of the year.

1. Plant Size and Spacing: All plants shall equal or exceed the minimum acceptable size as required. Plant height shall be measured before pruning with branches in normal position. All measurements will be taken at the time of planting. All deciduous trees shall have a minimum height of five (5) feet or a minimum caliper of 1". Evergreen trees shall be a minimum of 5 feet in height with a minimum 1" caliper. Species which are native to Kentucky and designated as such on the Commission's species list (see item #6 below), may be planted as seedlings. No trees shall be planted within 30 feet of an adjoining property owner, other than the applicant. No one species shall be utilized for more than 25% of the proposed landscaping. Deciduous trees shall be spaced a maximum of 40 feet on center plus a continuous 6-foot-high planting, hedge, fence, or wall, or evergreen trees shall be spaced a maximum of 15 feet on center or fraction thereof and shall be deemed to meet the requirements for the above referenced trees and continuous planting.
2. Quality: All plant material shall be living plants and shall conform to the standards of the American Association of Nurserymen and shall have passed any inspections required under State regulations.
3. Maintenance and Installation: All landscaping materials required under this section shall be installed in a sound, workmanship like manner, and according to accepted, good construction and planting procedures. Any landscape material which fails to meet the minimum requirements of this Section at the time of installation shall be removed and replaced with acceptable materials. Landscape materials must be installed within six (6) months of occupancy. This time frame will allow the owner to choose the most appropriate time to plant trees and other landscaping to ensure the survival of the plants. The person in charge of or in control of the property whether as owner, lessee, tenant, occupant, or otherwise shall be responsible for the continued proper maintenance of all landscaping materials and shall keep them in a proper, neat, and orderly appearance, free from refuse and debris, at all times. All unhealthy or dead plant material shall be replaced within one year, or by the next planting period, whichever comes first; while other defective landscape material shall be replaced or repaired within three (3) months. Topping trees or the severe cutting of limbs to stubs larger than three (3) inches in diameter within the tree crown to such a degree as to remove the normal canopy shall not be considered proper or permitted for the maintenance of trees. Violation of these installation and maintenance provisions shall be grounds for the Planning Director

to require replacement of landscape material or institute legal proceedings to enforce the provisions of this Ordinance as set forth in Article III, Section 304.

4. Plan Submission and Approval: Whenever any property is affected by these landscape requirements, the property owner or developer shall submit a landscape plan to the Planning Commission at the time the Zone Change Application is filed. For any property, the landscape plan shall be prepared and sealed by a landscape architect licensed to practice in the State of Kentucky. The landscape architect shall certify the following statement by notation on the sealed plat: "The selected species are appropriate for the site as pertaining to the soil depth, soil fertility, and other relevant site evaluation factors." The requirements of this Ordinance shall be followed in approving or disapproving any landscape plan required by this Ordinance.

Plan Content - The contents of the plan shall include the following: (a) plot plan, drawn to an easily readable scale, showing and labeling by name and dimensions, all existing and proposed property lines, easements, buildings, and other structures, water outlets and landscape material (including botanical name and common name, installation size, on center planting dimensions where applicable, and quantities for all plants used) including at least one alternate species for each species selected; (b) title block with the pertinent names and addresses (property owner, person drawing plan, and person installing landscape material), scale, date north arrow (generally orient plan so that north is to top of plan), and zone.

5. Temporary Certificate of Occupancy and Certificate of Occupancy: A Temporary Certificate of Occupancy may be issued allowing the person responsible to install the required plant material during the next optimum planting period after initial occupancy. The period is to be determined by the Planning Director and shall not exceed six (6) months from the date of issuance of the Temporary Certificate of Occupancy. Where landscaping is required, no Certificate of Occupancy shall be issued until the required landscaping is completed as certified by an on-site inspection by the landscape contractor in the presences of the Planning Director.
6. Plant Material List: A list of acceptable species of plants to be utilized in the landscape and buffer area shall be located in the Planning and Zoning office for public inspection. Consideration should be given to the adjoining property use since some species can be toxic to livestock. Other species than those listed may be selected, but prior approval must be obtained from the Planning Director.

