

Article amendments approved unless noted:	OMPC	Owensboro	Daviess Co.	Whitesville
Revised zoning ordinance	08-Sep-79	14-Mar-80	27-Dec-79	07-Apr-80
Surgical centers, medical clinics, amendments	08-Mar-80	22-Feb-80	08-Apr-80	07-Apr-80
Mobile homes prohibited in City of Owensboro residential zones	12-Apr-80	23-May-80	not applic.	not applic.
Day care, A-R conditional uses, business & industrial yards, residential zero setback, duplex splitting, major street map	17-Apr-81	22-May-81	26-Apr-81	06-Jul-81
Manufactured housing classifications	11-Sep-82	09-Nov-82	19-Oct-82	16-Nov-82
Public utility facilities, extraction of petroleum, hazardous waste disposal	12-Jan-84	06-Mar-84	22-Feb-84	?
Automobile body shops	15-Nov-90	not adopted	26-Dec-90	not adopted
Adult entertainment establishments	10-Feb-94	15-Mar-94	30-Mar-94	?
Bed and breakfast homes	09-Feb-95	21-Mar-95	15-Nov-95	?
Comprehensive Plan standards for building setbacks & reformat of site development requirements tables {8.5}; major streets map with updated functional classifications {8.6}	18-Apr-96	21-May-96	22-May-96	?
New land use category: "individual storage" (mini-warehouses, proposed by Co.): principal use in I-1/I-2 zones, conditional use in B-4 zones; restrictions for B-4 zones. {8.2-L7, 8.4-48}	14-Nov-96 denied	not applic.	12-Feb-97 approved	not applic.
Replace use "horticultural services" with use "landscaping services"; principal use in A-R, I-1, I-2 zones, conditional use in A-U zone, accessory to retail sale of plant, nursery, greenhouse products in B-3, B-4 zones. {8.2-H8, 8.4-18, 8.4-33a}	13-Nov-97	06-Jan-98	23-Dec-97	?

8.1 DEVELOPMENT AND INTENT OF ZONES.

8.11 AGRICULTURE ZONES. The two Agriculture Zones are created from the ~~"old"~~ original A-1 Agriculture Zone. The A-U Urban Agriculture Zone is established to provide for agricultural and related open space uses for portions of the Owensboro Urban Service Area projected for urban development ~~by 1995~~. The A-U Zone is also intended to designate potential development areas surrounding particular rural communities of Daviess County and the area surrounding Whitesville. A zone change from A-U to a more urban classification should be encouraged for projects that promote the objectives of the Comprehensive Plan Land Use Element.

The A-R Rural Agriculture Zone is established to preserve the rural character of the Daviess County Rural

Service Area by promoting agriculture and agricultural-related uses, and by discouraging all forms of urban development except for rural residential and limited conditional uses. A zone change from A-R to a more urban classification would deprecate the objectives of the Comprehensive Plan and should be discouraged unless the request involves incidental land uses for which provision is not made or which ordinarily do not occur in urban areas (i.e., land and resource dependent uses - mining, agriculture, forestry, etc.). A zone change from A-R to A-U would normally occur subsequent to projections that the need exists for additional potential urban development area.

The phasing from A-R to A-U, to an urban classification is intended to inform all public and private concerns where coordinated development should occur.

8.12 SINGLE-FAMILY DETACHED RESIDENTIAL ZONES. The single-family residential zones are established to provide primarily for single-family detached residences and supporting uses for urban areas of Daviess County. They include the following zones: **R-1A** Residential, the new designation for the "~~old~~"original R-1 Zone, **R-1B** Residential, the new designation for the "~~old~~"original R-2 Zone, **R-1C** Residential, new zone derived from the single-family requirements of the "~~old~~"original R-3 Zone. These zones provide for a range of lot sizes to meet the needs of single-family development.

8.13 TOWNHOUSE ZONE. The **R-1T** Townhouse Zone is a single-family zone which is established to provide development potential in older sections of Owensboro where existing lots of record are inadequate in size to meet the requirements of other residential zones.

8.14 MULTI-FAMILY RESIDENTIAL ZONES. The multi-family residential zones are established to provide for multi-family residential urban development.

8.141. The **R-2MF** Low Density Multi-Family Residential Zone is for low-density apartments and two-family dwellings (duplexes).

8.142. The **R-3MF** Medium Density Multi-Family Residential zone is for medium-density apartments and duplexes; it replaces the multi-family requirements of the "~~old~~"original R-3 Zone.

8.143. Both the **R-2MF** and the **R-3MF** Zones are intended for use in urban areas outside of redeveloping inner-city neighborhoods of Owensboro.

8.144. Within the Downtown Frame boundary and other inner-city neighborhoods, the **R-4DT** Inner-city Residential Zone is established. The most flexible residential zone, **R-4DT** is intended for use in redeveloping older neighborhoods of Owensboro; **R-4DT** provides a broad range of dwelling-type and density options: from single-family to high rise multi-family structures. It is very similar to the "~~old~~"original R-3 Zone.

8.15 PROFESSIONAL/SERVICE ZONE. The **P-1** Professional/Service Zone is established to provide for professional offices, limited personal service businesses, and for community-oriented public and private facilities in urban areas. (See Article 15 for Business and Professional/Service Areas.)

8.16 BUSINESS ZONES. The Business Zones are established to provide for community shopping centers and general business services.

8.161. The **B-1** Neighborhood Business Center Zone is a new zone established to promote sound, consolidated neighborhood-oriented shopping facilities in newly developing urban areas.

8.162. The **B-2** Central Business Zone is a generalized zone, which is intended to accommodate the existing and near-future development of the Central Business District. As detail study of Downtown Owensboro continues, this interim zone should evolve into several specific districts in order to meet the design objectives in preparation for Downtown.

8.163. The **B-3** Highway Business Center Zone is established for the development of new business centers which require a high volume of vehicular traffic because of the community-wide or regional market from which they draw. All uses in this zone must have controlled access to a designated arterial street or highway.

8.164. The **B-4** General Business Zone is derived from the "~~old~~"original B-1 Zone and is intended to maintain the existing developed business areas as well as provide for the logical expansion of such areas.

8.165. The **B-5** Business/Industrial Zone is a new zoning classification intended to provide for the flexibility of general business or light industrial uses only within the Business/Industrial Land Use Plan Area as designated in the Comprehensive Plan.

~~**8.165**~~ **8.166.** For detailed location, development and expansion standards for the **B-1**, **B-3** ~~and~~ **B-4** and **B-5** Zones see Article 15 - Business and Professional/Service Areas.

8.17 INDUSTRIAL ZONES.

8.171. The **I-1** Light Industrial Zone is intended for light manufacturing, warehouses, shops of special trade, heavy equipment dealers, and related uses.

8.172. The **I-2** Heavy Industrial Zone is intended for manufacturing, industrial and related uses, which involve potential nuisance factors.

8.18 SPECIAL ZONES. The following zones and their specific regulations are included as separate articles in this Zoning Ordinance:

8.181. Article 11, the **MHP** Planned Mobile Home Park Residential Zone is the new name for the "old" R-4 Zone.

8.182. Article 12, the **EX-1** Coal Mining Zone is an appendix of the Exclusive Use Zone Article.

8.183. Article 18, the **GFP** General Flood Plain Overlay District qualifies the potential development permitted in any regular zone upon which it is overlaid.

8.184. Article 19, is reserved for the **AZ** Airport Zone, which describes the Kentucky Airport Zoning Regulations as well as the development standards for areas surrounding the Owensboro-Daviess County Airport. *Note: Article 19 has not been adopted, and the proposed text is not included in this document at this time.*

8.19 OTHER REGULATIONS AFFECTING SITE DEVELOPMENT. The following articles and their regulations should be consulted to determine their effects upon the aforementioned zoning regulations:

Article	
3	General Zone and District Regulations
10	Planned Residential Development Project
13	Off-Street Parking, Loading and Unloading Areas
14	Definitions
15	Business and Professional/Service Areas
16	Development Plans
17	Landscape and Land-Use Buffers

