

ORDINANCE 2019-1789

AN ORDINANCE AMENDING CHAPTER §156, THE CITY OF MURRAY ZONING ORDINANCE SPECIFICALLY, §156.004: DEFINITIONS; §156.014: GENERAL REGULATIONS FOR VEHICLES; §156.035: RESIDENTIAL DISTRICTS (R-1 & R-2); §156.036 MULTI-FAMILY DISTRICTS (R-3, R-3A, R-4 & R-5); §156.037 BUSINESS DISTRICTS; §156.038 PROFESSIONAL OFFICE DISTRICT; §156.039 INDUSTRIAL DISTRICT; §156.042 AGRICULTURAL DISTRICT AND CREATING A NEW SUBSECTION, SPECIFICALLY §156.045 USE CLASSIFICATION TABLE.

WHEREAS, the Murray Planning Commission met in regular session on AUGUST 20, 2019 to discuss possible text amendments to the current zoning ordinance. A public hearing on the proposed amendments was held on SEPTEMBER 17, 2019. Following the public hearing, the Commission voted 5-0 to recommend that the following text amendments be made to the following Sections.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MURRAY AS FOLLOWS, TO-WIT:

**AMENDMENT I:**

The City of Murray Zoning Ordinance, §156.004 DEFINITION shall be amended to read, in its entirety, as follows:

**§156.004: DEFINITIONS**

The words which are defined are those which have special or limited meanings as used in this zoning ordinance and might not otherwise be clear. All words herein used in the present tense shall include the future. The singular shall include the plural and the plural, the singular. The word “shall” is mandatory not directory; the word “may” is permissive. Unless otherwise provided, the following words and phrases are defined as follows:

**A. GENERAL DEFINITIONS:**

**ABUT OR ABUTTING:** Having a common border with, or being separated from such common border by an alley or easement.

**ACCESS:** Any means of ingress/egress to a parcel of property for pedestrians and/or vehicles.

**ACCESSORY BUILDING:** A subordinate structure, detached from but on the same development site as the principal structure, the use of which is incidental and secondary to that of the principal structure. Accessory structures shall not be constructed prior to the principal structure. On residential and agricultural property, accessory structures shall not contain kitchen facilities.

~~**ADULT ORIENTED BUSINESS:** See Section III, Article 7 for definitions relating to adult oriented businesses.~~

**AGRICULTURE OR AGRICULTURAL:** The use of land for the cultivation of crops or the raising of animals or for preservation of land in its natural state.

**ALLEY:** Any public or private way set aside or dedicated for public travel twenty (20) feet or less in width.

**ALTERATION:** Any change or addition to the load-bearing members or the foundation of a structure.

**ANTENNA:** Electronic devices, whose purposes is to receive or transmit signals directly from ground based sources, which are free-standing or mounted to a structure.

**ATTIC:** The non-habitable part of a building immediately below, and wholly or partly within, the roof framing.

**AUTHORIZED AGENT OR OWNER:** The person or persons who have the right or legal title, beneficial interest in, or a contractual right to purchase a lot or parcel of land.

~~**BAKERY:** A place where products such as bread, cake and pastries are baked and sold as the principal use of the establishment with the number of inside seats to be limited to ten (10).~~

**BASEMENT:** The lowest habitable story of a building usually below, or partially below, ground level.

**BEDROOM:** A room marketed, designed, or otherwise likely to function primarily for sleeping.

~~**BOARDINGHOUSE AND OR LODGING HOUSE:** A building other than a hotel where, for compensation and by prearrangement of a definite period, meals or lodging and meals are provided for three (3) or more persons, but not exceeding ten (10) persons.~~

**BUFFER:** A unit of land, together with a specified amount of planting thereon, and any fence, wall, or berm which may be required between land uses to eliminate or minimize conflicts between them.

**BUILDING:** Any structure for the shelter or enclosure of persons, animals, plant materials or property.

**BUILDING AREA:** The total ground area, taken on a horizontal plane at the mean grade level, of each building and accessory building but not including uncovered entrance platforms, terraces and steps.

**BUILDING FRONTAGE:** The exterior wall of a building that faces a front lot line of the lot.

**BUILDING HEIGHT:** The vertical distance measured from the established mean grade at the front building line to the highest point of the building.

**BUILDING LINE:** A line across a lot beyond which no building may extend, as established by ordinance or developer. A building line in some instances may coincide with the property line.

**BUILDING PERMIT:** A permit which may be required by appropriate authority in connection with the location, construction, alteration, demolition, or relocation of structures within the area of jurisdiction.

**CALIPER:** A measurement of the size of a tree equal to the diameter of the trunk as measured six (6) inches above the ground up to and including trees of four (4) inch caliper size; and twelve (12) inches above the ground for trees of greater than four (4) inch caliper size; unless otherwise specified.

**CANOPY:** A roof-like cover extending over a pedestrian way or right of way as a shelter or a shield. This definition shall include the term "awning" and shall apply regardless of the materials used in its construction.

**CARPORIT:** An unenclosed paved and covered space for the private use of the owner or occupant of a principal building and situated on the same lot as the principal building, intended for the storage of

motor vehicles, with no facilities for mechanical service or repair of a commercial or public nature. It is considered an accessory structure, and therefore shall be allowed only in a rear yard.

**CARRIER/PROVIDER:** See Wireless Communication Service Provider.

**CELLAR:** An uninhabited room used for storage, usually beneath the ground or under a building.

**CERTIFIED SURVEY:** Scaled drawing of a parcel or lot, showing property lines, dimensions, building locations, and other features of a property, which has been signed and sealed by a professional surveyor licensed in the Commonwealth of Kentucky.

~~**CHURCH:** A building used for regular religious worship services, by the congregation or parts thereof, of an organized religion.~~

**COMMISSION:** Murray Planning Commission.

**CONDITIONAL USE:** A use which is essential to or would promote the public health, safety or welfare in one or more districts but which would impair the integrity and character of the district in which it is located, or in adjoining districts unless restrictions on location, size, extent and character of performance are imposed in addition to those imposed in the zoning ordinance.

**CONDITIONAL USE PERMIT:** Legal authorization to undertake a conditional use which has been authorized in conformance with the zoning ordinance.

**CONDOMINIUM:** Form of multi-unit housing in which the owner owns the area between the walls and ceiling. A condominium can take many physical forms – it can be a townhouse, an apartment, or part of a free-standing duplex house. The owner owns a fee simple interest in the actual dwelling unit and is entitled to all the rights of a fee simple holder. The owner is also given an undivided joint interest in all of the common areas of the building.

~~**CONVENIENCE STORE:** A retail establishment selling food for off-premises consumption and a limited selection of groceries and sundry items (and possibly gasoline, but not required).~~

**CURB CUT:** Vehicular entrance onto a public right-of-way.

~~**DAY CARE CENTER:** Any place, home or institution which receives four (4) or more children, conducted for cultivating the normal aptitude for exercise, play, observation, imitation, and construction.~~

**DEDICATION:** The transfer of property interests from private to public ownership for a public purpose. The transfer may be of fee simple interest or of a less than fee interest, including an easement.

~~**DENSITY GROSS:** The quotient of the total number of dwelling units divided by the gross site area of the site, expressed as dwelling units per acre. Density shall be calculated by using Floor Area Ratio.~~

**DIMENSIONAL VARIANCE:** A departure from the terms of the zoning ordinance pertaining to height or width of structures and size of yards and open spaces, where such departure will not be contrary to the public interest, and where owing to conditions peculiar to the property because of its size, shape or topography and not as a result of the actions of the applicant, the literal enforcement of the zoning ordinance would result in unnecessary and undue hardship.

**DORMITORY:** A building occupied by and maintained as a place of residence exclusively for students affiliated with an academic or professional college or university when approved and regulated by such

institution. The word “dormitory” shall not be construed to include dwellings, boarding or rooming houses, fraternity or sorority houses or any building designed for transient residence.

**DRAINAGE:** The removal of surface water or ground water from land by drains, grading or other means. Drainage includes the control of runoff to minimize erosion and sedimentation during and after development and includes the means necessary for water supply preservation or for the prevention or alleviation of flooding.

**DRAINAGEWAY:** Minor watercourses, natural or manmade, that are defined either by soil type or the presence of intermittent or perennial streams.

**DWELLING:** A building or portion thereof, exclusive of mobile homes as herein defined, used for residential purposes.

**DWELLING UNIT:** One or more rooms in a dwelling or apartment house designed for residential purposes, and having a kitchen.

**DWELLING UNIT, ACCESSORY** is an accessory structure for a guest house or pool house for the purpose of a mother in-law suite or carriage house. This use may be requested in the R-1 and R-2 zoning districts through a Conditional Use Permit process. The rental or lease of an accessory dwelling unit, or the use of an accessory dwelling unit as a permanent residence for a secondary family on the premises is prohibited. The maximum area shall be 600 SF or 25 percent of the area of the principal structure, whichever is larger.

**EXTERIOR STORAGE:** Unroofed storage area, whether fenced or not.

**FAMILY:** One or more persons sharing residency whose income and resources are available to meet the family’s needs and who are either related by blood, (immediate family members only), marriage, operation of law or adoption, or having evidenced a stable family relationship. A family shall also be deemed to include domestic servants employed by said family, and foster or boarded children whose room and board is paid by a recognized child care agency.

**FLOODPLAIN:** For the purposes of this Ordinance, “Floodplain” shall mean areas adjacent to a river, stream or other drainage way which lie within 100 year flood elevation contour, as established by Flood Insurance Rate Maps or by certified survey.

**FLOOR AREA:** The total floor area of all stories including halls, stairways, elevator shafts, and other related uses measured to outside faces of exterior walls.

**FLOOR AREA RATIO** is the ground floor area of buildings on a lot divided by ground area of the lot on which it is located. Example: a 10,000 sf lot with a F.A.R. of 0.5 would be allowed 5,000 sf for each floor of the building. Density in multi-family zones will be calculated using this method.

**FRATERNITY OR SORORITY HOUSE:** A building housing the members of a fraternity or sorority group living together under a cooperative arrangement as distinct from a boarding or lodging house or private club.

**GARAGE:** A deck or building, or part thereof, used or intended to be used for the parking and storage of motor vehicles.

~~**GARDEN CENTER:** A place of business where garden-related products and produce is sold to the retail consumer. These centers, which may include a nursery and/or greenhouses, bring in most items offered for sale from other locations. These items may include plants, nursery items and stock,~~

fertilizers, potting soil, hardware, power equipment and machinery, manual garden and farm tools and utensils.

~~GASOLINE SERVICE STATION: Buildings and premises where gasoline, oils, greases, batteries, tires, and automobile accessories may be supplied and dispensed at retail (or in connection with private operation) where no part of the premises is used for paint spraying, body or fender repair, or the storage of dismantled or wrecked vehicle parts, and also where minor services are rendered, such as sale and servicing of spark plugs, batteries, and distributors; tire repair and servicing, but no recapping; replacement or minor items of equipment such as mufflers and tail pipes, water hoses, fan belts, and fluids; radiator cleaning and flushing; minor servicing of carburetors; car washing and waxing.~~

HOME OCCUPATION: Any business, professional or commercial activity that is conducted or petitioned to be conducted from and performed on property that is zoned for residential use.

~~HOSPITAL: An institution providing health services of a medical, surgical or obstetrical nature to ill or injured human patients and including related facilities such as laboratories, out patient departments, training facilities, central services facilities, and staff offices which are an integral part of the facilities.~~

~~HOTEL: A building or portion of a building, containing sleeping units, which are occupied on a daily or short term basis. A hotel may include a restaurant and banquet or ballrooms.~~

IMPERVIOUS SURFACE: A surface that does not absorb water. Buildings, parking areas, driveways, roads, sidewalks, and any surface of concrete or asphalt are impervious surfaces.

~~INDUSTRY (HEAVY): Those industries whose processing of products result in the emission of any atmospheric pollutant, light flashes or glare, noise or vibration which may be heard and/or felt off the premises and those industries which constitute a fire or explosion hazard.~~

~~INDUSTRY (LIGHT): Those industries whose processing or products results in none of the conditions described for heavy industry.~~

~~JUNKYARD, AUTOMOBILE: A lot, land or structure, or part thereof, used primarily for the collecting, dismantling, storage and salvaging of motor vehicles not in running condition, or for the sale of parts thereof.~~

~~KENNEL: Commercial business for the sale or temporary boarding of dogs and cats, but not including the ownership and occasional sale of dogs and cats at, in, or adjoining a private residence.~~

LAND AREA: The total land area within the property lines.