~~F. The submitted plan shall designate the location of those features identified in Section 703.10(A). The provisions of Article V, Section 503.4(F) shall apply to approved rural residential subdivisions.~~

~~G. For proposals containing four (4) or more dwelling units, a fire hydrant shall be provided for the subject property which shall comply with the design standards for fire hydrants established under the Subdivision Regulations adopted by the Versailles-Midway-Woodford County Planning and Zoning Commission, which hydrants shall be for the purpose of refilling tank trucks only, unless the Woodford County Fire Protection District and the appropriate water district states in writing that such fire hydrant is not needed nor would same be a benefit to the residence dwelling units proposed.~~

**703.11 Permitted Development - The following Standards apply to all Rural Residential / Residual Farmland Developments:**

- ~~A. An existing property must consist of a minimum one-hundred (100) acres in order to utilize the Rural Residential Subdivision Development Standards.~~
- ~~B. Maximum number Residential Lots per Development - Ten (10)~~
- ~~C. All Residential Lots shall be served by an internal street network.~~

~~A farm shown as Planned A-2 and/or rural residential on an approved Comprehensive Plan Land Use Map shall be considered as one unit based on their acreage size as of July 16, 1990, and may be subdivided, upon being rezoned Rural Residential, in accordance with the following schedule or sliding scale:~~

<del>A. <u>Acres in Farm Lot to be Sold*</u></del>	
<del>15-30</del>	<del>2</del>
<del>31-65</del>	<del>4</del>
<del>66-99</del>	<del>7</del>
<del>100 &amp; above</del>	<del>10 (if any lot is on an existing public road) 15 (if the nearest property line of a new lot is at least 400' from the centerline of the existing public road)</del>

- ~~1. \*Any division of land from a farm in an A-1 or CO-1 zone after July 16, 1990, which has been deeded and recorded or platted and recorded, shall be charged as a lot to be sold against the balance of the farm owned by the person making such divisions.~~
- ~~2. When a farm shown as Planned A-2 and/or Rural Residential on an approved Comprehensive Plan Land Use map is, at any time, divided in such a manner that further development rights as permitted under this ordinance exist, it shall be presumed absent a provision in the deed conveying such land that the remaining development rights are to be divided in proportion to the tract size deeded or retained; such proportional division shall always be rounded to the lowest whole number for purposes of applying the sliding scale. Further, nothing herein shall be construed to allow more Rural Residential lots to be developed from a farm than permitted by the sliding scale.~~

3. At the time a zoning map amendment is requested, for every proposed Rural Residential Lot, Rural Residential / Residual Farmland shall be reserved in accordance with a ratio of eighty percent (80% residual farmland) to twenty percent (20%) (residential lot) and the residual farmland so designated shall also be rezoned to Rural Residential; for example, for every one (1) acre contemplated to be developed as a residential lot, four (4) acres must also be rezoned to Rural Residential (Residual Farmland, **RF**) and designated on the plat to be recorded as Rural Residential / Residual Farmland which cannot be further designated on the plat to be recorded as Rural Residential / Residual Farmland and which cannot be further developed for Rural Residential purposes ~~and shall be utilized only in such manner as is permitted within the A-2 zoning classification as principal uses other than single family detached dwellings and their accessory structures. However, one existing farm dwelling or one proposed farm dwelling may be located on the residual farmland. If an existing farm dwelling, as of April 1, 1999 is to remain, which includes remodeling or rebuilding, or if a farm dwelling is to be constructed on the residual farmland that has not previously existed then one Lot to be Sold must be reduced from the sliding scale designated in 703.11 (A). In either case, it must be so noted and designated on the development plan, preliminary plan and final plat. If a farm residence (existing or proposed) is to be utilized on the residual farmland all residual farmland acreage up to and including thirty acres of the residual farmland must remain as one undivided parcel. Only one farm residence on the residual farmland will be permitted per application.~~ The Rural Residential / Residual Farmland may be sold or transferred provided that the use restrictions for Residual Farmland continues to apply; ~~except that, in those instances where an existing farm dwelling or proposed farm dwelling has been selected in lieu of a lot to be sold, such would also become a permitted use.~~ Rural Residential / Residual Farmland shall be clustered whenever possible to maximize its agricultural use. The residual farmland must be maintained in a single, contiguous, and regularly shaped tract to facilitate the use of industrial farm machinery.
4. Water Service Capacity and Development Condition: Prior to the approval of a Rural Residential / Residual Farmland Development, the applicant must provide written certification from the applicable water district confirming that the district is functionally able to provide the necessary service and water pressure to the proposed lot. This certification must state that the additional demand will not result in a reduction of service levels or pressure below the minimum regulatory standards for existing customers in the vicinity. If the water district determines that upgrades are necessary to serve the additional demand, the cost of such upgrades shall be the responsibility of the applicant.
5. Property zoned ~~to A-2 but not zoned to Rural Residential or~~ and designated as Rural Residential / Residual Farmland may be utilized in any manner consistent with Agriculture Uses (KRS 100.111 & Article