8.2 ZONES AND USES TABLE

<p>P = PRINCIPALLY PERMITTED USES: Uses listed and other uses (not otherwise listed in table) substantially similar to those listed are deemed permitted.</p> <p>C = CONDITIONALLY PERMITTED USES: Uses which are permitted only with Board of Adjustment approval.</p> <p>A = ACCESSORY USES: Uses and structures permitted which are customarily accessory, clearly incidental and subordinate to permitted uses.</p>													<p>NOTE: Only those uses specifically permitted or substantially similar to permitted uses are permitted in each zone; all uses which lack substantial similarity to permitted uses in each zone are deemed prohibited (as per Article 3 of this Zoning Ordinance).</p> <p>Numbers following the "P", "C" or "A" in the table refer to special conditions, additional information, or detailed use listings, which follow in numerical order in Section 8.4.</p>			
ZONES													USES			
A-R	R-1A	R-1B	R-1C	R-1T	R-2MF	R-3MF	R-4DT	P-1	B-1	B-2	B-3	B-4		B-5	I-1	I-2
A-U	R-1A	R-1B	R-1C	R-1T	R-2MF	R-3MF	R-4DT	P-1	B-1	B-2	B-3	B-4	B-5	I-1	I-2	A RESIDENTIAL
C/1	C/1	C/1					C/1									1A Bed and breakfast home (<i>only Owensboro, Unincorporated Daviess County</i>)
					C	C										1B Boarding or lodging house
							A/2A	A/2A	A/2B A	A/2A	A/2A	A/2B	A/2B	A/2G B	A/2G B	2 Dwelling: Accessory (<i>Owensboro, Unincorporated Daviess County</i>)
							A/2A	A/2A		A/2A				A/2C	A/2C	2 Dwelling: Accessory (<i>Whitesville</i>)
				P	P	P				P/3						3 Dwelling: Multi-family
P	P	P					P									4 Dwelling: Single-family detached
		P/4														5 Dwelling: Townhouse
				P	P	P										6 Dwelling: Two-family
	P	P	P	P	P											6A Residential Care Facilities
C					C	C			C	C	C		C			7 Fraternity or sorority house, dormitory
	A/5	A/5	A/5	A/5	A/5					A/5						8 Guest quarters
A	A/6	A/6	A/6	A/6	A/6					A/6						9 Keeping of roomers or boarders by a resident family
P/7	P/7	P/7					P/7									10A Manufactured Home, Class 1A (see Section 14.7521)
P/7	C/7	C/7					C/7									10B Manufactured Home, Class 2B (see Section 14.7522)
P/7																10C Manufactured Home, Class C3 (see Section 14.7523)
																10D Manufactured Home, Class D (see Section 14.7524)
									P	P						11 Motel or hotel
	P/8			P/8	P/8	P/8										12 Planned residential development project

8.4 DETAILED USES AND SPECIAL CONDITIONS of Zones and Uses Table.

~~/1. (Only Owensboro, Unincorporated Daviess County)~~ A bed and breakfast home, in addition to the limitations defined in Article 14, is limited to the rental of not more than two (2) rooms per property in R-1A, R-1B, R-1C, and R-1T zones, and not more than five (5) rooms per property in A-R, A-U, and R-4DT zones. The Board of Adjustment, in considering approval of a conditional use permit, shall consider and make a finding that the number of rooms granted shall not have an adverse effect on surrounding properties; and the Board shall take into consideration the number of bed and breakfast homes, if any, within the general neighborhood of the property under consideration.

~~/2A. Dwelling unit (not more than one) for owners, operators or employees of a permitted use provided that such dwelling unit shall be a part of the principal building and located above or to the rear of such permitted use.~~

~~/2BA. (Only Owensboro, Unincorporated Daviess County)~~ Dwelling units (not more than two [2]) provided that the dwelling unit(s) shall be a part of the principal building and located above or to the rear of the principally permitted use.

~~/2CB.~~ Dwelling units for watchmen or caretakers provided that such facilities shall be located on the same premises as the permitted use.

/3. Provided that residential units are not mixed with non-residential permitted uses on the same floor.

/4. For townhouses, adjacent units with no side yards (zero (0) setback) shall be structurally independent.

/5. Without cooking facilities and not rented, for guests and employees of the premises.

~~/6. (Owensboro, Unincorporated Daviess County)~~ Limited to no more than three (3) roomers or boarders; except where the principal use is a bed and breakfast home, then no roomers or boarders shall be permitted. ~~(Whitesville) Limited to no more than three (3) roomers or boarders.~~

/7. Conditionally permitted Class 2-B Manufactured Homes must meet all Class 1A Acceptable Installation Standards of Section 14.75211 and must meet, at a minimum, the Class 1A Similarity Appearance Standard of Section 14.75212(1). Manufactured Homes of Classes 1A, 2B, and 3C are also permitted in Planned Manufactured Housing Park MHP Zones (see Article 11).

/8. See Article 10.

8.2 ZONES AND USES TABLE

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<p>C = CONDITIONALLY PERMITTED USES: Uses which are permitted only with Board of Adjustment approval.</p>															
<p>A = ACCESSORY USES: Uses and structures permitted which are customarily accessory, clearly incidental and subordinate to permitted uses.</p>															
ZONES													USES		
A-R	R-1A		R-	R-	R-				B-3						
A-U	R-1B	R-1T	2MF	3MF	4DT	P-1	B-1	B-2	B-4	B-5	I-1	I-2			
														B ASSEMBLY	
								P/9	P/9	P/9				1 Amusements, indoor	
									P/10	P/10				2 Amusements, outdoor	
C	C	C	C	C	C	C	C	C	C	A	A	A		3 Child day-care centers, child nurseries, adult day care centers	
C	C	C	C	C	C	P		P	P					4 Churches, Sunday schools, parish houses	
A/11	A/11	A/11	A/11	A/11	A/11	A/11	A/11	A/11	A/11	A/11	A/11	A/11	A/11	5 Circuses and carnivals, temporary	
								P						6 Civic center, auditorium, exhibition halls, amphitheater	
C	C	C	C	C	C	P		P	P	P				7 Community centers, public	
C	C	C	C	C	C	P		P	P	P				8 Libraries, museums, art galleries, reading rooms	
								P	P	P				9 Passenger transportation terminals	
C/12				C/12	C/12	P/12		P	P	P				10 Philanthropic institutions and clubs	
C/13	C/13	C/13	C/13	C/13	C/13	C/13		C/13	C/13	C/13	C/13	C/13		11 Recreational activities, indoor	
								P/14	P/14	P/14				12 Restaurants, cocktail lounges, night clubs	
										P/15				13 Restaurants, drive-in, drive through windows	
C	C	C	C	C	C	P		P	P	P				14 Schools, colleges, studios; academic, technical, vocational or professional, private elementary and secondary schools	
								A						15 Sidewalk cafe	
								P/47	P/47	P/47				16 Any ASSEMBLY USES above deemed to be adult entertainment establishments (<i>only Owensboro, Unincorporated Daviess County</i>)	
										P	P			17 Public auction houses	
													C INSTITUTIONAL		
C				C	C	C		C	C	C				1 Hospitals; surgical centers; convalescent and rest homes; orphanages, rehabilitation, homes/facilities , assisted living facilities	
C										C	C	C		2 Penal or correctional institution	

8.4 DETAILED USES AND SPECIAL CONDITIONS of Zones and Uses Table.

/9. Indoor amusements include such uses as theaters; billiard, pool or pinball halls/ [video arcades](#); bowling alleys; dance halls; [bingo halls](#); [movie theaters](#), [indoor play places not accessory to a principal use](#), [gaming places](#) or skating rinks.

/10. Outdoor amusements include such uses as drive-in theaters, [go-cart facilities](#), and miniature golf courses.

/11. Circuses and carnivals on a temporary basis, and upon issuance of a permit by the Zoning Administrator, who may restrict the permit in terms of time, parking, access or in other ways to protect the public health, safety, or welfare; or deny such if public health, safety or welfare are adversely affected.

/12. Philanthropic institution or club cannot conduct a business as part of the use.

/13. Public or private indoor recreational activities include indoor basketball, racquetball and handball courts, running tracks, ping pong and other table games, indoor swimming pools, [health spas](#), [fitness centers](#), [martial arts facilities](#), [gymnastics and cheer leading instructional facilities](#), [aerobics and weight training facilities](#).

Commercial indoor recreational activities are prohibited in all Residential Zones. Indoor recreational activities which require buildings of a size and design not compatible with Residential and Business Zones are permitted only in Agricultural or Industrial Zones (such as several tennis courts housed in a pre-fabricated industrial-type building). Parking for indoor recreational activities must consist of the following: one (1) space for each employee, plus one (1) space for every two (2) participants, and one (1) space for every three (3) spectator seats.

/14. A restaurant or night club with live or recorded entertainment and dancing shall be at least [one hundred \(100\)](#) feet from any Residential Zone and shall require a conditional use permit in the B-1 Zone.

/15. For drive-in restaurants, all outside food service areas [or drive through windows](#) shall be at least [one hundred \(100\)](#) feet from any Residential Zone.

/17. See under *BUSINESS USES (D) table*.