LANDSCAPING: Landscaping is considered to be the planting and maintenance of a lawn, in addition to some combination of evergreens, shrubs, hedges, vines or flowers. The combination may include natural features such as rock and stone and structural features including, but not limited to, fountains, walls, fences and benches.

LOT: A parcel of land under one ownership occupied by or to be occupied by one principal building and its accessory buildings and including the open spaces and yards required under this ordinance.

1. LOT AREA: The area contained within the boundary lines of a lot.
2. LOT LINE: The boundary dividing a lot from a right-of-way, adjoining lot, or other adjoining tract of land.

3. **LOT, CORNER:** A lot which abuts on two intersecting streets at their intersection.

4. **LOT, DOUBLE FRONTAGE:** Any lot other than a corner lot which abuts on two streets.

5. **LOT OF RECORD:** A lot which is duly recorded in the office of the county clerk.

6. **LOT WIDTH:** The distance between side lot lines measured at the rear of the minimum required front yard. Lot width shall not be measured at the building line where such line establishes a yard, which exceeds the minimum requirements.

**MARQUEE:** Any permanent roof-like structure projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

**MAJOR RECREATIONAL EQUIPMENT:** Any travel trailer without its own motive power, pickup camper or coach, motorized dwelling and the like, and cases or boxes used for transporting such recreational equipment, whether occupied by such equipment or not.

~~**MINI-WAREHOUSE:** A building or group of buildings in a controlled access and fenced compound that contains varying sizes of individual, compartmentalized stalls of lockers for the "dead" storage of a customer's goods or wares. No sales, service, or repair activities other than the rental of "dead" storage units are permitted on the premises.~~

**MIXED USE DEVELOPMENT:** The development of a tract of land and/or structure with two (2) or more uses of different land use categories. Such developments include, but are not limited to, combination of residential, office, retail, public entertainment, and/or manufacturing uses in a compact urban form such as an office or research park.

**MOBILE HOME OR MANUFACTURED HOME:** Any trailer or similar portable structure without its own motive power, having no integral foundation other than wheels, jacks, or skirtings and used, designed or constructed to be transported on the public streets and designed or constructed to permit occupancy, either permanent or temporary. Removal of the means of conveyance from a mobile home does not change the nature of a mobile home as defined in this zoning ordinance. The term mobile home does not include travel trailers without their own motive power, pickup campers or coaches, and dwellings with their own motive power.

**MOBILE HOME OR MANUFACTURED HOME PARK:** As defined in KRS 219.320 a mobile home or manufactured home park means a parcel of land, under the control of any person, available to the public in which two or more mobile home lots are occupied or intended for occupancy by mobile homes and includes any service building, structure, enclosure or other facility used as a part of the park.

**NONCONFORMING STRUCTURE OR USE:** A structure or use of any premises which does not conform with all provisions of this zoning ordinance but which lawfully existed before its designation as nonconforming by the adoption or amendment of this ordinance.

~~**NON-RETAIL SALES AND SERVICES:** Sales and services to customers who intend resale of the products or merchandise sold or handled. For example, non-retail sales includes wholesaling, warehousing, trucking terminals and similar enterprises.~~

~~**NURSERY:** An enterprise which conducts the retail and wholesale sale of plants grown on the site, as well as accessory items (but no power equipment such as gasoline or electric lawnmowers or farm~~

~~implements) directly related to their care and maintenance. The accessory items normally sold include, pots, potting soil, fertilizers, insecticides, hanging baskets, rakes and shovels.~~

**OPACITY:** Opacity is the concealment of office, institutional, business and industrial development from the view of adjacent residential or agricultural properties.

**OPEN SPACE:** Any parcel or area of land or water, either publicly or privately owned, set aside, dedicated, designated, or reserved for the private use or enjoyment of owners or occupants of land adjoining such open space, or for the public at large.

**PARCEL (TRACT) OF LAND:** A separately designated area of land, larger than an individual lot, delineated by identifiable legally recorded boundary lines.

**PARKING SPACE:** An off-street space available for the parking of one (1) motor vehicle and having an area of not less than one hundred sixty-two (162) square feet, exclusive of driveways, and shall have direct access to a street or alley. Except on lots occupied by single-family and two-family dwellings, parking spaces shall be so arranged as to provide for both ingress and egress by forward motion of vehicles using parking spaces.

**PLANNED DEVELOPMENT PROJECT:** An area of land on which two (2) or more principal structures are planned to be built.

**PLAT:** A map, plan or chart of a tract of land or property which is drawn to scale and shows the existing or proposed location of boundary lines, buildings, structures, uses or any other required data or information.

**POND:** Natural or artificial body of water which retains water year round and is a body of water of less than two (2) acres. Artificial ponds may be created by dams or may result from excavation. The shoreline of such bodies of water shall be measured from the maximum condition rather than from the permanent pool in the event of any difference.

**PUBLIC RIGHT OF WAY:** All town, state and federal highways and the land on either side as covered by statutes.

**PUBLIC SERVICE BUILDING:** Any building necessary for the operation and maintenance of a utility.

**PRINCIPAL BUILDING:** Any building in which is conducted the principal use of the lot on which it is situated.

**PROCESSING:** Manufacturing, packaging, repairing, cleaning, and any other similar original or restorative treatment applied to raw materials, products, or personal property. Processing does not refer to the fabrication of structures.

**PROPERTY LINE:** the recorded boundary of a lot or other tract of land under one ownership.

**RECREATIONAL VEHICLE:** A vehicle or unit that is mounted on or drawn by another vehicle primarily designed for temporary living. Recreational vehicles include travel trailers, camping trailers, truck campers and motor homes. Recreational vehicles shall not be permanently affixed to the ground or any structure.

**RECREATIONAL VEHICLE PARK:** A lot on which campsites are established for occupancy by recreational vehicles of the general public as temporary living quarters for purposes of recreation or vacation. No recreational vehicle park shall be platted or otherwise divided by fee simple ownership;

however, the sales of memberships and assignment of campsites on a condominium basis is permitted. All facilities and amenities, including, but not limited to, roads, clubhouse or recreational facilities, and buffers are privately owned or owned in common by members of a condominium association.

~~RESTAURANT: Means a facility where the usual and customary business is the serving of meals including but not limited to sandwiches, ice cream, beverages and other foods served directly or indirectly to consumers, that has a food preparation and/or food distribution facility as approved by the County Health Department, and that receives at least fifty percent (50%) of its food and beverage receipts from the sale of food.~~

~~RETAIL SALES: Sale of any product or merchandise to customers for their own personal consumption and use, not for resale.~~

SATELLITE DISH: Parabolic or spherical antenna whose purpose is to receive and/or transmit audio and/or television signals to or from satellites.

SETBACK LINE: The required minimum distance between a structure and the front, side, or rear lot line.

SHOPPING CENTER: A unified grouping in one or more buildings of retail shops and stores which are planned, developed, owned and managed as a unit and related in size (gross floor area) and type of shops to the trade area that the unit serves.

SHRUB: Any woody plant without a trunk but with several stems growing from the base.

SIGN: Any name, identification, description, display, illustration, or device which is affixed to or represented directly or indirectly upon a building, structure or land, in view of the general public, and which directs attention to a product, place, activity, person, institution or business.

~~ADVERTISING SIGN: A sign which directs attention to a business product, service or activity generally conducted, sold or offered elsewhere than on the premises where such sign is located.~~

BANNER: Any sign made of cloth, canvas, plastic sheeting or any other flexible material, which is not rigidly and permanently attached to a building or the ground through a permanent support structure. Each business is allowed a max of 180 days per year for banners. 14 day sign permit fees apply.

BILLBOARD: A large scale, outdoor sign board exceeding eighty (80) square feet that directs attention to a business, profession, product, service or entertainment not sold or offered on the premises where such sign is located or to which it is attached.

~~BUSINESS SIGN: A sign which directs attention to a business profession, product, activity or entertainment, sold or offered upon the premises where such sign is located.~~

CANOPY SIGN: A sign that is part of or attached to a canopy or awning.

DIRECTIONAL SIGN: Any non-commercial sign of an instructional nature, bearing no business advertising and displayed for the convenience of the public.

FASCIA SIGN: A wall sign.

FLASHING SIGN: A sign, the illumination of which is not kept constant in intensity at all times when in use. Illumination signs which indicate time, temperature, weather or other similar public service information shall not be considered flashing signs.

~~IDENTIFICATION SIGN: A sign which indicates only the name and address of the building and/or management, and has no direct advertising value.~~

ILLUMINATED SIGN: Any sign designed to emit artificial light.

INDIRECTLY ILLUMINATED SIGN: Any sign designed to reflect artificial light from any source.

MARQUEE SIGN: An identification sign attached to the bottom of a marquee.

MOBILE SIGN: Mobile signs are signs which are affixed to a frame having wheels and capable of being carried, or otherwise portable, and designed to stand free from a building or other structure. Signs designed to be affixed to the surface of real estate shall be deemed free-standing signs and not mobile signs, but the mere removal of wheels or temporary securing of a sign to the surface of real estate shall not prevent its being a mobile sign within this definition. This type of sign not permitted in any zone.

MONUMENT TYPE SIGN: Monument type signs shall be signs that are permanently attached to or supported by the ground and where the base of said sign is no higher than two (2) feet above grade. A monument type sign shall include a supporting base composed of stone, brick, architecturally treated wood or similar materials. All monument type signs shall be complimented by landscaping unless located in a hard surface area. Refer to sign regulations section.

~~Said signs shall not exceed fifty five (55) square feet of sign area, except as provided for in Section III, Article I, C,2,E.~~

~~Said signs shall be accented with a minimum of landscaping equal to one (1) foot for every one (1) square foot of sign face.~~

NON-ILLUMINATED SIGN: Any sign which is not artificially lighted either directly or indirectly.

OFF-PREMISES SIGN: A sign structure advertising an establishment, merchandise, service or entertainment which is not sold, provided, manufactured or furnished at the property on which said sign is located.

PROJECTING SIGN: A sign which is attached directly the wall of a building or other structure and extends perpendicular to the face of the building more than twelve (12) inches.

ROOF SIGN: A sign attached to the part of a building considered to be the roof. The roof being that part of a building that protects the interior portion of said building.

SURFACE AREA OF SIGN: The entire aggregate area of the actual sign surface. It does not include any structural elements outside the limits of such sign and not forming an integral part of the display. Only one (1) side of a double-faced sign structure shall be used in computing total surface area. ~~(See Illustration No. 4, Section III, Article 1)~~

TEMPORARY SIGN: Any sign or display, banner, pennant, valance or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard or other light materials, with or without frames intended to be displayed for a limited period of time only.

**TRACT SIGN:** A temporary sign advertising the original sale of property.

**WALL SIGN:** Any sign including a fascia sign which is attached parallel to the face of the wall of a building or other structure.

**WINDOW SIGN:** Any sign, picture or symbol that is attached to the interior or exterior of a window or window frame, not to exceed twenty five (25) percent of the window area.

**SCREENING:** Screening is defined as decorative fences or walls, evergreen vegetation, or landscaped areas, which are set forth for the purpose of concealing the view of office, institutional, business and industrial properties from adjacent residential or agriculture properties.

**SITE PLAN:** A plan drawn to scale by a licensed engineer or other qualified professional, showing uses, structures, and all other physical features proposed for the development site, including buffers, parking, landscaping and drainage facilities.

**STEEP SLOPE:** Land area where the inclination of the land's surface from the horizontal is thirty (30) percent or greater. Slope is determined from on-site topographic surveys with a two (2) foot contour interval.

**SLEEPING ROOM:** A single room rented for dwelling purposes but without amenities for separate and independent housekeeping.

**STREAM, PERENNIAL:** A natural watercourse which contains flowing water year round.

**STREET, CENTERLINE:** That line surveyed, monumented and designated by the City as being the center of a street right of way.

**STREET, PRIVATE:** A private vehicular way providing access to two (2) or more lots, permitted as a sole means of access to any such lots if the following conditions are met:

- 1) Such street shall be approved by the planning department and the street department as adequate in width, design, improvement and location with respect to the lots it is intended to serve, other adjacent lots, and public street intersections.
- 2) All easements required are provided in a manner, scale and location acceptable to the city.
- 3) Satisfactory arrangements are made for permanent private maintenance in good condition.

**STREET, PUBLIC:** A thoroughfare which affords the principal means of access to abutting property.

**STRUCTURE:** Anything constructed, the use of which requires permanent location on the ground, or attached to something having permanent location on the ground.