~~II, Section 201) the uses allowed for A-1 property, excluding including residential uses; provided however, that the proper density required under the ordinance is maintained.~~

~~6. In the event any division is sought for a tract of land which contains thirty (30) acres or less for the purpose of creating a Rural Residential lot, the entire tract of land must be rezoned to Rural Residential to avoid creation of a non-conforming lot in the A-1 or A-2 districts. Further, no Rural Residential zone change shall result in a tract of land remaining in the A-2 zone which is less than thirty (30) acres.~~

~~7. Rural Residential development as set forth in this section shall not be permitted for any farm on which a Small Community (A-4) District has been previously approved.~~

~~B. No more than two new lots to be sold per farm may front on an existing public road; provided, however, that an existing residence which fronts on an existing road shall be allowed as a separate lot in addition to such new lots. These two lots to be sold must be a minimum of five (5) acres each. If the nearest property line of any new lots is within 400 feet of the centerline of an existing public road it shall be considered as "fronting on an existing public road" and must be a minimum of five acres.~~

~~C. All Rural Residential lots developed under this schedule shall share a common entrance onto the prior existing public road and shall contain no more than one single family dwelling unit per lot.~~

~~D. Where the acreage in the farm to be divided is one hundred (100) acres or more, then no more than eight (8) lots may receive a building permit in any one calendar year calculated from the date the plat of the lots is recorded in the Office of the Woodford County Clerk.~~

~~E. The owner of the balance of any farm divided under this schedule shall be precluded from utilizing the in-family exception in Article II, Section 203, Agricultural Uses, or utilizing this schedule for the division of any of the remaining property in the farm.~~

### ~~703.12 Procedure~~

~~A. The owner or owners of a tract of land which meets the required minimum lot size and location standards of this section shall submit to the Planning and Zoning Commission a zone change application with a preliminary development plan prepared in accordance with established subdivision regulation requirements and with this section of the Zoning Ordinance. The Preliminary Development plan shall indicate but not be limited to the following:~~

~~1. The size in acres of the farm tract as of July 16, 1990, for which the zone change request is made.~~

- ~~2. A listing of every division to this farm tract made since July 16, 1990, identified by grantee and acreage. Copies of all deeds reflecting such division shall be submitted.~~
  - ~~3. The existing size in acres of the farm tract at the time the current zone change request is made.~~
  - ~~4. The number of acres to be a part of the current zone change request.~~
  - ~~5. A statement of the number of acres of the farm tract as of July 16, 1990, which remain eligible for a rural residential district zone change request.~~
  - ~~6. A Statement of Intent regarding which tract (s) retain the future development rights permitted by this ordinance.~~
- ~~B. Following submission of the zone change request and conceptual development plan a public hearing shall be held and the request considered in accord with customary procedures.~~
- ~~C. For proposals containing two or fewer lots, not including the parent farm, a prima facie application may be submitted by the applicant which shall show:~~
- ~~1. Water availability with written proof from either the appropriate water district or the Woodford County Board of Health as may be applicable. If utilizing public water, the water district must certify that water is available to provide sufficient water service and pressure to ensure an adequate supply for private use.~~
  - ~~2. An encroachment permit from the appropriate agency where the drive will be placed on either a County or State Road.~~
  - ~~3. Onsite sewage treatment system approval from the Woodford County Board of Health. Furthermore, no proposed lot in the Rural Residential District containing less than five (5) acres shall be approved for a zone change under this section without first providing a sub-surface septic system approved by the Woodford County Health Department. Surface, Wetland, or other experimental on ground sewage treatment systems shall not meet this requirement on lots containing less than five (5) acres.~~
  - ~~4. Evidence that the proposed development meets the dimensional requirements of the Rural Residential District.~~
- ~~A. Proof of the above four items shall be prima facie proof that the proposed development is suitable for a zone change to Rural Residential and shall be so approved and recommended by the Planning and Zoning Commission without delay, and inaction by the Planning and Zoning Commission for a period of more than sixty (60) days from the first Planning and Zoning Commission meeting following submission of the completed application including Items 1 thru 4 of this section, Paragraph C, shall be deemed approval for recommendation to the Fiscal Court and shall be forwarded forthwith to the Fiscal Court for action.~~