8.2 ZONES AND USES TABLE

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<p>C = CONDITIONALLY PERMITTED USES: Uses which are permitted only with Board of Adjustment approval.</p>							<p>Numbers following the "P", "C" or "A" in the table refer to special conditions, additional information, or detailed use listings which follow in numerical order in Section 8.4.</p>						
<p>A = ACCESSORY USES: Uses and structures permitted which are customarily accessory, clearly incidental and subordinate to permitted uses.</p>													
ZONES													USES
A-R A-U	R-1A R-1B R-1C	R-1T	R-2MF	R-3MF	R-4DT	P-1	B-1	B-2	B-3 B-4	B-5	I-1	I-2	
													D BUSINESS
						P	P	P	P	<u>P</u>			1 Banks, credit agencies, security and commodity and loan companies and holding and investment companies; with or without drive-in facilities
						P		P	P	<u>P</u>			2 Computer and data processing centers
C/46						P	P	P	P	<u>P</u>			3 Hair styling, beauty and barber shops, <u>tanning salons</u>
C/46							P	P	P	<u>P</u>	<u>P</u>	<u>P</u>	4 Home appliance <u>and computer</u> repair
A	A	A	A	A	A								5 Home occupation
						P		P	P	<u>P</u>			6 Medical and dental offices, clinics and laboratories
A						P		P	P	<u>P</u>	A	A	7 Offices for business, professional, governmental, civic, social, fraternal, political, religious and charitable organizations
						P		P	P	<u>P</u>			8 Office projects, professional
								P	P	<u>P</u>			9 Pawnshops
						P		P	P	<u>P</u>			10 Research, development and testing laboratories or centers
C/46							P	P	P	<u>P</u>			11 Shoe repair
						P		P	P	<u>P</u>			12 Telephone exchanges, radio and television studios
						P		P	P	<u>P</u>			13 Ticket and travel agencies
						<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			14 <u>Quick copy services, not utilizing offset printing methods</u>
								P/47	P/47	<u>P/47</u>			91 Any BUSINESS USES above deemed to be adult entertainment establishments (<i>only Owensboro, Unincorporated Daviess County</i>)

8.4 DETAILED USES AND SPECIAL CONDITIONS of Zones and Uses Table.

146. Conditionally permitted only in the A-R Rural Agriculture Zone; prohibited in the A-U Urban Agriculture Zone.

147. Particular uses that are classified under the assembly, business, or mercantile use groups in the Zones and Uses Table (Section 8.2 of this Zoning Ordinance) also may be deemed adult entertainment establishments, based on definitions outside of this Zoning Ordinance, but within the code of ordinances of the governmental body of jurisdiction. In addition to any requirements or regulations imposed by other ordinances or by other sections of this Zoning Ordinance, such adult entertainment establishments shall be subject to the following requirements:

a. No adult entertainment establishment shall be located in any zone other than B-2, B-3, ~~or B-4, or B-5~~; and, an adult entertainment establishment shall be permitted in a B-2, B-3, ~~or B-4, or B-5~~ zone, respectively, only if the particular use of the establishment is specifically permitted within a B-2, B-3, ~~or B-4, or B-5~~ zone, respectively, as classified under the assembly, business or mercantile use groups in the Zones and Uses Table.

b. No adult entertainment establishment shall be located within five hundred (500) feet of another adult entertainment establishment or within five hundred (500) feet of any residential zone, any school where persons under eighteen (18) years of age are enrolled, any

child daycare center, any church facility, or any public park or recreation facility. Distance shall be measured in a straight line, without regard to intervening structures or objects. Distance between any two (2) adult entertainment establishments shall be measured from the nearest entrance door of the first adult entertainment establishment to the nearest entrance door of the second adult entertainment establishment. Distance between any adult entertainment establishment and any residential zone shall be measured from the nearest entrance door of the adult entertainment establishment to the nearest property line of the residential zone. Distance between any adult entertainment establishment and any school where persons under eighteen (18) years of age are enrolled, or any child daycare center, or any church facility, or any public park or recreation facility, shall be measured from the nearest entrance door of the adult entertainment establishment to the nearest property line of the respective school, daycare center, church facility, or park or recreation facility, unless such use occupies only a portion of a property also containing unspecified use(s). In such case, distance shall be measured from the nearest entrance door of the adult entertainment establishment to the nearest boundary of the immediate premises occupied by the school, daycare center, church facility, or park or recreation facility.

c. Off-street parking requirements for an adult entertainment establishment shall be as required for the applicable zone and particular use of the establishment, as classified under the assembly, business or mercantile use groups in the Zones and Uses Table.

8.2 ZONES AND USES TABLE

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ZONES													USES	
A-R A-U	R-1A R-1B R-1C	R-1T	R-2MF	R-3MF	R-4DT	P-1	B-1	B-2	B-3 B-4	B-5	I-1	I-2		
													E MERCANTILE	
C							P	P	P	P			1 Farmers market	
							P/16	P/16	P/16	P/16			2 Retail sale of food products	
C/45							P/17	P/17	P/17	P/17			3 Retail sale of merchandise	
A							P/18	P/18	P/18	P/18			4 Retail sale of plant, nursery or greenhouse products	
A/19													5 <u>Produce Roadside</u> stands	
									P/20	P	P	P	6 Sale of feed, grain or other agricultural supplies	
									P/20	P/20	P/20	P/20	7 Wholesale supply establishment	
							P/21	P/21	P/21	P/21			8 <u>Convenience stores with or without fuel stations</u>	
									P	P			9 <u>Home improvement centers with no outdoor storage</u>	
									P	P	P	P	10 <u>Home improvement centers with outdoor storage</u>	
								P/47	P/47	P/47			91 Any MERCANTILE USES above deemed to be adult entertainment establishments (<i>only Owensboro, Unincorporated Daviess County</i>)	

8.4 DETAILED USES AND SPECIAL CONDITIONS of Zones and Uses Table.

/16. Establishments for the retail sale of food products such as supermarkets; bakery, meat, beer, liquor and wine, and other food product stores; and provided that production of food products is permitted only for retail sale on the premises.

/17. Establishments for the retail sale of merchandise including: clothing, shoes, fabrics, yard goods; fixtures, furnishings and appliances such as floor covering, radios, TV, phonograph products and other visual and sound reproduction or transmitting equipment; furniture; kitchen and laundry equipment; glassware and china; and other establishments for the retail sale of hardware and wallpaper; lawn care products; paint and other interior or exterior care products; hobby items, toys, gifts, antiques; newspapers and magazines, stationery and books; flowers; music; cameras, jewelry and luggage; business supplies and machines; drugstores; variety stores.

/18. Commercial greenhouses are prohibited in the B-1 and B-2 Zones. In the B-3, and B-4, and B-5 zones, landscaping services may be conducted as an accessory use by establishments primarily engaged in the retail sale of plant, nursery or greenhouse products.

/19. Roadside stands offering for Sale only of agricultural products grown by the owner of the premises on the premises.

/20. A wholesale supply establishment shall be permitted in the B-3 or B-4 Zone only if indoor or outdoor storage areas of such use contain supplies, parts or other stocks primarily for sale on the premises to the general public. If stored commodities are for sale primarily to purchasing agents and not to the general public, the storage area shall be considered a warehouse or storage yard permitted only in an I-1 or I-2 Zone. Permitted outdoor storage areas must be enclosed on all sides as per #44 of this list.

/45. This provision is only applicable in the A-R Rural Agriculture Zone. Limited sale of hobby items, toys, gifts; antiques; newspaper, magazines, stationery, books, flowers; "flea-market" items; other similar retail sales activities which would not infringe upon the rural nature of the surrounding vicinity by excessive traffic generation, noise or other nuisances. This provision shall not be interpreted to provide for the establishment of general, neighborhood or highway business centers which would typically require business zone classification; the intent of this provision is to permit limited sales uses in rural areas which would not noticeably affect the vicinity, in order to maintain the integrity of business zone intent in rural areas while simultaneously minimizing hardship to limited and geographically scattered community businesses. An applicant for such conditional use should be made aware of the maximum scope of business which the Board of Adjustment and vicinity residents would tolerate to assure the use does not inadvertently become undesirable in intensity.

/47. See under BUSINESS USES (D) table.

8.2 ZONES AND USES TABLE

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ZONES													USES
A-R A-U	R-1A R-1B R-1C	R-1T	R-2MF	R-3MF	R-4DT	P-1	B-1	B-2	B-3 B-4	B-5	I-1	I-2	
													F AUTOMOBILE AND TRUCK RELATED
								P/21	P	P			1 Automobile or boat rental
									P/22	P/22			2 Automobile or other vehicle sales lot, establishment
C/23													3 Automobile, <u>motorcycle or other vehicle</u> , race tracks
							P/21	P/21	P/21	P/21			4 Automobile service/fuel stations, <u>with or without convenience stores</u>
									A/24	A/24	P	P	5 Automobile and truck repair, major (only Owensboro, Whitesville)
									A/24		P	P	5 Automobile and truck repair, major (including automobile body shop) (only Unincorp. Daviess Co.)
									C/24A	C/24A			5A Automobile body shop (only Unincorp. Daviess Co.)
							P	P	P	P	P	P	6 Automobile and truck repair, minor
							A/25	A/25	P/25	P/25	P/25	P/25	7 Car-wash; self-serve or automatic
A				A	A	A	A	A	A	A	A	A	8 Loading and unloading facilities
A	A	A	A	A	A	A	A	A	P	A	A	A	9 Parking areas, private garages
	A	A	A	A	A	A	A	P	A	A	A	A	10 Parking areas or structures
						C	C	P	P	P	P	P	11 Parking lots or structures
										P	P	P	12 Tire re-treading and recapping
									A	A	A	A	13 Truck rental
										P	P	P	14 Truck terminals and freight yards
										P	P		15 Taxi cab or limousine service
										P	P		16 Automobile auction facilities

8.4 DETAILED USES AND SPECIAL CONDITIONS of Zones and Uses Table.

/21. Provided such use conforms to the requirements of Article 17.

/22. Establishments and lots for the display, rental, sale, service and minor repair of automobiles; motorcycles; trucks; boats; recreational vehicles; mobile or modular homes; or supplies for such items.

/23. Automobile, [motorcycle and other vehicle](#) racetracks are prohibited in the A-U Zone.