**STRUCTURE, ACCESSORY:** A subordinate structure, detached from but on the same development site as the principal structure, the use of which is incidental and secondary to that of the principal structure. Accessory structures shall not be constructed prior to the principal structure. On residential and agricultural property, accessory structures shall not contain kitchen facilities.

**STRUCTURE, PRINCIPAL:** A building in which is conducted, or in which is intended to be conducted, the main or principal use of the lot on which it is located. Two or more structures

connected by a breezeway or other similar construction, shall not constitute a single or principal structure.

**SUBDIVISION:** Any division or redivision of a tract, parcel, or lot into two (2) or more parts by means of platting of boundaries in accordance with the City of Murray Subdivision Regulations.

**TELECOMMUNICATION FACILITIES, WIRELESS:** Any and all buildings, structures, fixtures or other accessories (such as electrical boxes, equipment, sheds, guy wires, etc.) installed, used or intended for use in conjunction with any of the following:

- 1) **CELLULAR COMMUNICATIONS FACILITIES:** Low power transmitters used to transmit signals in a cell of cellular radio-telephone services (cellular phones), personal communications services (PCS), enhances specialized mobile radios (ESMR0, truck mobile cellular phones, paging services and similar cellular based communications to the general public.
- 2) **COMMERCIAL SATELLITE FACILITES:** Satellite earth stations which are greater than two (2) meters in diameter, and are used to send and/or receive satellite signals and similar communications.
- 3) **MICROWAVE RELAY FACILITIES (REPEATER):** Used to transmit radio signals between two or more fixed points by microwave antennas and similar transmission services.

**TELECOMMUNICATION TOWER:** Any ground-mounted structure that is designed and constructed primarily for the purpose of supporting one or more communication antenna. Communications towers shall include:

- 1) **MONOPOLE TOWERS:** Cylindrical self-supporting towers constructed as a single spire.
- 2) **SELF-SUPPORTING OR LATTICED TOWERS:** Self-supporting towers with multiple sides of open-frame supports.
- 3) **GUYED TOWERS:** Towers anchored with guy wires.
- 4) **CAMOUFLAGED TOWERS:** Self-supporting towers concealed so that they blend with their surrounds. Such towers may be constructed to resemble objects, such as a tree or a street light, or may be concealed within another structure, such as a clock tower, church steeple or lamp post.

**TOWNHOUSE:** Form of multi-unit housing in which the owner owns the area in the unit and also owns the land on which the unit is located.

**USE:** Use broadly refers to the activities which take place on any land or premises and also refers to the structures located thereon and designed for those activities.

- 1) **ACCESSORY:** An accessory use is one which:
  - (a) is subordinate to and serves a principal structure or principal use;
  - (b) is subordinate in area, extent, and purpose to the principal structure or use served;
  - (c) is located on the same development site as the principal structure or use served; and
  - (d) is customarily incidental to the principal structure or use.

- 2) **PRINCIPAL:** The specific primary purpose for which land is used.
- 3) **TEMPORARY:** A temporary use is one established for a fixed period of time with the intent to discontinue such use upon the expiration of such time. Such uses do not involve the construction or alteration of any permanent structure.

**WIRELESS COMMUNICATIONS SERVICE PROVIDER:** Any private company, corporation, or similar such entity providing two-way interactive communication services to the general public by way of cellular communication facilities.

**WOODLAND:** An area of natural vegetation or planted material, at least fifty (50) feet in depth, covering one (1) acre or more and consisting substantially of canopy trees.

**YARD:** The open space surrounding the principal building on any lot, unoccupied and unobstructed by any portion of that building from the ground to the sky except where specifically permitted by this zoning ordinance. Yards are further defined as follows:

- 1) **FRONT YARD:** That portion of the yard extending the full width of the lot and measured between the front lot line and a parallel line tangent to the nearest part of the principal building, which line shall be designated as the front yard line.
- 2) **REAR YARD:** That portion of the yard extending the full width of the lot and measured between the rear lot line and parallel line tangent to the nearest part of the principal building.
- 3) **SIDE YARD:** Those portions of the yard extending from the front yard to the rear yard and measured between the side lot lines and parallel lines tangent to the nearest parts of the principal building.

**ZONING OFFICIAL:** Director of Planning or his/her designee(s).

**B. USE CLASSIFICATION DEFINITIONS:**

**1) RESIDENTIAL USES DESCRIBED**

Residential uses include the occupancy of living accommodations on a non-transient basis excluding short-term rentals.

Residential use classifications are described as follows:

BED AND BREAKFAST RESIDENTIAL use is the use of a residential structure to provide rooms for temporary lodging for overnight guests on a paying basis where meals are served or provided by the host to any guest.

MOBILE HOME RESIDENTIAL refer to 156.051.

MULTI-FAMILY RESIDENTIAL use is the use of a site for two or more dwelling units, within one or more buildings, and includes condominium residential use.

SHORT-TERM RENTAL use is the rental, leasing, or assigning of a residential dwelling unit for a tenancy of less than 30 consecutive days in duration and where no meals are served or provided by the host to any guest. A short-term rental may be owner occupied or non-owner occupied.

SINGLE-FAMILY RESIDENTIAL use is the use of a site for only one dwelling unit.

## 2) COMMERCIAL USES DESCRIBED

Commercial uses include the sale, rental, servicing, and distribution of goods, and the provision of services, other than those classified as industrial or civic uses.

Commercial use classifications are described as follows:

ADMINISTRATIVE AND BUSINESS OFFICES use is the use of a site for the provision of executive, management, or administrative services. This use includes administrative offices and services, including real estate, insurance, property management, investment, personnel, travel, secretarial, telephone answering, and photocopy and reproduction; and business offices for public utilities, organizations, associations, and other use classifications if the service rendered is customarily associated with administrative office services.

ADULT ORIENTED BUSINESS: See Section III, Article 7 for definitions relating to adult oriented businesses.

AGRICULTURAL SALES AND SERVICES use is the use of a site for the on-site sale of feed, grain, fertilizers, pesticides and similar goods, or the provision of agricultural services with incidental storage of goods off-site. This use includes hay, feed, and grain stores and tree service firms.

AUTOMOTIVE RENTALS use is the use of a site for the rental of automobiles, non-commercial trucks, trailers, or recreational vehicles, including incidental parking and servicing of vehicles. This use includes auto rental agencies, trailer rental agencies, and taxicab parking and dispatching.

AUTOMOTIVE REPAIR SERVICES use is the use of a site for the repair of automobiles, non-commercial trucks, commercial trucks, trailers, motorcycles, motor-homes, recreational vehicles, or boats, including the sale, installation, and servicing of equipment and parts. This use includes muffler shops, auto repair garages, tire sales and installation, wheel and brake shops, body and fender shops, and similar repair and service activities, but excludes dismantling or salvage.

AUTOMOTIVE SALES use is the use of a site for sale or rental of automobiles, non-commercial trucks, motorcycles, motor-homes, recreational vehicles, or boats, including incidental storage, maintenance, and servicing. This use includes new and used car dealerships, motorcycle dealerships, and boat, trailer, and recreational vehicle dealerships.

AUTOMOTIVE WASHING use is the use of a site for washing and cleaning of passenger vehicles, recreational vehicles, or other light duty equipment.

COCKTAIL LOUNGE use is the use of a site for retail sale of alcoholic beverages for consumption on the premises, including taverns, bars, and similar uses, other than a restaurant use as that term is described in this section.

COMMUNICATIONS SERVICES use is the use of a site for the provision of broadcasting or information relay services through electronic and telephonic mechanisms, but excludes major utility facilities. This use includes television, film, or sound recording studios, telecommunication service centers, and telegraph service offices.

CONVENIENCE STORE use is the use of a site for a retail establishment selling food for off-premises consumption and a limited selection of groceries and sundry items (and possibly gasoline, but not required).

FINANCIAL SERVICES use is the use of a site for the provision of financial and banking services and the use of a site for a check cashing, payday advance or loans, money transfer, or motor vehicle title loan

business. This use includes banks, credit unions, savings and loan institutions, stock and bond brokers, lending activities, and similar services.

FOOD SALES use is the use of a site for the retail sale of food or household products for home consumption. This use includes grocery stores, delicatessens, meat markets, retail bakeries, and candy shops.

FUNERAL SERVICES use is the use of a site for the preparation of human or animal remains for burial or arranging or managing funerals. This use includes funeral homes and mortuaries. An included crematorium may be requested through Conditional Use Permit process.

GARDEN CENTER use is the use of a site for a place of business where garden-related products and produce is sold to the retail consumer. These centers, which may include a nursery and/or greenhouses, bring in most items offered for sale from other locations. These items may include plants, nursery items and stock, fertilizers, potting soil, hardware, power equipment and machinery, manual garden and farm tools and utensils.

HOTEL-MOTEL use is the use of a site for the provision of rooms for temporary lodging which sleeping units are occupied on a daily or short-term basis. A hotel or motel may include a restaurant, banquet or ballrooms, or a convention center.

INDOOR ENTERTAINMENT use is a predominantly spectator use conducted within an enclosed building. This use includes meeting halls and dance halls.

INDOOR SPORTS AND RECREATION use is a recreational use conducted within an enclosed building. This use includes bowling alleys, billiard parlors, ice and roller skating rinks, penny arcades, electronic video arcades, indoor golf simulators, and indoor sports courts or fields.

KENNELS use is the use of a site for the boarding and care of dogs, cats, or similar small animals. This use includes boarding kennels, pet motels, and dog training centers. The sale or resale of animals is not permitted.

LAUNDRY SERVICES use is the use of a site for the provision of laundering, dry cleaning, or dyeing services other than those classified as personal services. This use includes bulk laundry and cleaning plants, diaper services, and linen supply services.

LIQUOR SALES use is the use of a site for the sale of alcoholic beverages. Bars/taverns, malt beverage/package sales, restaurants, convention centers golf courses and similar entities that sell alcoholic beverages must comply with State and City regulations.

MEDICAL OFFICES use is the use of a site for the consultation, diagnosis, therapeutic, preventative, or corrective personal treatment by doctors, dentists, medical or dental laboratories, or similar practitioners of medical and healing arts for humans, licensed for practice by the state. The use includes a compounding pharmacy that does not exceed 3,000 square feet of gross floor area. A compounding pharmacy may prepare and sell prescription drugs and also sell non-prescription drugs, medical supplies, and other health products.

OUTDOOR ENTERTAINMENT use is the use conducted in open, partially enclosed, or screened facilities. This use includes driving ranges, miniature golf courses, golf courses, swimming pools, tennis courts, racquetball courts, sports areas, and amusement parks.

PERSONAL IMPROVEMENT SERVICES use is the use of a site for the provision of informational, instructional, personal improvement, and similar services. This use includes photography studios,

driving schools, physical fitness gyms, reducing salons, dance studios, and handicraft or hobby instruction.

PERSONAL SERVICES use is the use of a site for the provision of periodically needed services of a personal nature. This use includes beauty or barber shops, seamstress or tailor services, shoe repair shops, dry cleaning pick-up station services, spas, salons, small fitness studios, and tattoo/piercing shops.

PET SERVICES use is the use of a site for the retail sale of small animals customarily used as household pets, or the provision of veterinary, grooming, or boarding services, totally within a building. This use includes pet stores, small animal clinics, and pet grooming shops. Livestock and large animals are excluded.

PLANT NURSERY use is the use of a site for sale of plants or related goods or services. This use includes garden centers and tree farms.

PRINTING AND PUBLISHING use is the use of a site for the bulk reproduction, printing, cutting, or binding of written or graphic material.

PROFESSIONAL OFFICE use is the use of a site for the provision of professional or consulting services in the fields of law, architecture, design, engineering, accounting, insurance, research, or similar professions.

RECREATIONAL EQUIPMENT SALES use is the use of a site for the sale or rental of sports equipment, watercraft, watercraft motors, campers, trailers, motorcycles, or motor homes, and includes incidental storage, maintenance, and servicing.

RESEARCH SERVICES use is research of an industrial or scientific nature. This use includes electronics research laboratories, space research or development firms, and pharmaceutical research labs, and excludes large scale product testing.

RESTAURANT use is the use of a site for the preparation and retail sale of food and beverages to be consumed on site but could include take out, pick up, or delivery services.

RETAIL SALES AND CONSUMER SERVICE (GENERAL) use is the use of a site for the sale of any product or merchandise to customers for their own personal consumption and use, not for resale.

RETAIL SALES AND CONSUMER SERVICE (OUTDOOR STORAGE) use is the use of a site as described above in (GENERAL) with an allowable limitation of 1000 SF for storage of outdoor merchandise within 35 FT of the building as long as it is displayed and secured in a fashion that is organized, meeting all setbacks, and safety, fire, and building code regulations. Additional space for storage of outdoor merchandise can be requested through a Conditional Use Permit process. Vending machines, ice boxes, and red box machines are exempt. Items brought out during regular business hours within 35 FT of the main business door and taken in during the night are exempt.