~~B — If, at a later date, additional tracts are subdivided from the original tract from which lots are approved pursuant to this section, then such additional tracts may not be approved pursuant to this section.~~

~~C — For any prima facie application, the applicant shall submit a conceptual development plan that will indicate the applicant's intentions regarding further Rural Residential development including location of such Rural Residential lots and R.R./Residual Farmland. In the event that such a conceptual development plan is not submitted for a proposal containing two or less lots and the request is approved, the applicant shall be precluded from submitting another application for Rural Residential development for twelve (12) months from the date such prima facie application was approved by the Fiscal Court.~~

## 704 SMALL COMMUNITY DISTRICT (SC A-4)

### 704.1 Purpose and Intent Intent Preamble

The purpose of the Small Community District (~~A-4~~) is to provide for limited rural scale development low density residential expansion in rural settlements recognized by the Comprehensive Plan. The communities of Millville, Mortonsville, and Nonesuch, have through their residents, stated their desire to have the benefit of the Small Community Regulations to provide houses in those communities and in order to maintain a continued vitality, property values, and community spirit in those places.

### 704.2 Small Community Districts

~~The Small Community District at Millville shall consist of all property located within the Small Community Land Use District Map as shown in the Woodford County Comprehensive Plan. a circle having its center at the intersection of McCracken Pike (KY 1659) and Watts Ferry Road (KY 1964), Coordinate Point: N 1474572.00000, E 226107.92200, with a radius of one and one half (1.5) miles; the Small Community at Mortonsville shall consist of all property located within a circle having its center at the intersection of Carpenter Pike (Clear Creek Road) and Delaneys Ferry Road (KY 1965), Coordinate Point: N 1494064.37525, E 1494064.37525, with a radius of one (1) mile; the Small Community at Nonesuch shall consist of all property located within a circle having its center at the intersection of Cummins Ferry Road and Fords Mill Road (KY 1965), Coordinate Point: N 1494635.50011, E 148307.30610 with a radius of one (1) mile. The Versailles-Midway-Woodford County Planning and Zoning Map shall reflect the above descriptions of the Small Communities of Millville, Mortonsville and Nonesuch.~~

~~No division of land in a Small Community District, into a tract smaller than thirty (30) acres, shall be made without prior zone change approval of the Planning and Zoning Commission and finding that the division is in compliance with all applicable requirements in an A-4 District, provided that in family conveyances pursuant to Article II, definitions, Section 202, Agricultural Uses, are not subject to the requirements for this section.~~

~~Land designated for Agricultural Preservation as recognized in the Rural Policy Plan adopted June 13, 1991, shall not be permitted to be rezoned to A-4. Small community (A-4) development as set forth in this section shall not be permitted for any farm, as defined in Section 703.2 of this ordinance, on which a Rural Residential (Rural Residential) development has been previously approved.~~

### 704.3 Principal Uses

- A. Single-Family Dwelling;
- B. Home Office/Home Occupation
- C. Religious Institution Facility

D. Public Parks

~~704.3 Principal Uses~~

~~A. Single family detached dwellings.~~

~~B. General horticultural and non-commercial uses.~~

**704.4 Accessory Uses**

~~Any use on the same lot and of a nature customarily incidental and subordinate to the principal use, shall be permitted as an accessory use in the Small Community District (A-4).~~

**Accessory Uses and Structures** - Accessory uses, buildings and structures shall be subject to the following regulations:

- A. Accessory uses and structures customarily incidental to any principal use located on the same lot.
- B. Accessory uses, buildings and structures include the following: **one** accessory **apartments dwelling**, private garages, or parking areas.
- C. Accessory buildings/structures shall be permanently affixed to the ground and shall not include mobile home, bus, travel trailer, RV, trailer, cooler or vehicle.
- D. Fences. For the purpose of determining yard setback, the accessory structure setback shall not apply to fences.
- E. Swimming Pools. All swimming pools shall require a Building or Zoning Permit. 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.
- F. Accessory Dwelling: An Accessory Dwelling may be attached or detached from the principal residence. The floor area of the accessory apartment may not exceed 25 percent of the floor area of the principal structure. Accessory Dwellings 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. If attached to the principal residence, any entrance into the Accessory Dwelling shall be located on the side or rear facade(s) of the building. The Accessory Dwelling must not alter the character of the residence or the development pattern of the neighborhood. A minimum of 1 parking space (in addition to the parking required for the primary residence) shall be provided for Accessory Dwelling.

The number of bedrooms located within Accessory Dwelling shall not exceed two (2).

- G. Solar Panels. Roof-mounted and ground-mounted solar panel systems shall comply with the following:
1. Solar panel systems shall be permitted on the roof of a building provided that the panels located on a front or side roof slope facing any public street do not cause glare or light trespass onto adjoining residential properties.
  2. Solar panel systems shall have a top edge that is parallel to the roof ridge and shall conform to the slope of the roof. Solar panel systems shall be positioned on the roof so as not to extend above or beyond the edge of any ridge, hip, valley, or eave.
  3. A ground-mounted solar panel system is not permitted as the primary use of a property.
  4. Ground-mounted solar panel systems shall comply with the maximum square footage and minimum setback requirements for residential accessory buildings and structures.
  5. Ground-mounted solar panel systems shall not be located between a property line abutting a street and the building.
  6. The maximum height of ground mounted solar panel systems should not exceed the height of eight (8) feet.
  7. Supporting equipment for solar panel systems, including power conditioning equipment such as batteries for electricity storage and standby generators shall be screened by an opaque screening device, except that wall-mounted inverters may be located next to the electric meter. Long lengths of conduit and wiring associated with the system's connection to the primary electrical panel shall be placed underground.

#### **704.5 Conditional Uses**

~~A. Churches.~~

~~B. Parks~~

~~C. Home Occupations.~~

~~D. Bed and Breakfast Home, Bed and Breakfast Inn, and Bed and Breakfast Farmstay Establishments.~~

~~E. Short Term Rental Establishments: Hosted Home-Sharing and Dedicated Short Term Rental Establishments.~~

~~F. Convenience type stores provided that the primary items sold or rented are gasoline, household items, or food products for human consumption provided that the stores gross square footage floor area does not exceed four thousand (2500) square feet.~~

- G. Health Care Facility, Dental Offices and Clinic provided that the stores gross square footage floor area does not exceed four thousand (2500) square feet.
- H. Schools for Academic Instruction
- I. Private Clubs and Lodges.
- J. Eating Establishment (No Drive-Through) provided that the stores gross square footage floor area does not exceed four thousand (2500) square feet.
- K. Day Care Center, Child
- L. Day Care Center, Adult

**704.6 Property Development Standards**

- B. Dimensional standards for this District are found in the following table.

**Small Community District (SC)**

<u>Lot Area (minimum Residential)</u>	<u>1 Acre</u>
<u>Lot Area (minimum Non-Residential)</u>	<u>3 Acres</u>
<u>Lot Width (minimum at 50-foot front setback line)</u>	<u>150 ft</u>
<u>Lot Frontage (minimum)</u>	<u>150 ft</u>
<u>Lot Coverage (maximum)</u>	<u>35%</u>
<u>Setback (minimum)</u>	
<u>Front Yard</u>	<u>50 ft</u>
<u>Side Yard</u>	<u>25 ft</u>
<u>Rear Yard</u>	<u>25 ft</u>
<u>Accessory Structure</u>	
<u>Front</u>	<u>25 ft</u>
<u>Rear</u>	<u>10 ft</u>
<u>Side</u>	<u>10 ft</u>
<u>Height (maximum)</u>	<u>42 ft</u>
<u>Off-Street Parking Spaces</u>	<u>2</u>

**704.6 Lot, Yard and Height Requirements**

Minimum Lot Area	1 Acre
Minimum ROW Frontage	150 feet
Minimum Lot Width at Building Line	150 feet
Minimum Front Yard	50 feet
Minimum Rear Yard	50 feet
Minimum Side Yard	15 feet
Maximum Building Height	35 feet