/24. When accessory to an establishment primarily engaged in the sale of automobile and trucks.

/24A. *(Only Unincorporated Daviess County)* This provision shall apply only in B-4 General Business [and B-5 Business/Industrial](#) zones. Automobile body shops involve industrial-type activities, which are more intense than the activities usually permitted in business zones. Therefore, when conditionally permitted in B-4 [or B-5](#) zones, automobile body shops shall conform with the following requirements:

a. All work to be performed on vehicles, including removal of parts, shall occur entirely within an enclosed building.

b. Any outdoor storage area shall be completely screened [with a six \(6\) foot high solid fence or wall](#) from adjoining uses and streets, and shall be landscaped and paved. Such outdoor storage areas shall not be used as automobile impound yards or junk yards, as defined in this or other local ordinances. Storage of vehicles shall be limited to those vehicles to be repaired on the premises. The Board of Adjustment may establish additional conditions, which it believes are necessary to assure compatibility with neighboring uses. These conditions may include but are not limited to the following:

c. Limits on the size and location of buildings or land to be used as part of the use.

d. Limits on the number of vehicles located on the premises at one time.

e. Limits on operating hours.

/25. 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. [Drainage shall be approved by the city/county engineer's office. In B-1 and B-2 zones, car washes are permitted as accessory uses only to service stations and convenience stores.](#)

8.2 ZONES AND USES TABLE

<p>P = PRINCIPALLY PERMITTED USES: Uses listed and other uses (not otherwise listed in table) substantially similar to those listed are deemed permitted.</p> <p>C = CONDITIONALLY PERMITTED USES: Uses which are permitted only with Board of Adjustment approval.</p> <p>A = ACCESSORY USES: Uses and structures permitted which are customarily accessory, clearly incidental and subordinate to permitted uses.</p>													<p>NOTE: Only those uses specifically permitted or substantially similar to permitted uses are permitted in each zone; all uses which lack substantial similarity to permitted uses in each zone are deemed prohibited (as per Article 3 of this Zoning Ordinance).</p> <p>Numbers following the "P", "C" or "A" in the table refer to special conditions, additional information, or detailed use listings which follow in numerical order in Section 8.4.</p>			
ZONES													USES			
A-R	R-1A	R-1B	R-1C	R-1T	R-2MF	R-3MF	R-4DT	P-1	B-1	B-2	B-3	B-4		B-5	I-1	I-2
																G INDUSTRIAL
													P/26	P/26	P/26	1 Contractor equipment dealer
													P	P	P	2 Dairy or other food product bottling plants
CP													C	C	CP	3 Extraction of crude petroleum, natural gas; quarrying of sand, gravel, etc.
C													C	C	C	3A Quarrying of sand, gravel, etc.
															C/27	4 Heavy industrial uses, conditional
															P/28	5 Heavy industrial uses, principal
													P	P	P	6 Ice plant
													P	P	P	7 Machine, welding and other metal work shops
													P	P	P	8 Manufacturing and assembling, light
													P/29	P/29	P/29	9 Manufacturing, compounding, assembling, processing, packaging and certain other industrial uses
A/30								A/30	A/30	A/30	A/30					10 Making of articles to be sold at retail on the premises
							A	A	P	P	P		P	P	P	11 Printing, publishing, lithographing, blueprinting
													A	A	A	12 Sale of manufactured goods
													P/31	P/31	P/31	13 Shops of special trade and general contractors
								A/49	A/49	A/49	P		P	P	P	14 Furniture repair and upholstery
C/46													P	P	P	15 Furniture restoration and refinishing

8.4 DETAILED USES AND SPECIAL CONDITIONS of Zones and Uses Table.

/26. Establishments and lots for the display, rental, sale and repair of contractor equipment.

/27. **(I-2 conditional uses)** The following heavy industrial or manufacturing uses shall apply for **conditional use** to the Owensboro Metropolitan Board of Adjustment; and provided that any building or outside storage, loading or working areas except for accessory parking areas or structure shall be located at least [three hundred \(300\)](#) feet from any Residential Zone and [one hundred \(100\)](#) feet from any other zone except an I-1 or A-R Zone.

Acid corrosive acids
Ammonia chlorine or bleaching powder manufacturing
Animal black, lamp black or bone black manufacturing
Asphalt plant
Automobile impound yard or yard for storage of abandoned, dismantled, partially dismantled, obsolete or wrecked automobiles
Automobile wrecking, scrap iron storage or wrecking
Blast furnaces
Brick kiln
Building materials salvage yard
Celluloid and pyroxyline manufacturing or explosive or inflammable cellulose or pyroxyline produces manufacturing or storage
Cement lime, gypsum or plaster of Paris manufacturing
Charcoal pulverizing
Chemical manufacturing
Coal storage
Creosote manufacturing or treatment
Cupola or metal smelting furnace and ore or metal reduction
Distillation or coal, petroleum, refuse, grain, wood, or bones

Explosives manufacturing or storage except for small arms ammunition
Fertilizer manufacturing using organic materials, compost or storage
Fish curing, smoking, or packing fish, oil manufacturing or refining
Gasoline storage wholesale
Glue manufacturing, size or gelatin manufacturing where the processes include the refining or recovery of products from fish; animal refuse or offal
Hazardous waste disposal
Hides or skins, storage, curing or tanning of raw, green or salted
Insect, exterminator poison manufacturing
Junk yard
Livestock feed yards
Machinery wrecking or storage yard
Monument works
Petroleum or inflammable liquids, production, refining and storage
Plaster of Paris manufacturing
Refuse dumps
Rock or stone crusher, mill or quarry
Salvage storage yard
Sawmill
Slaughtering or animals or stock yards
Smelting of aluminum, copper, tin, iron, iron or zinc ore
Soda ash, caustic soda or washing compound containing chlorine, bleaching powder manufacturing or refining
Steel mill
Sulphurous, sulphuric, nitric, picric, carbolic, or hydrochloric or other corrosive acid manufacturing
Tar distillation or manufacturing
Terra cotta manufacturing
Wrecking yard

8.4 DETAILED USES AND SPECIAL CONDITIONS of Zones and Uses Table.

/28. (I-2 principal uses) The following industrial or manufacturing uses are principally permitted provided that any building or outside storage, loading or working areas, except for accessory parking areas shall be located at least [three hundred \(300\)](#) feet from any Residential Zone and [one hundred \(100\)](#) feet from any other zone except I-1 or A-R Zone:

- Abrasive** manufacturing
- Acid** (non-corrosive manufacturing)
- Aerosol** packaging
- Agricultural** uses including hatcheries
- Airplane** repair
- Aluminum** products manufacturing
- Asbestos** manufacturing
- Automobile** assembling, rebuilding and reconditioning
- Bicycle** manufacturing
- Bleaching** plant
- Boat** casting
- Boiler** shops, structural steel fabricating shops, steel car or locomotive shops, railway repair shops, metal working shops, operative reciprocating hammers or chisels or other noise producing machine-operated tools
- Bolt** or screw thread rolling or cutting
- Bottle** making
- Brewing** and distillery
- Brick**, tile and terra-cotta and other clay products manufacturing
- Briquette** manufacturing from previously prepared charcoal
- Bronze** casting
- Candle** or sperm oil manufacturing
- Canvas** manufacturing
- Carpet** or rug manufacturing
- Cast** iron pipe manufacturing
- Celluloid** manufacturing
- Coke** manufacturing
- Concrete** mixing, concrete products
- Correctional** institutions
- Corrugated** metal manufacturing
- Culvert** pipe manufacturing
- Die** casting and making
- Disinfectant**, insecticide, or poison manufacturing
- Dye** or dyestuff manufacturing and printing ink manufacturing
- Electric** power generating plant
- Engine** manufacturing
- Excelsior** and fiber manufacturing
- Fencing**, woven wire, manufacturing
- Fertilizer** manufacturing
- Forge**
- Foundry**
- Furniture** manufacturing
- Glass** fiber manufacturing
- Glucose** manufacturing
- Grain** drying and poultry feed manufacturing from refuse, mash or grain
- Hair** manufacturing
- Hardware** manufacturing
- Iron** storage, sorting, collecting or baling
- Leaf Mold** and similar plant material processing or manufacturing

- Linoleum** oil cloth or oiled goods manufacturing
- Match** manufacturing
- Motorcycle** shops
- Nitrating** processes
- Oil**, paint, shellac, turpentine, varnish or enamel manufacturing of the grinding of colors by machine
- Paper** or pulp manufacturing
- Paper** or scrap or waste storage, sorting, collecting or baling
- Perfume** manufacturing
- Plaster** manufacturing and products
- Potash** manufacturing or refining
- Pyroline** plastic manufacturing
- Railroad** roundhouse or yards
- Roofing** material factory
- Rubber** manufacturing, treating or reclaiming plant
- Sand** blasting
- Sewage Treatment Plant**
- Shoe** blacking or polish manufacturing
- Stadium**
- Stream** power plant
- Storage**, drying, cleaning or rags, glass, cloth, paper or clippings, including sorting, refining, baling, wool pulling and scouring
- Structural** iron and steel manufacturing
- Sugar** refining or starch manufacturing
- Textile** manufacturing
- Tire** manufacturing
- Tobacco** processing
- Tool** manufacturing
- Wire** manufacturing

/29. Manufacturing, compounding, assembling, processing, packaging, or similar treatment of...