SCRAP AND SALVAGE SERVICES use is the use of a site for the storage, sale, dismantling or other processing of used or waste materials that are not intended for re-use in their original forms. This use includes automotive wrecking yards, junk yards, and paper salvage yards. Refer to 156.017.

SERVICE STATION use is the use of a site for the provision of fuel, lubricants, parts and accessories, or incidental services to motor vehicles.

STORAGE BUILDING use is the use of a site for the purposes of self-storage units. No sales, service, or repair activities other than the rental of “dead” storage units are permitted on the premises.

THEATER use is the use of a site for presentation of plays, motion pictures, or other dramatic performances within a building or in an outdoor setting such as a drive in theater.

### 3) INDUSTRIAL USES DESCRIBED

Industrial uses include the on-site extraction or production of goods by non-agricultural methods, and the storage and distribution of products.

Industrial use classifications are described as follows:

BASIC INDUSTRY use is the use of a site for: (a) the basic processing and manufacturing of materials or products predominately from extracted or raw materials; (b) storage or manufacturing processes that involve flammable or explosive materials; or (c) storage or manufacturing processes that involve hazardous or commonly recognized offensive conditions, including poultry processing.

CUSTOM MANUFACTURING use is the use of a site for on-site production of goods by the use of hand tools, domestic mechanical equipment not exceeding five horsepower, or a single kiln not exceeding 12 kilowatts, and the incidental sale of those goods. This use includes candle-making shops and custom jewelry manufacturing.

GENERAL WAREHOUSING AND DISTRIBUTION use is open-air storage, distribution, or handling of materials or equipment. This use includes monument or stone yards, grain elevators, and open storage yards.

LIGHT INDUSTRY use is the use of a site for manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, research, and incidental storage, sales, and distribution of the products. This use excludes basic industrial processing.

LIMITED WAREHOUSING AND DISTRIBUTION use is the use of a site for provision of wholesaling, storage, or warehousing services within an enclosed structure. This use includes wholesale distributors, storage warehouses, and moving or storage firms.

NON-RETAIL SALES AND SERVICES use is the use of a site for sales and services to customers who intend resale of the products or merchandise sold or handled. For example, non-retail sales includes wholesaling, warehousing, trucking terminals and similar enterprises.

RECYCLING CENTER use is the use of a site for collection, transfer, or processing of recyclable materials. Recyclable materials include glass, paper, plastic, cans, or other source-separated, non-putrescible materials. This use excludes bulk or single-feed reverse vending machines.

### 4) AGRICULTURAL USES DESCRIBED

Agricultural uses include the on-site production of plant and animal products by agricultural methods. Agricultural use classifications are described as follows:

AGRITOURISM use is the use of a site for any activity carried out on a farm or ranch that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities, including farming, ranching, historic, cultural, harvest-your-own activities, or natural activities and attractions. This use excludes hunting.

ANIMAL PRODUCTION use is the use of a site for the raising of animals or production of animal products including eggs and dairy products, on an agricultural or commercial basis. This use includes fishing, grazing, ranching, dairy farming, and poultry farming.

AQUAPONIC SYSTEM use is the use of a site for symbiotic cultivation of fish and plants in a recirculation system.

CROP PRODUCTION use is the use of a site for the raising and harvesting of tree crops, row crops, or field crops on an agricultural or commercial basis, including packing and processing.

HORTICULTURE use is the use of a site for the growing of horticultural or flora cultural specialties, including flowers, shrubs, and trees intended for ornamental or landscaping purposes, but excluding retail sales. This use includes wholesale plant nurseries and greenhouses.

## 5) CIVIC USES DESCRIBED

Civic uses include the performance of utility, educational, recreational, cultural, medical, protective, and governmental functions, and other uses that are strongly vested with public or social importance. Civic use classifications are described as follows:

ADMINISTRATIVE SERVICES use is the use of a site for provision of offices or administrative, clerical, or public contact services, together with incidental storage and maintenance of necessary vehicles. This use includes offices and courthouses serving federal, state, county, and city government.

AVIATION FACILITIES use is the use of a site for provision of landing fields, aircraft parking and service facilities, and related facilities for operation, service, fueling, repair, storage, charter, sales, or rental of aircraft, including activities directly associated with the operation and maintenance of airport facilities.

CAMP use is the use of a site for provision of indoor or outdoor activities, including sports, arts and crafts, entertainment, recreation, educational activities, swimming, fishing, horseback riding, and incidental food service. If incidental to the camp use, camp facilities may be used to provide meeting, recreation, or social facilities for a private association or group.

CEMETERY use is the use of land that is dedicated for cemetery purposes for the burial of the dead, including columbariums, mausoleums, and mortuaries. An included crematorium may be requested through Conditional Use Permit process

CLUB OR LODGE use is the use of a site for provision of meeting, recreational, or social facilities by a private or nonprofit organization, primarily for use by members and guests. This use includes private social clubs and fraternal organizations.

COLLEGE AND UNIVERSITY FACILITIES use is the use of a site as an educational institution of higher learning that offers a course of study designed to culminate in the issuance of a degree in accordance with Kentucky Statutes.

COMMUNICATION SERVICE FACILITIES use is the use of a site for the transmission, transfer, or distribution of telephone service and related activities.

COMMUNITY EVENTS use is a use for a city sponsored or approved event.

CONGREGATE LIVING use is the use of a site for the provision of 24 hour supervision and assisted living for more than 15 residents not needing regular medical attention. This use includes personal care homes for the physically impaired, mentally challenged, developmentally disabled, or persons 60 years of

age or older, basic child care homes, maternity homes, and emergency shelters for victims of crime, abuse, or neglect.

CONVALESCENT SERVICES use is the use of a site for the provision of bed care and in-patient services for persons requiring regular medical attention. This use excludes the provision of surgical or emergency medical services and the provision of care for alcoholism, drug addiction, mental disease, or communicable disease.

CONVENTION CENTER use is the use of a site for conventions, meetings, exhibitions, shows, gatherings, presentations, or celebrations, including related incidental facilities for office and administrative use, food and beverage preparation and service, and on-site and off-site parking facilities.

COUNSELING SERVICES use is the use of a site for the provision of counseling to neglected or abused children, 15 years of age or younger, or their managing conservators, who are referred by a governmental entity or other counseling service providers.

CULTURAL SERVICES use is the use of a site for a library, museum, or similar facility.

DAY CARE SERVICES use is the use of a site for the provision of daytime care for more than 4 children. This use includes nursery schools, pre-schools, day care centers for children or adults, and similar uses, and excludes public and private primary or secondary educational facilities.

DETENTION FACILITIES use is the use of a site for the provision by a public agency of housing and care for legally confined individuals.

HEALTH CARE FACILITIES (GENERAL) use is the use of a site for the provision of medical, psychiatric, or surgical services on an in-patient basis, and includes ancillary facilities for out-patient and emergency treatment, diagnostic services, training, research, administration, and services to patients, employees, and visitors.

HEALTH CARE FACILITIES (LIMITED) use is the use of a site for the provision of medical, psychiatric, or surgical services on an out-patient basis, and includes emergency treatment, diagnostic services, training, administration, and services to out-patients, employees, and visitors.

LOCAL UTILITY SERVICES use is the use of a site for the provision of services that are necessary to support the development in the area and involve only minor structures including lines and poles.

PARKS AND RECREATION SERVICES use is the use of a site for the provision of parks, playgrounds, recreation facilities, or open spaces available to the general public and under the management or control of a public agency.

POSTAL FACILITIES use is the use of a site for the provision of postal services and includes post offices, bulk mail processing, and sorting centers operated by the United States Postal Service.

PUBLIC PRIMARY EDUCATIONAL FACILITIES use is the use of a site for a public school offering instruction at the elementary school level in the branches of learning and study required to be taught in the public schools of the state.

PUBLIC SECONDARY EDUCATIONAL FACILITIES use is the use of a site for a public school offering instruction at the junior and senior high school levels in the branches of learning and study required to be taught in the public schools of the state.

RELIGIOUS ASSEMBLY use is the use of a site for regular organized religious worship or religious education in a permanent or temporary building. The use excludes private primary or secondary educational facilities, community recreational facilities, day care facilities, and parking facilities.

RESIDENTIAL CARE FACILITIES use is the use of a residence operated and maintained by a sponsoring private or governmental agency to provide services in a homelike setting for the elderly or persons with disabilities.

SAFETY SERVICES use is the use of a site for provision of public safety and emergency services, and includes police and fire protection and emergency medical and ambulance services.

## AMENDMENT II:

The City of Murray Zoning Ordinance, §156.014 GENERAL REGULATIONS FOR VEHICLES shall be amended to read, in its entirety, as follows:

### §156.014: GENERAL REGULATIONS FOR VEHICLES

(A) Off-street parking space regulations for automobiles.

Off-street parking space for automobiles shall be provided for all buildings and uses in accordance with the following regulations:

(1) General standards.

General standards for automobile off-street parking space are as follows:

(a) Off-street parking space shall be provided on the premises so that there will be no generation of automobile parking on any street.

(b) Off-street parking space shall be provided with vehicular access to a street or alley.

(c) All off-street parking space access points on a public street shall be subject to the following regulations:

1. There shall be only one (1) access point, not to exceed fifty (50) feet in width, or, two (2) access points, not to exceed thirty (30) feet in width each measured at the right-of-way line for commercial purposes, permitted on the public street on which the off-street parking space is located. There shall be only one (1) access point, not to exceed twenty-six (26) feet in width, or two (2) access points, not to exceed twenty-four (24) feet in width each measured at the right-of-way line for residential purposes, permitted on the public street on which the off-street parking space is located. The Board of Zoning Adjustments may, however, permit additional access points when such access points are justified and necessary and provided that the additional access points will not substantially increase traffic hazards or congestion. The zoning official shall apply to the Board of Zoning Adjustments for a decision when permits are requested in such cases.

2. All off-street parking space access points on a public street shall be located at least ten (10) feet measured at the right-of-way line from the end of the radius point of intersecting streets (typical radius 25 feet) but shall not, however, be permitted to be located on the adjacent or intersecting street right-of-way. The zoning official shall apply to the Board of Zoning Adjustments for an original interpretation whenever there is doubt concerning the radius points of intersecting streets or in cases where this provision cannot be applied literally.

3. All off-street parking space access points on a public street shall be located at least ten (10) feet apart (measured at the right-of-way line).

4. All off-street parking space points on a state or federal road or highway shall be approved by the Kentucky Department of Highways. In such cases the applicant for a building permit shall provide the zoning official with written approval from the State Department of Highways prior to the issuance of a building permit.

(d) Off-street parking space shall be provided on the premises at the ratio of ~~three one~~ hundred ~~and twenty-eighty~~ ~~(320180)~~ square feet per parking space required excluding drive aisle. Recommended actual 90° parking space size is ~~10 9 ft. x 20 ft. with 24 ft. aisle between spaces (minimum~~ 9 ft. x 18 ft. with 22 ft. aisle.) or an 18 ft. aisle for single row spaces.

(e) Parking, loading, and unloading space and access thereto shall be surfaced in a manner adequate to eliminate dust and mud. All residential driveways shall be paved with asphalt, concrete, brick or stone.

(f) In all business, multi-family, and professional office zones where required parking areas are provided for five (5) or more vehicles or contain more than 1,800 square feet of area or are enlarged or expanded to provide for five (5) or more vehicles or to contain more than 1,800 square feet of area, they shall be paved with an asphalt, concrete, brick or other properly bound surface, so as to be durable and dustless. Each parking space shall be physically delineated on the surface of the parking area. The developer shall have one (1) year from date of parking lot construction to complete the bound surface.