**Permitted Residential Unit Types**

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

	<b>SC</b>
Single-Family Detached	YES
Modular Home	YES
Manufactured Home, Qualified	YES
Manufactured/ Mobile Home	NO
Accessory Dwelling	YES

**704.7 Special Provisions**

- A. Approval of the **A-4** Small Community Zoning District shall be contingent upon, but not limited to the following:
  - 1. If utilizing a public water source, certification by the Water District of its ability to provide sufficient water service and pressure to ensure an adequate supply for private use and fill-up for fire trucks; or, If utilizing a private water source, certification approving the water supply by the Woodford County Health Department in accordance with Woodford County Board of Health regulations;

2. Certification that a site evaluation for each of the lots has been completed by the Woodford County Health Department in accordance with Woodford County Board of Health regulations to ensure that individual on-site sewage treatment systems can be installed and used safely and efficiently for wastewater treatment. ~~Furthermore, no proposed lot in the A-4 District containing less than five (5) acres shall be approved for a zone change under this section without first providing a sub-surface septic system approved by the Woodford County Health Department. Surface, Wetland, or other experimental on-ground sewage treatment systems shall not meet this requirement on lots containing less than five (5) acres.~~
- B. Each lot occurring within the Small Community ~~(A-4)~~ zone shall be required to have frontage on county or state roads which exist as of the effective date of this amendment.
  - C. Approved encroachment permit(s) for each lot proposed ~~within the A-4 zone~~ shall be required prior to the approval of the zoning district to ensure that entrances can be installed and used safely and efficiently for vehicular ingress and egress.
  - D. ~~In cases where portions of the property fall outside the radius, eighty percent (80%) of the property must lie within the radius.~~
  - E. ~~It shall be provided that in family conveyances shall be permitted at a density that shall not exceed one (1) dwelling for each five (5) acres. In family conveyance shall be defined as a tract to be continuously occupied by an immediate family member. It shall be comprised of a lot no smaller than one (1) acre in size, with access to an existing public road through an existing private driveway to be shared with the original residence, through a platted and recorded access easement of fifteen (15) feet, or, the in family lot can be comprised of a lot no smaller than five (5) acres in size with frontage on an existing public road or if the nearest property line of any new lot is within four hundred (400') feet of the centerline of an existing public road; with a limit of no more than two (2) in family lots fronting on an existing public road and sharing a common entrance; and which meets all health and sanitation regulations in effect contained herein, and provided further that the number of lots be limited to one lot in Woodford County per each immediate family member's lifetime and that such family member shall hold title to the tract so conveyed for at least five (5) years, if said conveyance is made to a minor, the five (5) year restriction for holding title begins when the minor turns eighteen (18), and should the family member, within five (5) years, re-convey the tract to anyone other than to the person or persons from whom it was received, then such deed of re-conveyance shall be void, and provided further, that all such deeds from a farm owner to a family member shall contain a restrictive covenant stating clearly the five (5) year restriction for holding title and stating that any conveyance prior to said five (5) years shall be void, and any deed from a farm owner be provided further that in the case of a judicial sale the restriction on re-conveyance shall not apply. On farms where in family~~

~~conveyances are permitted, all lots shall be counted against the sliding scale of "Lots to be Sold" as defined in Section 703.11 (A). In no case shall any farm of 100 acres or more be permitted to have more than fifteen (15) in-family conveyance lots.~~

## ~~721~~ ~~CONSERVATION DISTRICT (CO-1)~~ (MOVED TO SECTION 702)

### **721.1 Preamble**

~~The Conservation District (CO-1) is intended to promote and protect significant natural features, wooded areas, water courses, existing and potential lake sites, other recreation and conservation resources, wildlife habitat, present and future water supplies, and to minimize erosion of soil, siltation and pollution of streams and lakes.~~

### **721.2 Permitted Uses**

~~Within any CO-1 Conservation District, no building or premises shall be used or arranged, or designed to be used except for one or more of the following uses which shall be subject to all regulations and requirements for permit of this ordinance.~~

- ~~A. Lakes (artificial).~~
- ~~B. Public or private picnic grounds, beaches, bridle and bicycle paths.~~
- ~~C. Public parks and forest preserves.~~
- ~~D. Agriculture and agricultural buildings.~~
- ~~E. Single family dwellings.~~