- ...articles of merchandise from the following previously prepared materials:
- asbestos**
- bone**
- canvas**
- cellophane**
- cellulose**
- cloth**
- cork**
- feather**
- felt**
- fiber**
- fur**
- glass**
- hair**
- horn**
- leather**
- paper**
- plastics**
- precious/semi-precious** metals/stones
- rubber**
- sheet metal** (excluding large stampings)
- shell**
- textiles**
- wax**
- wood** (excluding sawmills)
- yarn**

...such products as:
appliances
bakery goods

- billboards**
- candy**
- ceramics**
- cosmetics**
- drafting** instruments
- electrical** parts
- electric**/neon signs
- electronic** instruments
- food** products
- ice** cream
- meat** packaging
- medical**/dental instruments
- musical** instruments
- pharmaceuticals**
- pottery**/china/figurines
- radios**
- radio**/stereo/TV equipment
- rubber**/metal stamps
- rubber** products
- scientific** instruments/ equipment
- shoes**
- toiletries**/soaps/detergents
- toys**
- watches**/clocks

Other industrial and manufacturing uses such as:

- auto** parts rebuilding
- battery** manufacturing
- beverage** manufacturing
- bottling** plants, non-dairy/non-food product
- box** and crate assembly
- building** materials/sales/assembly/rental/storage yard
- bag**/carpet/rug cleaning and dyeing
- cabinet** shop
- cannery**
- caterers**
- cooperage**
- crematory**
- dextrinedextrin** and starch manufacturing
- enameling**/lacquering/japaning
- felt** manufacturing
- electric** foundry
- heating**/air conditioning equipment manufacturing
- inflammable** underground liquid storage
- iron** works, ornamental
- laboratories**, experimental/film/testing
- lumber** sales and yard
- parcel** delivery stations
- photograph** records manufacturing
- public** utility service yard
- railway** terminal
- welding** and other metal working shops

/30. Provided that any manufacturing shall be restricted to light manufacturing incidental to a retail business or service where the products are sold on the premises by the producer.

/31. Such as plumbing; heating and air conditioning; carpentry; masonry; painting; plastering; metal work; printing, publishing, lithographing, engraving; electrical; major automobile and truck repairing; sign painting; upholstering; tile, mosaic and terrazzo work; electroplating; drilling; excavating; wrecking; construction; paving; industrial cleaning.

[/46. See under BUSINESS USES \(D\) table.](#)

8.2 ZONES AND USES TABLE

<p>P = PRINCIPALLY PERMITTED USES: Uses listed and other uses (not otherwise listed in table) substantially similar to those listed are deemed permitted.</p> <p>C = CONDITIONALLY PERMITTED USES: Uses which are permitted only with Board of Adjustment approval.</p> <p>A = ACCESSORY USES: Uses and structures permitted which are customarily accessory, clearly incidental and subordinate to permitted uses.</p>													<p>NOTE: Only those uses specifically permitted or substantially similar to permitted uses are permitted in each zone; all uses which lack substantial similarity to permitted uses in each zone are deemed prohibited (as per Article 3 of this Zoning Ordinance).</p> <p>Numbers following the "P", "C" or "A" in the table refer to special conditions, additional information, or detailed use listings which follow in numerical order in Section 8.4.</p>		
ZONES													USES		
A-R	R-1A		R-	R-	R-				B-3						
A-U	R-1B	R-1T	2MF	3MF	4DT	P-1	B-1	B-2	B-4	B-5	I-1	I-2			
														OTHER	
														H Agriculture:	
A														1 Agricultural structures, stables	
P														2 Dairying and stock-raising	
P	P	P	P	P	P									3 Farming	
										P/32	P/32	P/32		4 Farm equipment dealer	
P										C/33	C/33	C/33		5 Forestry	
														6 Grain drying	
C														7 Horse sales establishment	
C/33a									A/33a	P	P	P		8 Landscaping services	
														I Animal related:	
C/34														1 Animal burial grounds	
C/50														1A Animal race tracks	
									P/35	P/35	P/35	P/35		2 Animal hospital or clinic	
							P/51	P/51	P	P	A	A		2A Pet grooming	
							P/51	P/51	P	P	A	A		2B Pet training	
P							P	P	P	P				3 Hunting, fishing, trapping, game preserves	
C							P	P	P	P				3A Taxidermy	
P/35									P/35	P/35	P/35	P/35		4 Kennel, commercial	
A	A	A	A	A	A									5 Kennel, non-commercial	
									P/35	P/35	P/35	P/35		6 Veterinarian office	
														J Personal service:	
C				C					C	C	C	C		1 Cemetery, mausoleum, columbarium, crematory	
C						C		P	P	P				2 Funeral home	
							P/36	P/36	P/36	P/36	P/36	P/36		3 Laundry, clothes cleaning	
						P	P	P	P	P	P	P		3a Dry cleaning or laundry drop off and pick up stations with or without drive-through windows, where no cleaning of garments occurs on site	
						A	P	P	P	P				4 Pharmaceuticals and medical supplies, sale of	
						A/37	P	P	P	P	A/37	A/37		5 Retail sales or personal services	

8.2 ZONES AND USES TABLE

<p>P = PRINCIPALLY PERMITTED USES: Uses listed and other uses (not otherwise listed in table) substantially similar to those listed are deemed permitted.</p>													<p>NOTE: Only those uses specifically permitted or substantially similar to permitted uses are permitted in each zone; all uses which lack substantial similarity to permitted uses in each zone are deemed prohibited (as per Article 3 of this Zoning Ordinance).</p> <p>Numbers following the "P", "C" or "A" in the table refer to special conditions, additional information, or detailed use listings which follow in numerical order in Section 8.4.</p>		
<p>C = CONDITIONALLY PERMITTED USES: Uses which are permitted only with Board of Adjustment approval.</p>															
<p>A = ACCESSORY USES: Uses and structures permitted which are customarily accessory, clearly incidental and subordinate to permitted uses.</p>															
ZONES															
A-R A-U	R-1A R-1B R-1C	R-1T	R-2MF	R-3MF	R-4DT	P-1	B-1	B-2	B-3 B-4	B-5	I-1	I-2	USES		
K Public and semi-public:															
C/38														1	Airport
C/39														2	Land fill
GP/40	GP/40	GP/40	GP/40	GP/40	GP/40	C/40P/40	GP/40	C/40 P/40	C/40 P/40	P/40	GP/40	GP/40		3	Municipal, county, <u>state, public school</u> or federal buildings and uses <u>except as otherwise permitted</u>
C	C	C	C	C	C	C	C	C	C	C	C	C		4	Public utility facilities not otherwise permitted within this table and not excepted by Article 3 herein
C								C	C	C				5	<u>(reserved)Bus terminals</u>
C/42 A/43	C/42 A/43	C/42 A/43	C/42 A/43	C/42 A/43	C/42 A/43	C/42 A/43	C/42 A/43	C/42 A/43	C/42 A/43	C/42 A/43	C/42 A/43	C/42 A/43		7	Recreational uses, major outdoor
														8	Recreational uses, accessory outdoor
L Storage:															
									A/44	A/44	A/44	A/44		1	Storage, outdoor
							A	A	A	A				2	Storage (incidental) for retail sales establishment
A	A	A	A	A	A									3	Storage sheds
									A/20	A/20	A/20	A/20		4	Storage for wholesale supply establishment
							A	A	A	A	A	A		5	Storage yards for delivery vehicles
										P	P	P		6	Warehouse
									C/48	P/48	P/48	P/48		7	Individual Storage <u>(only Unincorporated Daviess County)</u>

8.4 DETAILED USES AND SPECIAL CONDITIONS of Zones and Uses Table.

/20. A wholesale supply establishment shall be permitted in the B-3 or B-4 Zone only if indoor or outdoor storage areas of such use contain supplies, parts or other stocks primarily for sale on the premises to the general public. If stored commodities are for sale primarily to purchasing agents and not to the general public, the storage area shall be considered a warehouse or storage yard permitted only in an I-1 or I-2 Zone. Permitted outdoor storage areas must be enclosed on all sides as per #44 of this list.

/32. Establishments and lots for the display, rental, sale and repair of farm equipment.

/33. Grain drying when operated in a fully enclosed building at least three hundred (300) feet from the nearest Residential or Commercial Zone.

/33a. In the A-R, I-1 and I-2 zones, landscaping services shall be a principally permitted use. In the B-3 and B-4 zones, landscaping services may be conducted as an accessory use only by establishments primarily engaged in the retail sale of plant, nursery or greenhouse products; otherwise, landscaping services shall be prohibited in the B-3 and B-4 zones. In the A-U zone, landscaping services shall be a conditionally permitted use. The Board of Adjustment, in considering approval of a conditional use permit, may require special conditions related to screening, outdoor storage, and other matters to assure neighborhood compatibility.

/34. Animal burial grounds are prohibited in the A-U Zone.

/35. Kennel, animal hospital, office of veterinarian providing that such structure or use, not including accessory parking areas, shall be at least one hundred (100) feet from any Residential Zone.