1. Off-street parking standards.

The following standards comprise the minimum off-street parking requirements for the common types of buildings and uses listed:

| Type of Use or Activity   | Minimum Number of Spaces                                 |
|---|--|
| Single Family Residential   | 2 for each dwelling unit                                 |
| Multi-Family Residential 1 or 2 bedroom   | 2 for each dwelling unit                                 |
| Multi-Family Residential 3+ bedrooms  | 2.5 for each dwelling unit                               |
| Boarding and Rooming houses   | 1 for every roomer or boarder                            |
| Dormitories, Fraternity or Sorority Houses  | 5 + 1 for every student                                  |
| Motel, Hotels, or Tourist Homes   | 1.5 for every sleeping room or suite                     |
| Public Assembly, Institutions and Recreational Facilities                                   | 1 for every 4 persons                                    |
| Community Centers, Theater, Auditorium and Religious Place of Worship                       | 1 for every 4 seats                                      |
| Convention Hall, Lodge, Club, Bar/Tavern, Library, Museum, Place of Amusement or Recreation | 1 per 50 SF  |
| Stadium or Sports Arenas  | 1 for every 5 seats                                      |
| Hospitals; Sanitariums, Convalescent or Nursing Homes                                       | 1 for every 4 beds + 1 for each employee on max shift    |
| Medical and Dental Clinics or Offices   | 5 for every doctor + 1 for each employee on max shift    |
| Retail Sales and Consumer Service Business  | 1 per 250 SF   |
| Funeral Homes or Mortuaries   | 1 for every 4 seats or 1 per 50 SF, whichever is greater |
| Office Building   | 1 per 350 SF   |
| Industrial, Non-Retail Sales and Services and Laboratories                                  | 1 for every 2 employees on max shift                     |
| Food and Drink Establishment  | 1 for every 3 seats or 1 per 60 SF, whichever is greater |
| Shopping Centers, Mixed Use Developments and Planned Development Projects                   | As required for particular use as classified in table    |
| Day-Care, Child-Care or Private School  | 1 for every employee + 1 for every 5 children            |
| Photography, Art and Music Studio   | 1 per 400 SF   |
| Convenience Stores with or without fuel stations  | 1 per 300 SF + 1 for every employee on max shift         |

~~(1) — DWELLING:~~

~~a. — SINGLE FAMILY AND MULTI-FAMILY: Two (2) parking spaces per dwelling unit with one or two bedrooms; then one (1) additional parking space per bedroom over two (2) bedrooms and up to and including a total of five (5) bedrooms.~~

~~b. — MULTI-FAMILY OVER FOUR (4) UNITS: Will provide parking in addition to parking requirements listed in Section I, Article 3, E, 1, (A), (1), (a) of this section as follows: One additional parking space for visitors per dwelling unit.~~

~~(2) BOARDING AND ROOMING HOUSES: One (1) parking space for every boarder or roomer based on maximum occupancy in addition to the requirements for dwellings.~~

~~(3) DORMITORIES, FRATERNITY OR SORORITY HOUSES: One (1) parking space for every student based on maximum occupancy plus one (1) space for every resident manager and every regular employee on the premises.~~

~~(4) TOURIST HOMES, MOTELS OR HOTELS: One and one half (1½) parking space for each sleeping room or suite including that of the owner or manager residing on the premises plus the parking requirements for retail sales and consumer services if provided on the premises.~~

~~(5) PLACES OF PUBLIC ASSEMBLY, INSTITUTIONS AND RECREATIONAL FACILITIES: One (1) parking space for every four (4) persons, based on maximum capacity, unless otherwise provided for in this ordinance.~~

~~(6) COMMUNITY CENTER, THEATER, AUDITORIUM, CHURCH SANCTUARY: One (1) parking space for each four (4) seats, based on maximum seating capacity.~~

~~(7) CONVENTION HALL, LODGE, CLUB, LIBRARY, MUSEUM, PLACE OF AMUSEMENT OR RECREATION: One (1) parking space for each fifty (50) square feet of floor area used for assembly or recreation within the building.~~

~~(8) STADIUM OR SPORTS ARENAS: One (1) space for each five (5) seats based on maximum capacity.~~

~~(9) HOSPITALS: One (1) space for each four (4) patient beds, exclusive of bassinets; plus one (1) space for each staff or visiting doctor; plus one (1) space for each three (3) employees including nurses, plus adequate area for the parking of emergency vehicles.~~

~~(10) MEDICAL OR DENTAL CLINICS OR OFFICES: Five (5) spaces per doctor plus one (1) space for each two (2) employees.~~

~~(11) SANITARIUMS, CONVALESCENT OR NURSING HOMES: One (1) space for each six (6) patient beds, plus one (1) space for each staff or visiting doctor; plus one (1) space for each two (2) employees including nurses.~~

~~(12) RETAIL SALES AND CONSUMER SERVICE BUSINESSES: One (1) parking space for each two hundred (200) square feet of building gross floor area plus one (1) space for every truck operated by the business. Parking space for "drive-in" service establishments or "outdoor" retail sales shall be provided as required by the Board of Zoning Adjustments in accordance with Section I, Article 3, C & E of this ordinance.~~

~~(13) BOWLING ALLEYS: Five (5) parking spaces for each alley.~~

~~(14) MORTUARIES OR FUNERAL HOMES: One (1) space for each fifty (50) square feet of floor space in the slumber rooms, parlors, or individual funeral service rooms.~~

~~(15) OFFICE BUILDING: One (1) parking space for each three hundred (300) square feet of gross floor area in the building, exclusive of the area used for storage, utilities and building service.~~

~~(16) INDUSTRIAL PLANTS, RESEARCH LABORATORIES, NON RETAIL SALES AND SERVICE ESTABLISHMENTS: One (1) parking space for every two (2) employees at maximum employment on a single shift plus one (1) space for every truck operated by the plant or establishment.~~

~~(17) RESTAURANTS: One (1) for each three (3) persons within the seating capacity of the establishment, or one (1) for each 100 sq. ft. of gross floor area, whichever is greater, plus two (2) for each three (3) employees.~~

~~(18) SHOPPING CENTERS: In the case of mixed uses, such as shopping centers, the total requirements for off-street parking facilities shall be the sum of the requirements for the various uses computed separately.~~

- (1) Interpretation of automobile off-street parking space required.

The Board of Adjustments shall interpret the amount of off-street parking space required for any building or use, assisted by the off-street parking standards. In either case the zoning official shall apply to the Board of Zoning Adjustments for an original interpretation.

- (2) Exception to automobile off-street parking space required on the premises. If approved by the Board of Adjustments, off-street parking space required for any building or use may be located off the premises but within walking distance of 400 feet from the premises it serves or may be consolidated into a large parking area serving other buildings and uses. The zoning official shall apply to the Board of Zoning Adjustments for a decision when building permits are requested in such cases. The Board of Zoning Adjustments shall not authorize the total amount of parking space required for all buildings and uses to be diminished except in cases where a consolidated parking area serves buildings or uses which do not generate automobile parking at the same time such as churches and stores. Total parking spaces in such cases may be diminished only to the maximum required by those buildings and uses which do generate the parking of automobiles at the same time. The Board of Zoning Adjustments may require a plat, deed, and any other proof necessary to show that required parking space, if located off the premises it serves, is controlled by and available to the applicant for a building permit. Such off-street parking space shall be maintained, required, and regulated as if it were actually located on premises of the permitted use it is designed to serve.

- (3) Exception to automobile off-street parking space required in the B-3 Central Business District.

The Board of Zoning Adjustments may waive the requirement for automobile off-street parking space within the B-3 Business District provided the following determinations are made. The zoning official shall apply to the Board of Zoning Adjustments for a decision when building permits are requested in such cases.

- (a) Construction of the required automobile off-street parking space on the premises would prevent the continuous development of a compact and coordinated row of commercial buildings fronting on an already established commercial block or shopping area.

- (b) The required automobile off-street parking space cannot be reasonably provided off the premises in accordance with divisions (A) (3) and (5) hereof.

- (c) The principal building and use proposed is not designed or oriented to providing sales or services to persons remaining in automobiles or similar vehicles.

(d) Construction of the required automobile off-street parking space would detract from the overall shopping desirability of the adjoining buildings and premises and would result in the incompatible mixing of vehicles, buildings, and pedestrian shoppers.

(3) Existing non-conforming automobile off-street parking space.

Existing off-street parking space provided for any building or use at the time of adoption of this chapter shall not thereafter be reduced unless it exceeds the requirements of this chapter. Any existing building or use not provided with conforming off-street parking space shall be provided with off-street parking space in conformance with this chapter at the time of any structural alteration of the building or expansion of the use.

(B) Off-street loading and unloading space regulations for trucks.

All buildings and uses which generate regular trucking traffic shall be provided with sufficient off-street loading and unloading space on the premises so that they will generate no loading or unloading activity on their required parking spaces or on any street. Space shall also be provided for the servicing of buildings by refuse collection, fuel, and other service vehicles. Off-street loading and unloading spaces and service areas shall be adequate size and so arranged that they may be used without blockage or interference with the use of streets, accessways, or automobile parking facilities. Loading and unloading space and service areas should be at least 65 feet in depth, 12 feet in width, with an overhead clearance of not less than 14 feet. All loading and unloading space and service areas shall be provided with access to a street or alley as well as appropriate maneuvering areas. The Board of Zoning Adjustments shall interpret the amount of loading and unloading space required for any building or use whenever the zoning official is unable to apply this provision literally and applies to the Board of Zoning Adjustments for an original interpretation.

(C) Parking, loading and unloading zones.

Minimum required parking: In every R-1 and R-2 zone, there shall be provided off-street parking space for each dwelling as specified in division (A) (2) (a) of this section; no such space shall be located within any required front yard and side street side yard unless it be in a paved area.

#### AMENDMENT III:

The City of Murray Zoning Ordinance, §156.035 RESIDENTIAL DISTRICTS (R-1 & R-2) shall be amended to read, in its entirety, as follows:

#### §156.035 RESIDENTIAL DISTRICTS (R-1 & R-2)

(A) **Intent.**

These zones are established to provide for low density single-family detached dwellings with their accompanying green areas, their accessory and incidental uses.

(B) **Permitted principal uses:**

Single-family detached dwellings. Refer to 156.045 Use Classification Table.

(C) **Permitted accessory structures and uses.**

(1) Carports, private garages, storage sheds, and parking areas. All property owners are asked to check their subdivision regulations since they may be more restrictive than the zoning code.

(2) Accessory uses customarily incidental to the principal use of the premise, such as short term rentals.

(3) Home occupations refer to 156.055 Home Occupation Regulations.

(D) **Conditional uses. Refer to 156.045 Use Classification Table.**

(1) Renting of sleeping rooms or taking of boarders or tourists by the owner family on the premises, excluding short-term rentals.

(2) ~~Home occupations~~ Accessory dwelling unit, refer to definition.

(3) A group of not to exceed four (4) persons not all related by blood or marriage, occupying the premises and living as a single, non-profit housekeeping unit.

(4) ~~Churches and related activities~~ Religious Assembly and home day cares.

(5) Single family residential planned development in an R-2 zone.

(E) **Prohibited uses.**

(1) Any use not listed as permitted is prohibited in the R-1 and R-2 Zoning District. Home occupations in these zones must be incidental to the principal use and not alter the appearance of the structure or the nature of the home in any appreciable manner.

(2) Adult-oriented businesses.

(F) **Lot, yard, and height regulations.**

(1) Minimum lot.

(a) R-1 - 15,000 square feet.

(b) R-2 - 10,000 square feet.

(2) Minimum lot frontage on a public street.

(a) R-1 - 100 feet.

(b) R-2 - 75 feet.

(c) Turnarounds or cul-de-sacs shall front for a minimum of 40 feet on a public street. However, the lots shall be the minimum of 100 feet for R-1 and 75 feet for R-2 at the building line, even on turnarounds.

(3) Minimum front yards.

(a) R-1 - 40 feet

(b) R-2 - 30 feet

(c) The front yard on corner lots shall be as designated for the front yard facing the principal street and a minimum of 25 feet for the front yard facing the secondary street.

(4) Minimum side yards.

(a) R-1 - 15 feet.

(b) R-2 - 10 feet.

(5) Minimum rear yards. R-1 and R-2 - 25 feet.

(6) Maximum lot coverage. R-1 and R-2 - 35%.

(7) Maximum height. R-1 and R-2 - 35 feet.

(8) Accessory buildings are permitted only in rear yards and shall be located at least five feet from all lot lines except on corner lots where secondary yard restrictions will apply.

\*Subdivision regulations may vary from subdivision to subdivision. Please check to see if setbacks differ and if accessory buildings are allowed and where they are allowed.

**AMENDMENT IV:**

The City of Murray Zoning Ordinance, §156.036 MULTI-FAMILY DISTRICTS (R-3, R-3A & R-5) shall be amended to read, in its entirety, as follows:

**§156.036 MULTI-FAMILY DISTRICTS (R-3, R-3A & R-5)**

**(A) Intent.**

The intent of these districts is to accommodate multi-family development of a type generally associated with detached houses occupied by one or two families, or attached housing being occupied by more than three families. In addition, a zone is created to establish a Mobile Home Park District and the rules associated with such.