### **721.3 Accessory Uses**

~~Accessory uses and structures customarily incidental to any principal use located on the same lot therewith such as agricultural structures, tenant homes, private garages, private stables or parking areas, not including any business, trade or industry.~~

### **721.4 Conditional Uses**

~~The following uses may be permitted as conditional uses in the CO-1 District by the Board of Adjustment after public hearing. Such conditional uses shall be subject to any requirements the Board of Adjustment feels necessary to further the purpose of the Conservation District as stated in the preamble.~~

- ~~A. Public utility substations, booster stations, radio and television relay towers, repeater stations, etc., but not including power generation or gas manufacturing plants.~~
- ~~K. Private Camps/ Campgrounds~~
- ~~L. Mobile Homes of a temporary, seasonal nature.~~
- ~~M. Bed and Breakfast Home, Bed and Breakfast Inn, and Bed and Breakfast Farmstay Establishments.~~

~~N. Short Term Rental Establishments: Hosted Home Sharing and Dedicated Short Term Rental Establishments.~~

~~O. Marinas.~~

### **721.5 Prohibited Uses**

~~All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal accessory or conditional uses shall be prohibited.~~

### **721.6 Lot, Yard, and Height Requirements**

Minimum Lot Size	30 Acres*
Minimum ROW Frontage	100-150 feet
Minimum Width at Building Line	150-200 feet
Minimum Front Yard	75-80 feet
Minimum Each Side Yard	25 feet
Minimum Rear Yard	50 feet
Maximum Height of Building	2 stories or 35 feet
Maximum Density	1 dwelling per 5 acres

~~\*A tract of land that is at least a minimum of 30 acres in size, and that is partially zoned A-1 (Agricultural) and partially zoned CO-1 (Conservation), is also considered to meet the minimum lot size requirements of this zone.~~

### **721.7 Special Provisions**

- ~~A. No building shall be erected within fifty (50) feet of the right-of-way of any public street, road or highway, nor within fifteen (15) feet, or one foot for each foot of building height, whichever is the greater, of any lot line.~~
- ~~B. Any building to be located in possible flood lands shall be so placed as to offer the minimum obstruction to flow of waters and shall be firmly anchored to prevent the building from being moved or destroyed by the flow of water (See Article X).~~
- ~~C. A Rural Residential shall only be allowed in a CO-1 zone provided rezoning application has been made to, and approved by, the Versailles-Midway-Woodford County Planning and Zoning Commission. (See Section 703).~~
- ~~D. It shall be provided that in-family conveyances shall be permitted at a density that shall not exceed one (1) dwelling for each five (5) acres. In-family conveyance shall be defined as a tract to be continuously occupied by an immediate family member. It shall be comprised of a lot no smaller than one (1) acre in size, with access to an existing public road through an existing private driveway to be shared with the original residence, through a platted and recorded access easement of fifteen (15) feet, or, the in-family lot can be comprised of a lot no smaller than five (5) acres in size with frontage on an existing public road or if the nearest property line of any new lot is within four hundred (400') feet of the centerline of an existing public road; with a limit of no more than two (2) in-family lots fronting on an existing public road and sharing a common entrance; and which meets all health and sanitation regulations in effect contained herein, and provided further that the number of lots be limited to one lot in~~

~~Woodford County per each immediate family member's lifetime and that such family member shall hold title to the tract so conveyed for at least five (5) years, if said conveyance is made to a minor, the five (5) year restriction for holding title begins when the minor turns eighteen (18), and should the family member, within five (5) years, re-convey the tract~~

~~to anyone other than to the person or persons from whom it was received, then such deed of re-conveyance shall be void, and provided further, that all such deeds from a farm owner to a family member shall contain a restrictive covenant stating clearly the five (5) year restriction for holding title and stating that any conveyance prior to said five (5) years shall be void, and any deed from a farm owner be provided further that in the case of a judicial sale the restriction on re-conveyance shall not apply. On farms where in-family conveyances are permitted, all lots shall be counted against the sliding scale of "Lots to be Sold" as defined in Section 703.11 (A). In no case shall any farm of 100 acres or more be permitted to have more than fifteen (15) in-family conveyance lots.~~