/36. Laundry, clothes cleaning or dyeing shop, self-service laundry or laundry pick-up station; in Business Zones clothes-cleaning establishments are limited to a forty (40)-pound capacity, closed-system process.

/37. Retail sales or personal services, including facilities for serving food, only for employees or visitors to any permitted use and having no display space or signs visible from the exterior of the building.

/38. Airports are prohibited in the A-U Zone.

/39. Landfills are prohibited in the A-U Zone. Landfills operated by municipal, county or state entities are permitted in any zone in accordance with KRS 100.361(2) exempting political subdivisions from local land use requirements. A public facility review by the OMPC is required for these facilities. Landfills are not exempt from the requirements of the subdivision regulations.

/40. Offices are principally permitted in the P-1, B-2, B-3 and B-4 Zones. Municipal, county, state, federal and public school boards are defined in Kentucky revised statutes as political subdivisions and are exempted from local land use requirements by KRS 100.361(2) if these uses and buildings are situated on land owned or leased by the political subdivision. A public facility review by the OMPC is required for these facilities. These facilities and uses are not exempt from subdivision regulations.

/41. (reserved)

/42. Major outdoor recreational uses include ~~public or~~ private parks, playgrounds, archery and shooting ranges, athletic fields, golf courses, skateboard parks, zoological gardens, country clubs, marinas, riding stables, campgrounds, boat ramps, fishing lakes, amusement parks, water parks, driving ranges, and batting cages along with their accessory facilities. Commercial recreation areas are prohibited in all Residential zones.

/43. Accessory outdoor recreational uses include swimming pools, tennis courts, putting greens, and other similar recreational uses.

/44. Land-use buffers for outdoor storage areas or storage yards (except employee or customer parking areas) for manufactured products, materials to be used in manufacturing, wholesale commodities, or automobiles and trucks, junk yards, salvage and scrap-iron yards shall be provided as per Article 17, Landscape and Land Use Buffers.

/48. ~~(Only Unincorporated Daviess Co.)~~ Individual storage uses shall be prohibited in the B-3 zone. (Only Unincorporated Daviess Co.) Individual storage uses may be conditionally permitted in B-4 zones. (Owensboro, Whitesville, and Unincorporated Daviess Co) Individual storage uses are principally permitted in B-5, I-1 and I-2 zones.

The storage of items within any individual storage structure shall conform to the limitations contained in the definition of "individual storage" in Article 14 of this Zoning Ordinance.

In the B-4 zone, conditionally permitted individual storage uses also shall be subject to the following restrictions:

a. Structures to be used as individual storage units shall not be located closer than twenty five (25) feet to any residential zone.

b. An eight-foot (8') 8-foot high solid wall or wood privacy fence shall be installed and maintained on all sides that adjoin any other property, except those properties zoned B-1, B-2, B-3, B-4, B-5, I-1 or I-2. Tree plantings may also be required as per Article 17 of this Zoning Ordinance.

c. Building height shall not exceed fifteen (15) feet, measured from the finish grade at the loading door(s), to the top of the roof ridge or edge.

d. Outdoor storage shall be prohibited on the same property as the individual storage structure(s). This shall include automobiles, boats, personal items, etc.

e. All uses other than individual storage shall be prohibited within structures while those structures are being used for individual storage, except for one office or caretaker's residence, which, if present, shall be directly related to the management of the individual storage units.

f. The Owner of the individual storage structure(s) shall be responsible for policing the material and/or items being stored. The Owner shall notify the Zoning Administrator upon discovering any storage not meeting the requirements set forth herein, providing the name, address and phone number of the renter whose storage is in question

/49. Provided that any furniture repair shall be associated with a retail business or service where furniture or upholstery is sold on the premises.

/50. Animal racetracks shall be prohibited in A-U zones.

/51. Without boarding facilities.

8.3 GENERAL INDEX.

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F	AUTOMOBILE AND TRUCK RELATED	8-7
G	INDUSTRIAL	8-8
OTHER:		
H	AGRICULTURE	8-10
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L	STORAGE	8-10

Use (USE GROUP/number)

Agriculture (H1)
 Airport (K1)
 Amusements (B1/B2)
 Animal related (I1/I2)
 Automobile related (F1/F2/F3/F4/F5/F6)
 Banks, etc. (D1)
 Boarding or lodging house (A1)
 Barber shop (see hair styling)
 Beauty shop (see hair styling)
 Business (see retail sales, wholesale, offices, restaurants, etc.)
 Carwash (F7)
 Cemetery (J1)
 Child day-care centers, nurseries (B3)
 Church (B4)
 Circus, temporary (B5)
 Civic center (B6)
 Community center (B7)
 Computer center (D2)
 Contractor equipment (G1)
 Dairy or bottling plant (G2)
 Dairying and stock-raising (H2)
 DWELLING (A2 thru A6)
 Extraction (G3)
 Farmers market (E1)
 Farming (H3)
 Farm equipment (H4)
 Forestry (H5)
 Fraternity or sorority house, dormitory (A7)
 Funeral home (J2)
 Grain drying (H6)
 Guest quarters (A8)
 Hair styling (D3)
 Heavy industrial (G4/G5)
 Home appliance repair (D4)
 Home occupation (D5)
 Horse sales (H7)
 Horticulture (H8)
 Hospitals (C1)
 Hunting (I3)
 Ice plant (G6)
 Industrial (see heavy industrial, manufacturing)

Keeping of roomers or boarders (A9)
 Kennel (I4/I5)
 Land fill (K2)
 Laundry (J3)
 Library (B8)
 Loading areas (F8)
 Machine shops (G7)
 Making of articles (incidental to retail) (G10)
 Manufacturing (G8/G9)
 Medical clinics (D6)
 Medical and dental offices (D6)
 Mobile home (*manufactured housing*) (A10)
 Motel or hotel (A11)
 Municipal, county or federal uses (K3)
 Offices (D7/D8)
 Parking areas and lots (F9 thru F11)
 Passenger terminals (B9)
 Pawnshops (D9)
 Penal institutions (C2)
 Pharmaceutical sales (J4)
 Philanthropic institutions (B10)
 Planned residential development projects (A12)
 Printing (G11)
 Public utilities (K4/K5)
 Radio or TV transmitters (K6)
 Recreation, indoor (B11)
 Recreation, outdoor (K7/K8)
 Research centers (D10)
 Residential (see DWELLING or mobile home)
 Restaurants (B12/B13)
 Retail sales (E2 thru E4)
 Retail sales or personal services (J5)
 Roadside stands (E5)
 Sale of feed grain (E6)
 Sale of manufactured goods (G12)
 Schools (B14)
 Shoe repair (D11)
 Shops of special trade (G13)
 Sidewalk cafe (B15)
 Storage (L1 thru L5)
 Telephone, TV, radio station (D12)
 Ticket and travel agency (D13)
 Tire re-treading (F12)
 Truck rental (F13)
 Truck terminal (F14)
 Veterinarian office (I6)
 Warehouse (L6)
 Wholesale supply (E7)

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8.5 SITE DEVELOPMENT REQUIREMENTS. The following lot, yard, building height, useable open space and other requirements shall apply within each zone as specified in the respective subsection tables that follow, unless adjusted by provisions of articles 3 or 4 of this Zoning Ordinance. The short headings used in the tables are defined as follows:

- ◆ **Minimum Lot Size.** The minimum lot size that is ~~required~~ [specified by the Site Development Requirements contained in this article.](#)
- ◆ **Minimum Lot Frontage.** The minimum width of a lot at the building setback line that is ~~required~~ [specified by the Site Development Requirements contained in this article.](#)
- ◆ **Minimum Front Yard or Street Yard.** The minimum building setback that is required from any front lot line, side street lot line, or rear street lot line, or from the centerline of any public right-of-way that adjoins any front lot line, side street lot line, or rear street lot line; except that building setbacks for yards that adjoin alleys shall be the same as for interior side or rear yards, [as required by the Site Development Requirements contained in this article.](#)
- ◆ **Minimum Interior Side Yard.** The minimum building setback that is required from any side lot line that adjoins another lot or an alley.
- ◆ **Minimum Interior Rear Yard.** The minimum building setback that is required from any rear lot line that adjoins another lot or an alley.
- ◆ **Maximum Building Height.** The maximum height of a building that is permitted. *See "Building, Height of" in the Definitions article of this Zoning Ordinance.*
- ◆ **Minimum Useable Open Space.** The minimum "useable open space," as defined in this Zoning Ordinance, ~~which is required for landscaping and non-paved open space.~~
- ◆ **Maximum Lot Coverage.** The maximum area of a lot that can be covered by [all principal buildings and accessory structures occupying the lot, floor area.](#)
- ◆ **Other Requirements.** Other regulations affecting site development as specified.

