

Examples of LDC Regulations for Specific Uses:

Assisted Living Residence

Permitted Use in R-5A, R-6, R-7, R-8A, OR-1, OR-2, OR-3, OTF, C-N, C-R, C-1, C-2, C-3, C-M

Conditional Use (same as Nursing Homes and Homes for the aged and infirm) in R-R, R-1, R-2, R-3, R-4, R-5, UN, R-5B, OR, M-1, M-2, M-3

Bed and Breakfast Inn

Permitted use in R-7, R-8A, OR-1, OR-2, OR-3, OTF, C-N, C-R, C-1, C-2, C-3, C-M, EZ-1, PEC, PRO

Conditional use in R-R, R-1, R-2, R-3, R-4, R-5, R-5A, R-5B, R-6, TNZD

Specific CUP Conditions

4.2.9 Bed and Breakfast Inns

Bed and Breakfast Inns may be allowed in the R-R, R-1, R-2, R-3, R-4, R-5, UN, TNZD (in effect within Louisville Metro only), R-5A, R-5B, and R-6 Districts upon the granting of a Conditional Use Permit and compliance with the listed requirements.

A. Number of guest rooms permitted:

1. R-R, R-1, R-2, R-3, R-4, R-5, U-N, R-5A, and R-5B – limited to 4.
2. All other districts where permitted – maximum of 8.

B. Guests are limited to a length of stay no more than 7 consecutive days.

The resident owner shall keep a current guest register including names, permanent addresses, dates of occupancy, and motor vehicle license number of all guests.

C. Bed and Breakfasts may provide food service or space for gatherings such as meetings, receptions, or other social events only to overnight guests. No food preparation will be allowed in any guest bedroom.

D. Any signage which identifies the use shall be in accordance with the underlying zoning and form district standards.

E. The location of parking shall comply with the same parking standards as a single family detached dwelling unit, except any additional parking beyond what can be accommodated in a driveway no wider than to sufficiently park two (2) cars must be out of the required setback and yards as specified in the underlying Form District requirements. Parking for guests shall not be served by a separate driveway from that serving the principal residential structure.

Boarding and Lodging House

Permitted Use in R-7, R-8A, OR-1, OR-2, OR-3, OTF, C-R, C-1, C-2, C-3, C-M

Conditional Use in R-R, R-E, R-1, R-2, R-3, R-4, R-5,

Specific CUP Conditions

4.2. 11 Boarding Homes

Boarding Homes may be allowed in the R-R, R-E, R-1, R-2, R-3, R-4, R-5, and R-6 districts upon the granting of a Conditional Use Permit and compliance with the following requirements.

- A. Boarding Homes located in R-E, R-R, R-1, R-2, R-3, R-4 and R-5 single family districts shall have a maximum of 3 boarders in addition to resident family members of the boarding house keeper. Those Boarding Homes located in other districts shall have a maximum of 8 boarders.
- B. All boarding homes shall comply with the administrative and maintenance requirements established in 902 KAR 20:350.
- C. Boarding Homes shall not have any signage which identifies the use.

Community Residence

Permitted Use in R-E, R-1, R-2, R-3, R-4, R-5, R-5A, R-6, R-7, R-8A, OR-1, OR-2, OR-3, OTF, C-N, C-1, C-2, C-3, C-M, PEC, EZ-1

Day Care Center

Permitted Use in R-8A, OR, OR-1, OR-2, OR-3, OTF, C-N, C-R, C-1, C-2, C-3, C-M, PEC, EZ-1, PRO

Conditional Use in R-R, R-E, R-1, R-2, R-3, R-4, R-5, UN, R-5B, R-5A, R-6, R-7

Specific CUP Conditions

Day Care Facilities may be allowed in the R-R, R-E, R-1, R-2, R-3, R-4, R-5, UN, R-5A, R-5B, R-6, and R-7 districts upon the granting of a Conditional Use Permit and in compliance with the listed requirements.

- A. Signs - There shall be allowed one non-illuminated sign identifying the name and use, which sign shall be limited in size to four square feet and be placed on the building.
- B. Residential Structure - The structure shall remain or shall be constructed so that the exterior design and ornamentation is residential in character and compatible with the immediate neighborhood, so that there is no evidence from the street that the use is other than residential (except for the sign).
- C. Alterations or Improvements to the Structure - Where such a use is permitted in a structure which has been used as a residence, the permittee shall make no

substantial alterations or improvements to the structure which would impair the structure's use as a residence at a later time.

D. On-Site Drop-off and Pick-up Area - An on-site area shall be provided where passengers from automobiles may safely exit the automobile and enter the building and vice versa. The design of this area must be approved by the appropriate agency responsible for traffic engineering.

E. Parking Spaces - The appropriate number of parking spaces shall be provided for members of the day care center staff. The number of parking spaces required pursuant to this section shall be determined by the Board of Zoning Adjustment, and may thereafter be modified by the Board of Zoning Adjustment by petition from the owner of the premises granted a Conditional Use Permit or upon recommendation from the zoning inspector or other authorized personnel after an annual inspection of the premises or other such inspection. The parking layout must be approved by the appropriate agency responsible for traffic engineering.

F. Drainage Control - The development plan shall have the approval of the appropriate agency responsible for surface drainage control.

G. All buildings and structures shall conform to the requirements of the zoning and form district in which they are located.