**(B) Permitted principal uses in R-3, R-3A, R-4, and R-5. Refer to 156.045 Use Classification Table.**

- (1) Single-family dwellings.
- (2) Multi-family dwellings ~~up to four units.~~

(C) Permitted accessory structures and uses in R-3, R-3A, R-4, and R-5.

- (1) Carport, garage, or other buildings not used as a dwelling and customarily incidental to the principal use of the premises.
- (2) Accessory uses customarily incidental to the principal use of the premises, such as short term rentals.
- (3) Home occupations refer to 156.055 Home Occupation Regulations.

(D) Conditional uses in Multi-Family Residential Districts. Refer to 156.045 Use Classification Table.

- (1) R-3, R-3A, R-4, and R-5.
  - (a) Non-profit public or private facilities such as schools, parks, and recreational facilities.
  - (b) Renting of sleeping rooms or taking of boarders or tourists by the family resident on the premises provided not more than three rooms are used for such purposes, excluding short-term rentals.
  - (b) ~~Home occupation~~ Residential day care.
  - (c) Residential planned-development projects.
  - (d) Non-profit public or private facilities such as schools, ~~churches~~ religious assembly
  - (e) and related activities.

(2) Conditional uses in R-3A Residential Districts.

- (a) Mobile home parks.
- (b) Small animal clinics.
- (c) Coin laundry, barber shop, and similar service activities.
- (d) Planned-development projects.

(3) Conditional uses in R-4 Residential Districts. Refer to 156.045 Use Classification Table.

- (a) Planned-development projects.
- (b) Fraternity and sorority houses.
- (c) Nursing homes, rest homes, retirement homes, and convalescent homes, ~~and day care nursing schools.~~
- (d) Office planned-development projects.
- (e) Barber shops and beauty shops.

(4) Conditional uses in R-5 Residential Districts. Refer to Use 156.045 Classification Table.

- (a) Planned-development projects.
- (b) Coin laundry, barber shop, beauty shop, drug store, neighborhood grocery, restaurants, or similar activities.

(E) Prohibited uses.

- (1) Mobile homes except as provided for in this chapter.
- (2) Any use not listed as permitted and not approved as a conditional use is prohibited.
- (3) Home occupations must be incidental to the principal use and not alter the appearance of the main structure in any appreciable manner.
- (4) Adult-oriented businesses.

(F) Lot, yard, and height regulations.

- (1) Minimum lot.
  - (a) R-3 and R-3A 7,500 square feet ~~(single family).~~  
7,500 square feet plus 3,000 square feet for each additional dwelling unit after the first up to four units. Floor Area Ratio: 0.5
  - (b) R-4 7,500 square feet ~~(single family).~~  
7,500 square feet plus 2,000 square feet for each additional dwelling unit after the first up to four units. Floor Area Ratio: 0.5
  - (c) R-5 5,000 square feet ~~(single family).~~  
5,000 square feet plus 2,000 square feet for each additional dwelling unit after the first up to four units. Floor Area Ratio: 0.5
- (2) Minimum lot frontage on a public street.
  - (a) R-3, R-3A 75 feet single-family; ~~80~~ 75 feet multi-family.
  - (b) R-4 75 feet single-family; 75 feet multi-family.
  - (c) R-5 75 feet single-family; 75 feet multi-family.
- (3) Minimum front yards. R-3, R-3A, R-4 and R-5 - 25 feet.
- (4) Minimum side yards. R-3, R-3A, R-4, and R-5 - 10 feet.
- (5) Minimum rear yards. R-3, R-3A, R-4 and R-5 - 25 feet.
- (6) Maximum lot coverage. R-3, R-3A, R-4, and R-5 - 50%.
- (7) Maximum height. R-3, R-3A, R-4, and R-5 - 35 feet.
- (8) Accessory buildings are permitted only in rear yards and shall be located at least five feet from all lot lines except on corner lots where secondary yard restrictions will apply.

\*Subdivision restrictions may vary from subdivision to subdivision. Please check to see if setbacks differ and if accessory buildings are allowed and where they are allowed.

#### AMENDMENT V:

The City of Murray Zoning Ordinance, §156.037 BUSINESS DISTRICTS shall be amended to read, in its entirety, as follows:

#### §156.037 BUSINESS DISTRICTS

##### (A) B-1 Neighborhood Business Districts.

- (1) **Intent.** This district is established to provide areas in which to meet the needs of the immediate neighborhood. This district is limited to a narrow range of retail services and convenience goods and services. This district also is intended for areas where large business operations are undesirable.
- (2) **Permitted principal uses.** Property and buildings in a B-1 Neighborhood Business District shall be used for the following purposes: refer to 156.045 Use Classification Table. Some examples include:
  - (a) ~~Food sales such as~~ grocery stores and food markets including specialty foods such as bakery goods, delicatessen goods, and meats.
  - (b) Restaurants ~~and delicatessen sandwich shops (with no drive-through window service).~~
  - (c) ~~Fruit markets~~ Convenience Store.
  - (d) Drugstore including fountain service, book and reading matter, tobacco, vanity goods, and pharmacy.

- (e) ~~Personal services such as B-barber shops, and beauty shops, and shoe repair shops.~~
- (f) ~~Shoe repair shop~~ Medical, dental, or professional offices.
- (g) Branch laundry or dry cleaning collection stations where no laundering or cleaning is to be done on the premises and self-service laundry.
- (h) ~~Churches and related activities~~ Religious assembly.
- (i) Pet service, photography studio, and printing and publishing services.

**(3) Permitted accessory structures and uses.**

Garage or other storage building not used as a dwelling and incidental to the principal use.

**(4) Conditional uses. Refer to 156.045 Use Classification Table.**

- (a) ~~Offices and other retail businesses or services not listed above shall be considered conditional use and will require written approval of the Board of Zoning Adjustments. The Board shall grant such approval if it determines that the proposed use is essential to the convenience of the neighboring residents.~~
- (b) Public facilities such as libraries, parks, and recreational facilities.
- (c) Planned-development projects.
- (d) One dwelling unit for owners, operators, or employees of a permitted use provided that such dwelling unit shall be a part of the building and located above or to the rear of such permitted use.
- (e) Outdoor storage of merchandise and outdoor processing. All above-ground structures accessory to any outdoor use shall be located at least 25 feet from any public street right-of-way line.
- (f) Transient businesses as prescribed in §§ 156.100 et seq and mobile food vendors.
- (g) Bar/taverns, service stations, financial services, personal improvement services such as gyms, cultural services, and day care services.

**(5) Prohibited uses.**

- (a) Anything not listed above is prohibited and no use shall be permitted by the Board of Zoning Adjustments as a conditional use which would be detrimental to the development of other neighborhood businesses or residents.
- (b) Dwelling units except as provided herein.
- (c) Adult-oriented businesses.
- (d) ~~Nightclubs, bars, taverns and similar type businesses.~~

**(6) Lot, yard, and height regulations.**

- (a) Minimum lot size. No limitation.
- (b) Minimum lot frontage on a public street: 75 feet.
- (c) Minimum front yard.
  1. 35 feet
  2. Corner lots shall have a minimum of 25 feet for the yard facing the secondary street.
- (d) Minimum side yard. No limitation. (See division (A)(6)(h) below.)
- (e) Minimum rear yard. 25 feet.
- (f) Maximum lot coverage. No limitation.
- (g) Maximum height of any portion of a building. 35 feet.
- (h) Business uses adjacent to residential districts. All non-residential uses which are located on lots adjacent to a residential district shall maintain a minimum setback requirement for all structures of 25 feet in the side or rear yard adjacent to the residential district and § 156.052 shall apply.

**(B) B-2 Highway Business District and B-3 Central Business District.**

**(1) Intent.**

- (a) B-2. This district is intended for a wide range of general retail business. Districts in this category are intended to include areas where commercial development has, or is, displacing residential development, or is moving in on vacant lands. Regulations are designed so as to discourage formation of future commercial slums, to preserve the carrying capacity of the streets, and to provide for adequate off-street parking. It is not the intent of this district to encourage the extension of strip commercial areas, but rather to provide concentrations of general commercial activities, and also to provide areas in

which the principal use of land is devoted to commercial establishment which cater specifically to the needs of motor vehicle-oriented trade.

(b) B-3. This district forms the central center for commercial, financial, professional, governmental and cultural activities. The intent here is to protect and improve the central business district for the performance of its primary functions.

(2) Permitted principal uses. Refer to 156.045 Use Classification Table.

(a) Any use permitted in the B-1 Business District with the exception that restaurants in a B-2 zone are allowed to have drive up thru window.

(b) Place of indoor amusement and assembly and clubs and lodges.

(c) ~~Churches~~ Religious Assembly.

(d) Offices.

(e) Hotels, motels and bed & breakfast establishments.

(f) New and used car lots, public garages, and other motor vehicle service.

(g) Any retail sales or consumer service including the making of articles to be sold on the premises. Any such manufacturing or processing shall be incidental to a retail business or service and not more than five persons shall be employed in such manufacturing. Storage buildings are permitted in a B-2 zone.

(h) Transient businesses as prescribed in §§ 156.100 et seq and mobile food vendors.

(3) Permitted accessory structures and uses.

Garage or other building not used as a dwelling, and incidental to the principal use.

(4) Conditional use. Refer to 156.045 Use Classification Table.

(a) Public facilities such as ~~libraries~~, parks and recreational facilities.

(b) Planned-development projects.

(c) 1. B-2 zones only: One dwelling unit for owners, operators, or employees of a permitted use provided that such dwelling unit shall be a part of the building and located above or to the rear of such permitted use.

2. B-3 zones only: Single-family and Multi-family residential uses ~~provided that the dwelling unit(s) shall be a part of building and located above or to the rear of the principal use~~ including short-term rentals.

(d) Outdoor storage of merchandise and outdoor processing unless meets the standards listed under the definition of Retail Sales and Consumer Services (Outdoor Storage). All above ground structures accessory to any outdoor use shall be located at least 25 feet from any public street right-of-way line.

(e) Privately-owned outdoor amusement area.

(f) B-2 Adult-oriented businesses.

(g) B-3 Storage buildings. ~~Transient businesses as prescribed in §§ 156.100 et seq.~~

(h) B-3 Any restaurant or retail sales business with a drive up thru window.

(i) B-3 (Within Historic Overlay District only) sidewalk cafes.

(j) ~~B-2 and B-3 Nightclubs, bars, taverns and similar type businesses~~ Plant nursery or a junk yard in a B-2 zone.

(5) Prohibited uses.

(a) Anything not listed above is prohibited and no use shall be permitted by the Board of Zoning Adjustments as a conditional use which would be detrimental to the development of other businesses.

(b) Dwelling units except as provided herein.

(c) B-3. Adult-oriented businesses.

(6) Lot, yard, and height requirements.

(a) Minimum lot size. No limitation.

(b) Minimum lot frontage on a public street. 75 feet.

(c) Minimum front yard.

1. B-2 - 50 feet.

2. B-2 - Corner lots shall have a minimum of 25 feet for the yard facing the secondary street.
3. B-3 - No limitation.
- (d) Minimum side yard. No limitation except on corner lots where secondary yard restrictions will apply.
- (e) Minimum rear yard.
  1. B-2 - 25 feet.
  2. B-3 - No limitation.
- (f) Maximum lot coverage. No limitation.
- (g) Maximum height of any portion of building.
  1. B-2 - 35 feet.
  2. B-3 - 75 feet.
- (h) Business uses adjacent to Residential Districts.
  1. B-2 - All nonresidential uses which are located on lots adjacent to a residential district shall maintain a minimum setback requirement for all structures of 25 feet in the side or rear yard adjacent to the residential district and § 156.052 shall apply.
  2. B-3 - Same as B-2.

**(C) B-4 Medium Density Business District.**

**(1) Intent.**

To provide for limited retail business, service and business, and professional offices. The standards of development are intended to protect adjacent residential zones, promote orderly development, and avoid traffic congestion within the surrounding neighborhoods.

**(2) Permitted principal uses. Refer to Use Classification Table.**

- (a) Any use permitted in the B-1 business district ~~with the exception of restaurants.~~
- (b) ~~Banks and savings and loans~~ Financial services.
- (c) ~~Personal services such as B-barber and beauty shops.~~
- (d) Food sales such as ~~B-bakeries.~~
- (e) Drugstores.
- (f) ~~Shoe repair shops~~ Restaurant no drive-thru.
- (g) ~~Antique shops~~ Cultural services.
- (h) Clothing stores.
- (i) ~~Radio/television sales and repair shops~~ Pet service, photography studio, printing and publishing services.
- (j) Professional, business, and government offices and laboratories.
- (k) ~~Churches and related activities~~ Religious assembly.
- (l) Convenience store and service station.
- (m) Transient businesses as prescribed in §§ 156.100 et seq and mobile food vendors.