8.5 SITE DEVELOPMENT REQUIREMENTS (continued)

8.5.1 A-R Rural Agriculture Zone		
8.5.2 A-U Urban Agriculture Zone		
(a) Minimum Lot Size		
A-R Zone	1.0 acre	
A-U Zone	0.5 acre	Where sanitary sewers are not available, the minimum lot size shall be 0.75 acres
(b) Minimum Lot Frontage	100'	at building setback line
(c) Minimum Front Yard or Street Yard		(See Section 8.6 for map of Major Streets)
Freeway, Expressway	20'	from lot line
Arterial Street (two-way)	75'	from street centerline or 25' from lot line, whichever is greater
(Planned one-way)	60'	from street centerline or 25' from lot line, whichever is greater
Major Collector Street	60'	from street centerline or 25' from lot line, whichever is greater
Minor Collector or Local Street	60'	from street centerline or 25' from lot line, whichever is greater
Alley		(See interior side yard, interior rear yard)
(d) Minimum Interior Side Yard	10'	each side
(e) Minimum Interior Rear Yard	20'	
(f) Maximum Building Height	No limit	except for Kentucky Airport Zoning restrictions
(g) Minimum Useable Open Space	No limit	
(h) Maximum Lot Coverage	No limit	
	No limit 50%	
(i) Manufactured homes	shall be connected to public water and sanitary sewer facilities when available. In the event public facilities are not available, the sanitary sewer facilities shall receive approval of the Daviess County Health Department.	
(j) Manufactured homes	shall be underpinned with a solid form of permanent material placed between the ground and the bottom outside edge of the mobile home to shield against the element of weather and to conserve energy used for heating and cooling.	
(k) Agricultural land	which has not been subdivided into customary lots shall not exceed a density of one (1) dwelling unit per ten (10) acre tract, including manufactured homes.	
(l) Building permits for accessory buildings	to store farm products and machinery on tracts of land ten (10) acres or more in size shall not be required.	
(m) Structures and/or buildings	shall not be placed in the designated flood plain area which tends to increase flood heights or obstruct the flow of floodwaters, and which could cause damage to other properties, as per Article 18 of this Zoning Ordinance.	
8.5.3 I-1 Light Industrial Zone		
8.5.4 I-2 Heavy Industrial Zone		
(a) Minimum Lot Size	No limit	Where sanitary sewers are not available, the minimum lot size shall be 0.75 acres
(b) Minimum Lot Frontage	No limit	
(c) Minimum Front Yard or Street Yard		(See Section 8.6 for map of Major Streets)
Freeway, Expressway	20'	from lot line
Arterial Street (two-way)	75'	from street centerline or 25' from lot line, whichever is greater
(Planned one-way)	60'	from street centerline or 25' from lot line, whichever is greater
Major Collector Street	60'	from street centerline or 25' from lot line, whichever is greater
(Whitesville only)	75'	from street centerline or 25' from lot line, whichever is greater
Minor Collector or Local Street	25'	from lot line
Marginal Access Street	0'	from lot line
Alley		(See interior side yard, interior rear yard)
(d) Minimum Interior Side Yard	20'	when adjoining any zone other than business or industrial
	No limit	when adjoining a business or industrial zone or a railroad siding
(e) Minimum Interior Rear Yard	20'	when adjoining any zone other than business or industrial
	No limit	when adjoining a business or industrial zone or a railroad siding
(f) Maximum Building Height	No limit	except for Kentucky Airport Zoning restrictions
(g) Minimum Useable Open Space	No limit	
(h) Maximum Lot Coverage	No limit	
(i) Certain uses	may require greater setbacks from particular non-compatible zones. See Section 8.4, #27 and #28.	
(j) All outdoor areas or yards	that are used for the storage of manufactured products, materials to be used in manufacturing, wholesale commodities, automobiles, trucks or equipment, junk yards, and salvage and scrap-iron yards (not including areas for employee or customer parking, nor areas that are open to the public for the permitted display of operational vehicles or other finished products for retail) shall be enclosed on all sides by a solid wall or fence not less than six (6) feet in height, and not less than eight (8) feet in height for junk yards, salvage and scrap-iron yards. In particular situations, Article 17 of this Zoning Ordinance may require additional landscape easements and materials.	

8.5 SITE DEVELOPMENT REQUIREMENTS (continued)

8.5.5	R-1A Single-Family Residential Zone	
8.5.6	R-1B Single-Family Residential Zone	
8.5.7	R-1C Single-Family Residential Zone	
8.5.8	R-1T Townhouse Zone	
(a)	Minimum Lot Size	
	R-1A Zone (see [j] below)	10,000sq' except in a planned residential development project (see Art. 10)
	R-1B Zone (see [j] below)	7,500sq' "
	R-1C Zone (see [j] below)	5,000sq' "
	R-1T Zone (see [j] below)	2,000sq'
(b)	Minimum Lot Frontage	
	R-1A Zone	75' except in a planned residential development project (see Art. 10)
	R-1B Zone	60' "
	R-1C Zone	50' "
	R-1T Zone	18'
(c)	Minimum Front Yard or Street Yard (See Section 8.6 for map of Major Streets)	
	Freeway, Expressway	20' from lot line
	Arterial Street (two-way)	75' from street centerline or 25' from lot line, whichever is greater
	(Planned one-way)	60' from street centerline or 25' from lot line, whichever is greater
	Major Collector Street	60' from street centerline or 25' from lot line, whichever is greater
	Minor Collector or Local Street	
	R-1A, R-1B, R-1C zones	25' from lot line
	If corner lots are back to back	15' from side street lot line only
	R-1T Zone	10' from lot line
	Alley	(See interior side yard, interior rear yard)
(d)	Minimum Interior Side Yard 10' each side	
	Regular Building	
	R-1A Zone	10' each side
	R-1B, R-1C, R-1T zones	5' each side
	Adjoins R-1A, P-1, Agri. zone	10' that side
	Zero Setback Option (see [j] below)	
	R-1A Zone	0' one side along "internal line", 20' other side
	R-1B, R-1C zones	0' one side along "internal line", 10' other side
	R-1T Zone	0' along "internal lines", 5' along "boundary lines"
	Adjoins R-1A, P-1, Agri. zone	10' that side
(e)	Minimum Interior Rear Yard 20'	
(f)	Maximum Building Height 36'	
(g)	Minimum Useable Open Space No limit	
(h)	Maximum Lot Coverage	
	R-1A, R-1B, R-1C zones	35%50% of total lot area
	R-1T Zone	45%50% of total lot area
(i)	Zero Setback Option. Zero setback lines shall be permitted only along "internal lines", which are property lines between lots that are under single ownership at the time of building construction. Zero setback lines shall not be permitted along "boundary lines", which are property lines of lots that are owned by others. No two dwelling units shall be closer than twenty (20) feet to each other in R-1A zones, nor closer than ten (10) feet to each other in R-1B or R-1C zones. Zero setback walls shall be solid, containing no window or door openings, and may be required to satisfy special building code requirements, depending on the situation. Application of zero setback side yard provisions will require special covenants within the deeds of affected lots. These covenants must respond to issues unique to zero setback dwelling units, whether attached or detached. These issues, among others, will include the following: Exterior zero setback building elements will involve maintenance performed from an adjacent property, thereby necessitating maintenance easements. Common-wall dwelling units should generally correspond in architectural style, color, scheme, etc., which may necessitate a perpetual design control mechanism to define the individual rights and collective responsibilities of affected property owners.	
(j)	Where sanitary sewers are not available, the minimum lot size shall be 0.75 acres.	

8.5 SITE DEVELOPMENT REQUIREMENTS (continued)

8.5.9	R-2MF Multi-Family Residential Zone	
8.5.10	R-3MF Multi-Family Residential Zone	
8.5.11	R-4DT Inner-City Residential Zone	
(a)	Minimum Lot Size (see note [j] below)	
	Multi-Family (R-2MF Zone)	13,000sq' except in a planned residential development project (see Art. 10)
	(R-3MF, R-4DT zones)	6,500sq' "
	Two-Family (R-2MF Zone)	10,500sq' "
	(R-3MF, R-4DT zones)	6,000sq' "
	"Split Duplex" (R-2MF Zone)	5,250sq' "
	(R-3MF, R-4DT zones)	3,000sq' "
	Single-Family (only R-4DT Zone)	5,000sq' "
(b)	Minimum Lot Frontage	
	Multi-Family (R-2MF Zone)	75' except in a planned residential development project (see Art. 10)
	(R-3MF, R-4DT zones)	70' "
	Two-Family (R-2MF Zone)	70' "
	(R-3MF, R-4DT zones)	60' "
	"Split Duplex" (R-2MF Zone)	35' "
	(R-3MF, R-4DT zones)	30' "
	Single-Family (only R-4DT Zone)	50' "
(c)	Minimum Front Yard or Street Yard (See Section 8.6 for map of Major Streets)	
	Freeway, Expressway	20' from lot line
	Arterial Street (two-way)	75' from street centerline or 25' from lot line, whichever is greater
	(Planned one-way)	60' from street centerline or 25' from lot line, whichever is greater
	Major Collector Street	60' from street centerline or 25' from lot line, whichever is greater
	Minor Collector or Local Street	25' from lot line
	Alley	(See interior side yard, interior rear yard)
(d)	Minimum Interior Side Yard	
	All Building Types	5' each side
	Adjoins R-1A, P-1, or Agri. zone	10' that side
	R-4DT Zone Zero Setback Option	Same as for R-1C Zone (See Section 8.5.7)
(e)	Minimum Interior Rear Yard 20'	
(f)	Maximum Building Height	
	Multi-Family in R-4DT Zone	36' without increased minimum yard dimensions
	Building taller than 36'	3:1 height-to-yard ratio relative to all surrounding yards
	All Other	36'
(g)	Minimum Useable Open Space	
	Multi-Family	30% of lot area
	All Other	No limit
(h)	Maximum Lot Coverage	
	Multi-Family (R-2MF Zone)	25% 50% of total lot area with a floor area ratio of 0.25
	(R-3MF Zone)	30% 50% of total lot area with a floor area ratio of 0.40
	(R-4DT Zone)	35% 50% of total lot area with a floor area ratio of 1.30
	All Other	35% 50% of total lot area
(i)	"Split Duplex" Option. Each unit of a two-family building (duplex) may be located on a separate lot. Separate lots for each unit of duplex buildings erected previous to the enactment of this "Split Duplex" option may vary from the minimum lot width and side yard requirements as stated hereinabove if the following two requirements can be met: (a) The original lot width conforms with the minimum required for a two-family building in the zone in which it is located; and, (b) the parking area/driveway access characteristics can comply with the requirements of Article 13 of this Zoning Ordinance. Application of the "split duplex" option will require special covenants within the deeds of affected lots. These covenants must respond to issues unique to dwelling units sharing a common wall. These issues, among others, will include the following: Exterior building elements will involve maintenance performed from an adjacent property, thereby necessitating maintenance easements. Common-wall dwelling units should generally correspond in architectural style, color, scheme, etc., which may necessitate a perpetual design control mechanism to define the individual rights and collective responsibilities of affected property owners.	
(j)	Where sanitary sewers are not available, the minimum lot size shall be 0.75 acres.	