H. Fence - A fence with a minimum height of 4 feet shall be erected around the outdoor play area.

Day Care, In-home

4.3.9 In-Home Day Care

The occupant of a single-family dwelling may provide day care services for no more than (6) six individuals at one time provided by the occupant of a single family residence and in accordance with the following standards:

A. Associated outdoor activity other than pick-up and drop-off of children shall be prohibited between 9 P.M. and 7 A.M.

B. Home Occupation Registration shall be completed and filed with the Department of Planning and Design Services.

C. One non-resident employee is permitted.

D. In-home day care facilities serving between four and six children shall be certified by the Kentucky Cabinet for Families and Children (CFC). Proof of certification shall be submitted at time of Home Occupation registration.

Dwelling, Multi-family

Permitted Use in R-5A, R-6, R-7, R-8A, OR-1, OR-2, OR-3, OTF, C-N, C-R, C-1, C-2, C-3, C-M

Permitted Use with Special Standards in EZ-1

Specific Special Standards

4.3.4 Dwellings in EZ-1 District - Multiple family, as a reuse of an existing structure

Multiple family residential dwellings are permitted in the EZ-1 district provided they comply with the following standards:

- A. The property is located in the Suburban Workplace Form District.
- B. The purpose of permitting multi-family dwellings in the EZ-1 district subject to special standards is to encourage the adaptive reuse of existing structures that are at least twenty-five (25) years old and which are currently unutilized or underutilized. Thus, multiple family dwellings are permitted only when locating in a building existing on March 1, 2003 (effective date of the LDC) and which is at least twenty-five (25) years old, all or only a portion of which is converted to multi-family residential use.
- C. Maximum Density
 - 1. For 0 bedroom dwelling units only.....435 Dwelling units per acre
 - 2. For 1 bedroom dwelling units only.....217 Dwelling units per acre
 - 3. For 2 or more bedroom dwelling units only....145 Dwelling units per acre

4.3.5 Dwellings in EZ-1 District – Multi-Family Residential

Multiple family residential dwellings are permitted in the EZ-1 district provided they comply with the following standards:

- A. The property is located within the traditional neighborhood, traditional marketplace corridor, traditional workplace or downtown form districts.
- B. The maximum density as permitted in Section 4.3.4 paragraph C above.

Conditional Use in OR

Specific CUP Conditions

4.2.37 Multi-Family Dwellings

Multi-Family Dwellings may be permitted in the OR Office Residential District upon the granting of a Conditional Use Permit and compliance with the listed requirements.

- A. There shall be no more than one multi-family residential identification sign facing each street bordering the site. Signs shall not be illuminated, OR illumination of the sign shall be limited to internal lighting of the address portion of the sign.
- B. Landscaping – A planting/buffer strip with average width of at least 15 feet shall be provided along any property boundary adjacent to single family zoned land. This strip shall be planted in accordance with the screening requirements of Chapter 10, Part 2. A landscape plan which addressed the buffer strip, tree preservation and interior parking lot landscaping shall be submitted as part of the Conditional Use Permit application.
- C. Type and location of trash containers and related screening shall be indicated on the plan.

Family Care Home (Mini-Home)

Permitted Use in R-E, R-1, R-2, R-3, R-4, R-5, R-5A, R-6, R-7, R-8A, OR-1, OR-2, OR-3, OTF, C-N, C-1, C-2, C-3, C-M

Home for the Infirm and Aged

Conditional Use in all zoning districts

Specific CUP Conditions

4.2.39 Nursing Homes and Homes for the Infirm or Aged

Nursing Homes and Homes for the Infirm or Aged may be permitted in any district upon the granting of a Conditional Use Permit and compliance with the listed requirements.

- A. All buildings shall be located at least 30 feet from any property line.
- B. One sign, not to exceed 60 square feet and six feet in height, may be placed at each of the major entrances, except in districts where larger signs are allowed.
- C. The Board of Zoning Adjustments shall add any restrictions to mitigate nuisances or adverse effects.

Hotel, Motel and Extended Stay Lodging

Permitted Use in OTF, C-1, C-2, C-3, C-M, EZ-1, PEC, PRO

Nursing Home

Conditional Use in all zoning districts

Specific CUP Conditions

4.2.39 Nursing Homes and Homes for the Infirm or Aged

Nursing Homes and Homes for the Infirm or Aged may be permitted in any district upon the granting of a Conditional Use Permit and compliance with the listed requirements.

- A. All buildings shall be located at least 30 feet from any property line.
- B. One sign, not to exceed 60 square feet and six feet in height, may be placed at each of the major entrances, except in districts where larger signs are allowed.
- C. The Board of Zoning Adjustments shall add any restrictions to mitigate nuisances or adverse effects.

Rehabilitation Home

Conditional Use in all zoning districts

Specific CUP Conditions

4.2.31 Rehabilitation Home

Rehabilitation homes may be allowed in any district upon the granting of a Conditional Use Permit and compliance with the listed requirements.

A. If using an existing residential building constructed contemporaneously with the surrounding neighborhood, its exterior appearance shall not be substantially altered.

B. New construction within an area having an established front building setback shall be constructed at the average setback line or the minimum front yard of the form district, whichever is less. Structures adjacent to residential uses or zoning districts shall increase side yards by 10 feet for each story over two.

C. One parking space on site shall be provided for each staff person, plus two spaces for each five residents, or five clients served by the rehabilitation home. Parking shall be reduced to one space per five residents/clients if the rehabilitation home serves persons with disabilities that preclude operation of an automobile.

D. One freestanding sign not to exceed 10 square feet and 4 feet in height shall be allowed.

E. The Board shall add any additional restrictions necessary to mitigate nuisances or adverse effects.

Residential Care Facility

A permitted use in all zones that permit residential development (excludes industrial and multi-purpose districts).