**(3) Permitted accessory structures and uses.**

Garage or other storage building not used as a dwelling and incidental to the principal use.

**(4) Conditional uses. Refer to Use Classification Table.**

- (a) Public facilities such as libraries, parks, and recreational facilities.
- (b) Planned-development projects.
- (c) One dwelling unit for owners, operators, or employees of a permitted use provided that such dwelling unit shall be a part of the building and located above or to the rear of such permitted use.

- (d) Other limited business uses which the Board of Zoning Adjustments finds to fall within the intent of this zone that will not be more obnoxious or materially detrimental to the public welfare or to property in the vicinity of said uses shall be considered a conditional use. ~~Restaurants can be approved after they are reviewed through a Planned Development Process. A planned development process review can be required by the Board of Zoning Adjustments for any project that might raise compatibility concerns.~~
- ~~(e) Restaurants can be approved after they are reviewed through a Planned Development Process. A planned development process review can be required by the Board of Zoning Adjustments for any project that might raise compatibility concerns.~~
- Bar/tavern, restaurant with a drive-thru, personal improvement services, and cultural services.
- ~~(f) Transient businesses as prescribed in §§ 156.100 et seq.~~

**(5) Prohibited uses.**

- (a) No enterprise shall be permitted which produces or causes any dust, smoke, noise, fumes, odors, or vibrations, which are or may be detrimental to other property in the neighborhood or to the welfare of the occupants thereof.
- (b) Dwelling units except as provided herein.
- (c) Adult-oriented businesses.
- ~~(d) Nightclubs, bars, taverns and similar type businesses.~~

**(6) Lot, yard, and height regulations.**

- (a) Minimum lot size. No limitation.
- (b) Minimum lot frontage on a public street. 75 feet.
- (c) Minimum front yard.
  - 1. 35 feet.
  - 2. Corner lots shall have a minimum of 25 feet for the yard facing the secondary street.
- (d) Minimum side yard. 10 feet.
- (e) Minimum rear yard. 25 feet.
- (f) Maximum lot coverage. No limitation.
- (g) Maximum height of any portion of building. 35 feet.
- (h) Business uses adjacent to residential districts.
  - 1. All non-residential uses which are located on lots adjacent to a residential district shall maintain a minimum setback requirement for all structures of 25 feet in the side or rear yard adjacent to the residential district.
  - 2. All non-residential uses which are adjacent to a residential use located within the B-4 Zone are required to erect screening in accordance with § 156.052.

**AMENDMENT VI:**

The City of Murray Zoning Ordinance, §156.038 PROFESSIONAL OFFICE DISTRICT shall be amended to read, in its entirety, as follows:

**§156.038 PROFESSIONAL OFFICE DISTRICT**

**(A) Intent.** This zone is primarily for offices and related uses. Generally, this zone should be located between residential and commercial uses on the same street frontage so as to serve as a transitional buffer.

**(B) Permitted principal uses.** Refer to 156.045 Use Classification Table.

- (1) Professional business and government offices and laboratories.
- (2) Medical and dental offices and photography studios.

**(C) Permitted accessory structures and uses.**

Garage or other building not used as a dwelling and incidental to the principal use in rear yards only.

**(D) Conditional uses. Refer to 156.045 Use Classification Table.**

- (1) Private hospitals and clinics, ~~churches~~ religious assembly.
- (2) Planned development projects.
- (3) Dwelling units occupying the same building in which is conducted the principal use of the premises on which it is situated.

**(E) Prohibited uses.**

- (1) Dwelling units except as provided for herein.
- (2) Any use that is retail in nature and not incidental to the office use.
- (3) Any use not listed as permitted and not approved as conditional use.
- (4) Adult-oriented businesses.

**(F) Lot, yard, and height regulations.**

- (1) Minimum lot. 7,500 square feet.
- (2) Minimum lot frontage. 75 feet.
- (3) Minimum front yard. 35 feet.
- (4) Minimum side yard. 10 feet.
- (5) Minimum rear yard. 25 feet.
- (6) Maximum lot coverage. 35%.
- (7) Maximum height. 35 feet.
- (8) Professional office uses adjacent to residential districts. All non-residential uses in Professional Office Districts which are located on lots adjacent to a residential district shall maintain a minimum setback requirement for all structures of 25 feet in the side or rear yard adjacent to the residential district and § 156.052 will apply.

**AMENDMENT VII:**

The City of Murray Zoning Ordinance, §156.039 INDUSTRIAL DISTRICT shall be amended to read, in its entirety, as follows:

**§156.039 INDUSTRIAL DISTRICT**

(A) Intent. This zone is intended for manufacturing, industrial, and related uses. This section distinguishes between light and heavy industry and their potential for becoming a nuisance.

**(B) Permitted principal uses. Refer to 156.045 Use Classification Table.**

- (1) Non-retail sales and services such as warehousing, wholesaling, recycling centers and trucking terminals.
- (2) Light industry. The Board of Zoning Adjustments shall distinguish between the light and heavy industry according to the definition in § 156.004 of this zoning code upon application by the Zoning Official when the classification is in doubt.
- (3) Research laboratories, aviation facilities and storage buildings.
- (4) All uses in this zone shall be conducted in a completely enclosed building, except for outdoor storage uses which shall be enclosed on all sides by a solid wall or fence not less than six feet in height.
- (5) Transient businesses as prescribed in §§ 156.100 et seq and mobile food vendors.

**(C) Permitted accessory uses.**

- (1) Off-street parking areas and structures, and loading facilities.
- (2) Dwelling units for watchmen or caretakers provided that such facilities shall be located on the same premises as the permitted use.

- (3) Outdoor storage of products manufactured on the premises or materials to be used in manufacture on the premises provided that such outdoor storage shall be enclosed on all sides by a solid wall or fence not less than six feet in height.
- (4) Facilities for serving food only for employees and visitors and having no direct access to the exterior and having no signs visible from the exterior of the building.
- (5) Offices.
- (6) Recreational facilities for employees.
- (D) **Permitted conditional uses.** Refer to 156.045 Use Classification Table.
  - (1) ~~Heavy~~ Basic industry.
  - (2) Outdoor storage and processing.
  - (3) Retail sales and consumer services.
  - (4) Planned development projects other than residential uses.
  - (5) ~~Churches and related activities~~ Religious assembly.
  - (6) Adult-oriented businesses.
  - (7) Indoor entertainment, recreational equipment sales, theater, plant nursery, club or lodge, and day care services.
- (E) **Prohibited uses.**
  - (1) Dwelling units except as provided for herein.
  - (2) ~~Heavy~~ Basic industrial use without prior approval from the Board of Zoning Adjustments.
  - (3) Packaged liquor stores, ~~nightclubs~~, bars, taverns and similar type businesses.
- (F) **Lot, yard, and height regulations.**
  - (1) Minimum lot. No limitation.
  - (2) Minimum lot frontage. 75 feet minimum.
  - (3) Minimum front yard. 50 feet.
  - (4) Minimum side yard. No limitation.
  - (5) Minimum rear yard. 35 feet. (The Board of Zoning Adjustments may upon application by the Zoning Official reduce the required rear yard where such rear yards would be adjacent to railroad sidings if such reduction would not be detrimental to surrounding area.)
  - (6) Minimum lot coverage. No limitation.
  - (7) Maximum height of any portion of a building. ~~50 75 feet. (The maximum building height is 50 feet; however, the Board of Zoning Adjustments may increase the building height upon application by the Zoning Official.)~~
  - (8) All nonresidential uses which are adjacent to a residential use located within the Industrial Zoning District are required to erect screening in accordance with § 156.052.

#### AMENDMENT VIII:

The City of Murray Zoning Ordinance, §156.042 AGRICULTURAL DISTRICT shall be amended to read, in its entirety, as follows:

#### §156.039 AGRICULTURAL DISTRICT

- (A) **Intent.** This zone is established to preserve the rural character of the agricultural service area by promoting agriculture and agricultural related uses.
- (B) **Permitted principal uses.** Refer to 156.045 Use Classification Table.
  - (1) Land used solely for agriculture, farming, dairying, stock raising.
  - (2) Horticultural services, plant nurseries, and aquaponics systems.
  - (3) Hunting, fishing, trapping, and game preserves, forestry.
  - (4) Single-family detached dwellings.
  - (5) ~~Churches, r~~Religious assembly, education buildings, and accessory dwellings.

- (6) Schools and colleges for academic instruction.
- (7) Agritourism, camps, and outdoor entertainment.
- (C) **Permitted accessory uses.**
  - (1) Agricultural buildings and structures accessory to the principal agricultural use of the land.
  - (2) Single-family dwellings for the owner and employees of the premises and accessory to the principal agricultural use of the land.
  - (3) Carport, garage, or other buildings not used as a dwelling and customarily incidental to the principal use of the premises.
  - (4) Accessory uses customarily incidental to the principal use of the premises.
  - (5) Signs identifying the name and type of agricultural activity conducted on the same premises.
  - (6) Sale of agricultural products and services produced on the premises provided that where such products or services are sold from a roadside stand such roadside stand shall be set back from any public street right-of-way at least 50 feet and shall be provided with automobile access and off-street parking space in such a manner so as not to create an undue traffic hazard on the public street on which such roadside stand is located.
  - (7) Home occupations refer to 156.055 Home Occupation Regulations
- (D) **Permitted conditional uses. Refer to Use Classification Table.**
  - (1) Non-profit public or private facilities such as ~~schools~~, cemeteries, libraries, cultural services ~~churches~~, parks, recreational facilities, hospitals, and institutions.
  - ~~(2) Home occupations Bed & Breakfast.~~
  - ~~(3) Planned development projects~~ Aviation facilities.
- (E) **Prohibited uses.**
  - (1) Any use not listed as permitted or as a conditional use are prohibited in the Agricultural District.
  - (2) Adult-oriented businesses.
- (F) **Lot, yard, and height requirements.**
  - (1) Minimum lot. No limitation except for single-family detached residences as a principal permitted use, then 21,780 square feet (1/2 acre) minimum with connection to sanitary sewers of the city or of an approved sewer district or system, or with evidence of satisfactory soil percolation for septic disposal; otherwise, 43,560 square feet (1 acre) minimum.
  - (2) Minimum lot frontage. 75 feet at right-of-way.
  - (3) Minimum front yard. 80 feet from center of line of road.
  - (4) Minimum side yard. 25 feet.
  - (5) Minimum rear yard. 25 feet.
  - (6) Maximum height. No limitation.

**AMENDMENT IX:**

The City of Murray Zoning Ordinance, §156.045 USE CLASSIFICATION TABLE read, in its entirety, as follows:

**§156.045 USE CLASSIFICATION TABLE**

| AG (Agricultural)   |                           | G (Government)           |        |        |        |        |   |   |    |        |        | R-1 (Single Family)       |        |         |        |        |
|---|---------------------------|--------------------------|--------|--------|--------|--------|---|---|----|--------|--------|---------------------------|--------|---------|--------|--------|
| B-1 (Neighborhood Business)   |                           | I (Industrial)           |        |        |        |        |   |   |    |        |        | R-2 (Single Family)       |        |         |        |        |
| B-2 (Highway Business)  |                           | PO (Professional Office) |        |        |        |        |   |   |    |        |        | R-3 & R-3A (Multi-Family) |        |         |        |        |
| B-3 (Central Business)  |                           | F (Floodway)             |        |        |        |        |   |   |    |        |        | R-4 (Multi-Family)        |        |         |        |        |
| B-4 (Medium Density)  |                           |                          |        |        |        |        |   |   |    |        |        | R-5 (Multi-Family)        |        |         |        |        |
| Use Category  | Specific Use Type         | A<br>G                   | B<br>1 | B<br>2 | B<br>3 | B<br>4 | F | G | I  | P<br>O | R<br>1 | R<br>2                    | R<br>3 | R<br>3A | R<br>4 | R<br>5 |
| P = Permitted Use C = Conditional Use *Specific Use Standards Apply |                           |                          |        |        |        |        |   |   |    |        |        |                           |        |         |        |        |
| <b>RESIDENTIAL</b>  |                           |                          |        |        |        |        |   |   |    |        |        |                           |        |         |        |        |
|   | Single Family             | P                        | C*     | C*     | C      | C*     |   |   | P* | C*     | P      | P                         | P      |         | P      | P      |
|   | Multi-Family              | P*                       | C*     | C*     | C      | C*     |   |   | P* | C*     | C*     | C*                        | P      |         | P      | P      |
|   | Mobile Home Parks         |                          |        |        |        |        |   |   |    |        |        |                           |        | C       |        |        |
|   | Home Occupation           | P*                       |        |        |        |        |   |   |    |        | P*     | P*                        | P*     | P*      | P*     | P*     |
|   | Short-Term Rental         |                          |        |        | C      |        |   |   |    |        | P      | P                         | P      | P       | P      | P      |
|   | Accessory Dwelling Unit   | P*                       |        |        |        |        |   |   |    |        | C*     | C*                        |        |         |        |        |
|   | Bed & Breakfast           | C                        |        | P      | P      |        |   |   |    |        |        |                           |        | C       |        | C      |
| Fraternity or Sorority House  |                           |                          |        |        |        |        |   | P |    |        |        |                           |        |         | C      |        |
| <b>COMMERCIAL</b>   |                           |                          |        |        |        |        |   |   |    |        |        |                           |        |         |        |        |
| Food and Beverage Establishment                                     | Bar/Tavern                |                          | C      | P      | P      | C      |   |   |    |        |        |                           |        |         |        |        |
|   | Food Sales (Bakery, etc.) |                          | P      | P      | P      | P      |   |   |    |        |        |                           |        |         |        | C      |
|   | Malt Beverage             |                          |        | P      | P      | P      |   |   |    |        |        |                           |        |         |        |        |
|   | Mobile Food Vendor        |                          | C      | P      | P      | P      |   |   | P  |        |        |                           |        |         |        |        |