8.5 SITE DEVELOPMENT REQUIREMENTS (continued)

8.5.12	P-1 Professional/Service Zone	
8.5.13	B-2 Central Business Zone	
(a)	Minimum Lot Size	
	P-1 Zone (see note [k] below)	7,500sq' (For Professional Office Projects, see [i] below)
	B-2 Zone (see note [k] below)	No limit
(b)	Minimum Lot Frontage	
	P-1 Zone	60' (For Professional Office Projects, see [i] below)
	B-2 Zone	No limit
(c)	Minimum Front Yard or Street Yard (See Section 8.6 for map of Major Streets)	
	P-1 Zone	
	Freeway, Expressway	20' from lot line
	Arterial Street (two-way)	75' from street centerline or 25' from lot line, whichever is greater
	(Planned one-way)	60' from street centerline or 25' from lot line, whichever is greater
	Major Collector Street	60' from street centerline or 25' from lot line, whichever is greater
	Minor Collector or Local Street	25' from lot line
	Marginal Access Street	0' from lot line
	Alley	(See interior side yard, interior rear yard)
	B-2 Zone (existing buildings)	0' (except for multi-family dwellings, see [j] below)
	(New buildings, ground floor)	3' "
	(Floors above/below ground)	0' "
	(Along any alley)	(See interior side yard, interior rear yard)
(d)	Minimum Interior Side Yard	
	P-1 Zone	10' each side (For Professional Office Projects, see [i] below)
	B-2 Zone, when side yard adjoins...	
	R-1A, P-1, or Agri. zone	10' that side (for multi-family dwellings, see [j] below)
	Other Residential or MHP zone	5' that side (for multi-family dwellings, see [j] below)
	Any other zone	No limit (except for multi-family dwellings, see [j] below)
(e)	Minimum Interior Rear Yard	
	P-1 Zone	20' (For Professional Office Projects, see [i] below)
	B-2 Zone, when rear yard adjoins...	
	Res., MHP, P-1, or Agri. zone	20' (for multi-family dwellings, see [j] below)
	Any other zone	No limit (except for multi-family dwellings, see [j] below)
(f)	Maximum Building Height	
	P-1 Zone	3:1 height-to-yard ratio (See [i] below)
	B-2 Zone	No limit (except for multi-family dwellings, see [j] below)
(g)	Minimum Useable Open Space	
	P-1 Zone	No limit
	B-2 Zone	No limit (except for multi-family dwellings, see [j] below)
(h)	Maximum Lot Coverage	
	P-1 Zone	35% of total lot area with a floor area ratio of 1.30 (See [i] below)
	B-2 Zone	No limit
(i)	<p>A Professional Office Project may be permitted for a tract of land with a minimum of five (5) acres upon the approval of a preliminary development plan and a final development plan as provided in Article 16, and subject to the P-1 Zone regulations. Subdivision of a Professional Office Project is permitted subject to the following regulations: There shall be no minimum lot size, lot frontage, yard, nor maximum lot coverage or height requirements for each subdivided lot; however, all said requirements for the approved final development plan shall be applicable to the overall subdivision; each subdivided lot shall have access to adjacent streets or joint parking areas as provided by appropriate easement shown on the final development plan and subdivision plat.</p>	
(j)	<p>Multi-Family Dwellings in the B-2 Zone. A development plan shall be submitted for any development which would create three (3) or more principal residential dwelling units within any building in the B-2 zone. (See Article 16). Exterior walls, for those floors containing dwelling units with windows for habitable rooms, shall be provided with a setback for light and air of no less than four (4) inches for every one (1) foot, or fraction thereof, of height of each wall (1:3 ratio); and street right-of-way width may be used as part of this setback requirement. No additional setback, beyond the minimums in the table above, shall be required for those floors containing non-residential uses or dwelling unit walls without windows. Buildings with multi-family dwellings shall provide minimum useable open space equal to ten percent (10%) of only those floors occupied by dwelling units. These useable open space requirements can be met by roof or balcony areas as per the definition of useable open space in Article 14.</p>	
(k)	<p>Where sanitary sewers are not available, the minimum lot size shall be 0.75 acres.</p>	

8.5 SITE DEVELOPMENT REQUIREMENTS (continued)

8.5.14	B-1 Neighborhood Business Center Zone		
8.5.15	B-3 Highway Business Center Zone		
8.5.16	B-4 General Business Zone		
8.5.17	<u>B-5 Business/Industrial Zone</u>		
(a)	Minimum Lot Size		
	B-1 Zone (see note [I] below)	No limit	within a business center of 5 acres to 15 acres in size
	B-3 Zone (see note [I] below)	No limit	within a business center of 15 acres or larger in size
	B-4, <u>B-5 Zone</u> (see note [I] below)	No limit	
(b)	Minimum Lot Frontage		
	No limit		
(c)	Minimum Front Yard or Street Yard (See Section 8.6 for map of Major Streets)		
	Freeway, Expressway	20'	from lot line
	Arterial Street (two-way)	75'	from street centerline or 25' from lot line, whichever is greater
	(Planned one-way)	60'	from street centerline or 25' from lot line, whichever is greater
	Major Collector Street	60'	from street centerline or 25' from lot line, whichever is greater
	Minor Collector or Local Street	25'	from lot line
	Marginal Access Street	0'	from lot line
	Alley		(See interior side yard, interior rear yard)
(d)	Minimum Interior Side Yard		
	When side yard adjoins...		
	R-1A, P-1, or Agri. zone	10'	that side
	Other Residential or MHP zone	5'	that side
	Any other zone	No limit	
(e)	Minimum Interior Rear Yard		
	When rear yard adjoins...		
	Res., MHP, P-1, or Agri. zone	20'	
	Any other zone	No limit	
(f)	Maximum Building Height	No limit	except for Kentucky Airport Zoning restrictions
(g)	Minimum Useable Open Space	No limit	
(h)	Maximum Lot Coverage		
	B-1 Zone	35%	of total area of lot or tract in project development plan
	B-3 Zone	25%	of total area of lot or tract in project development plan
	B-4, <u>B-5 Zone</u> , when lot adjoins...		
	Residential, MHP, or P-1 zone	35% 50%	of total area of lot or tract in project development plan
	Any other zone	No limit	
(i)	Development plans are required for the creation of, expansion of, or alteration of multi-business structures, whether on one or more parcels or lots as per Article 16 of this Zoning Ordinance. Also, development plans, or subdivision plats (if found to be an acceptable substitution by the OMPC), shall be required for zoning map amendments to a B-1 or B-3 zone, and for building development in those zones.		
(j)	Zero Setback Walls. In all business zones, where land subdivision is proposed, and zero yard setback is permitted, shared or common walls which would straddle a lot line are prohibited. There shall be two, structurally independent walls adjacent to each other along the property line.		
(k)	All outdoor areas or yards that are used for the storage of manufactured products, materials to be used in manufacturing, wholesale commodities, automobiles, trucks or equipment, junk yards, and salvage and scrap-iron yards (not including areas for employee or customer parking, nor areas that are open to the public for the permitted display of operational vehicles or other finished products for retail) shall be enclosed on all sides by a solid wall or fence not less than six (6) feet in height, and not less than eight (8) feet in height for junk yards, salvage and scrap-iron yards. In particular situations, Article 17 of this Zoning Ordinance may require additional landscape easements and materials.		
(l)	<u>Where sanitary sewers are not available, the minimum lot size shall be 0.75 acres.</u>		

8.6 MAP OF MAJOR STREETS