Chapter 156.045 | USE CLASSIFICATION TABLE

| AG (Agricultural)   |                                    | G (Government)           |        |        |        |        |   |   |    |        |        | R-1 (Single Family)       |        |         |        |        |
|---|------------------------------------|--------------------------|--------|--------|--------|--------|---|---|----|--------|--------|---------------------------|--------|---------|--------|--------|
| B-1 (Neighborhood Business)   |                                    | I (Industrial)           |        |        |        |        |   |   |    |        |        | R-2 (Single Family)       |        |         |        |        |
| B-2 (Highway Business)  |                                    | PO (Professional Office) |        |        |        |        |   |   |    |        |        | R-3 & R-3A (Multi-Family) |        |         |        |        |
| B-3 (Central Business)  |                                    | F (Floodway)             |        |        |        |        |   |   |    |        |        | R-4 (Multi-Family)        |        |         |        |        |
| B-4 (Medium Density)  |                                    |                          |        |        |        |        |   |   |    |        |        | R-5 (Multi-Family)        |        |         |        |        |
| Use Category  | Specific Use Type                  | A<br>G                   | B<br>1 | B<br>2 | B<br>3 | B<br>4 | F | G | I  | P<br>O | R<br>1 | R<br>2                    | R<br>3 | R<br>3A | R<br>4 | R<br>5 |
| P = Permitted Use C = Conditional Use *Specific Use Standards Apply |                                    |                          |        |        |        |        |   |   |    |        |        |                           |        |         |        |        |
| <b>COMMERCIAL</b>   |                                    |                          |        |        |        |        |   |   |    |        |        |                           |        |         |        |        |
| Food and Beverage Establishment                                     | Package Sales                      |                          |        | P      | P      | C      |   |   |    |        |        |                           |        |         |        |        |
|   | Restaurant No Drive-Thru           |                          | P      | P      | P      | P      |   |   |    |        |        |                           |        |         |        | C      |
|   | Restaurant with Drive-Thru         |                          |        | P      | C      | C      |   |   |    |        |        |                           |        |         |        | C      |
| Retail Sales and Service  | Adult Oriented                     |                          |        | C*     |        |        |   |   | C* |        |        |                           |        |         |        |        |
|   | Automotive Sales                   |                          |        | P      | P      |        |   |   | C  |        |        |                           |        |         |        |        |
|   | Automotive Rentals                 |                          |        | P      | P      |        |   |   | C  |        |        |                           |        |         |        |        |
|   | Automotive Repair Service          |                          |        | P      | P      |        |   |   | C  |        |        |                           |        |         |        |        |
|   | Automotive Washing                 |                          |        | P      | P      |        |   |   | C  |        |        |                           |        |         |        |        |
|   | Consumer Service (general)         |                          | C      | P      | P      | C      |   |   | C  |        |        |                           |        |         |        |        |
|   | Consumer Service (outdoor storage) |                          | C      | P*     | C      | C      |   |   | C  |        |        |                           |        |         |        |        |
| Convenience Store   |                                    | P                        | P      | P      | P      |        |   | C |    |        |        |                           |        |         |        |        |



| AG (Agricultural)   |   | G (Government)           |        |        |        |        | R-1 (Single Family)       |   |   |        |        |        |        |         |        |        |
|---|---|--------------------------|--------|--------|--------|--------|---------------------------|---|---|--------|--------|--------|--------|---------|--------|--------|
| B-1 (Neighborhood Business)   |   | I (Industrial)           |        |        |        |        | R-2 (Single Family)       |   |   |        |        |        |        |         |        |        |
| B-2 (Highway Business)  |   | PO (Professional Office) |        |        |        |        | R-3 & R-3A (Multi-Family) |   |   |        |        |        |        |         |        |        |
| B-3 (Central Business)  |   | F (Floodway)             |        |        |        |        | R-4 (Multi-Family)        |   |   |        |        |        |        |         |        |        |
| B-4 (Medium Density)  |   |                          |        |        |        |        | R-5 (Multi-Family)        |   |   |        |        |        |        |         |        |        |
| Use Category  | Specific Use Type                                 | A<br>G                   | B<br>1 | B<br>2 | B<br>3 | B<br>4 | F                         | G | I | P<br>O | R<br>1 | R<br>2 | R<br>3 | R<br>3A | R<br>4 | R<br>5 |
| P = Permitted Use C = Conditional Use *Specific Use Standards Apply |   |                          |        |        |        |        |                           |   |   |        |        |        |        |         |        |        |
| <b>COMMERCIAL</b>   |   |                          |        |        |        |        |                           |   |   |        |        |        |        |         |        |        |
| Retail Sales and Service Continued...                               | Outdoor Entertainment                             | P                        |        |        |        |        | P*                        | P |   |        |        |        |        |         |        |        |
|   | Personal Improvement Services                     |                          | C      | P      | P      | C      |                           |   | C |        |        |        |        |         |        |        |
|   | Personal Services (barber and beauty shops, etc.) |                          | P      | P      | P      | P      |                           |   | C |        |        |        |        | C       | C      | C      |
|   | Pet Service (Veterinary, etc.)                    |                          | P      | P      | P      | P      |                           |   | C |        |        |        |        | C*      |        |        |
|   | Photography Studio                                |                          | P      | P      | P      | P      |                           |   | C | P      |        |        |        |         |        |        |
|   | Plant Nursery                                     | P                        |        | C      |        |        |                           |   | C |        |        |        |        |         |        |        |
|   | Printing and Publishing                           |                          | P      | P      | P      | P      |                           |   | C |        |        |        |        |         |        |        |
|   | Recreational Equipment Sales                      |                          |        | P      |        |        |                           |   | C |        |        |        |        |         |        |        |
|   | Scrap and Salvage Services (Junkyards)            |                          |        | C      |        |        |                           |   |   |        |        |        |        |         |        |        |
|   | Storage Buildings                                 |                          |        | P      | C      |        |                           |   | P |        |        |        |        |         |        |        |



|   |                                   |        |        |        |        |        |   |   |   |        |        |        |        |         |        |        |   |                          |                           |
|---|-----------------------------------|--------|--------|--------|--------|--------|---|---|---|--------|--------|--------|--------|---------|--------|--------|---|--------------------------|---------------------------|
| AG (Agricultural)   |                                   |        |        |        |        |        |   |   |   |        |        |        |        |         |        |        |   | G (Government)           | R-1 (Single Family)       |
| B-1 (Neighborhood Business)   |                                   |        |        |        |        |        |   |   |   |        |        |        |        |         |        |        |   | I (Industrial)           | R-2 (Single Family)       |
| B-2 (Highway Business)  |                                   |        |        |        |        |        |   |   |   |        |        |        |        |         |        |        |   | PO (Professional Office) | R-3 & R-3A (Multi-Family) |
| B-3 (Central Business)  |                                   |        |        |        |        |        |   |   |   |        |        |        |        |         |        |        |   | F (Floodway)             | R-4 (Multi-Family)        |
| B-4 (Medium Density)  |                                   |        |        |        |        |        |   |   |   |        |        |        |        |         |        |        |   |                          | R-5 (Multi-Family)        |
| Use Category  | Specific Use Type                 | A<br>G | B<br>1 | B<br>2 | B<br>3 | B<br>4 | F | G | I | P<br>O | R<br>1 | R<br>2 | R<br>3 | R<br>3A | R<br>4 | R<br>5 |   |                          |                           |
| P = Permitted Use C = Conditional Use *Specific Use Standards Apply |                                   |        |        |        |        |        |   |   |   |        |        |        |        |         |        |        |   |                          |                           |
| CIVIC   |                                   |        |        |        |        |        |   |   |   |        |        |        |        |         |        |        |   |                          |                           |
| Public Service  | Administrative Services           |        |        |        |        |        |   |   | P |        |        |        |        |         |        |        |   |                          |                           |
|   | Aviation Facilities               | C      |        |        |        |        |   |   | P | P      |        |        |        |         |        |        |   |                          |                           |
|   | Camp                              | P      |        |        |        |        |   |   | P |        |        |        |        |         |        |        |   |                          |                           |
|   | Cemetery                          | C      |        |        |        |        |   |   | P |        |        |        |        |         |        |        |   |                          |                           |
|   | Club or Lodge                     |        |        | P      | P      |        |   |   | P | C      |        |        |        |         |        |        |   |                          |                           |
|   | College and University Facilities | P*     |        |        |        |        |   |   | P |        |        |        |        |         |        |        |   |                          |                           |
|   | Communication Service Facilities  |        |        |        |        |        |   |   | P |        |        |        |        |         |        |        |   |                          |                           |
|   | Community Events                  |        |        |        |        |        |   |   | P |        |        |        |        |         |        |        |   |                          |                           |
|   | Congregate Living                 |        |        |        |        |        |   |   | P |        |        |        |        |         |        |        |   |                          | C                         |
|   | Convalescent Services             |        |        |        |        |        |   |   | P |        |        |        |        |         |        |        |   |                          | C                         |
|   | Convention Center                 |        |        |        |        |        |   |   | P |        |        |        |        |         |        |        |   |                          |                           |
|   | Counseling Services               |        |        | P      | P      |        |   |   | P |        |        |        |        |         |        |        |   |                          |                           |
|   | Cultural Services                 | C      | C      | P      | P      | P      |   |   | P |        |        |        |        |         |        |        |   |                          |                           |
| Day Care Services   |                                   | C      | P      | P      |        |        |   | P | C |        | C      | C      | C      |         |        |        | C | C                        |                           |

|   |  |        |        |        |        |        |    |                          |    |        |        |        |        |         |        |        |   |                           |
|---|--|--------|--------|--------|--------|--------|----|--------------------------|----|--------|--------|--------|--------|---------|--------|--------|---|---------------------------|
| AG (Agricultural)   |  |        |        |        |        |        |    | G (Government)           |    |        |        |        |        |         |        |        |   | R-1 (Single Family)       |
| B-1 (Neighborhood Business)   |  |        |        |        |        |        |    | I (Industrial)           |    |        |        |        |        |         |        |        |   | R-2 (Single Family)       |
| B-2 (Highway Business)  |  |        |        |        |        |        |    | PO (Professional Office) |    |        |        |        |        |         |        |        |   | R-3 & R-3A (Multi-Family) |
| B-3 (Central Business)  |  |        |        |        |        |        |    | F (Floodway)             |    |        |        |        |        |         |        |        |   | R-4 (Multi-Family)        |
| B-4 (Medium Density)  |  |        |        |        |        |        |    |                          |    |        |        |        |        |         |        |        |   | R-5 (Multi-Family)        |
| Use Category  | Specific Use Type  | A<br>G | B<br>1 | B<br>2 | B<br>3 | B<br>4 | F  | G                        | I  | P<br>O | R<br>1 | R<br>2 | R<br>3 | R<br>3A | R<br>4 | R<br>5 |   |                           |
| P = Permitted Use C = Conditional Use *Specific Use Standards Apply |  |        |        |        |        |        |    |                          |    |        |        |        |        |         |        |        |   |                           |
| <b>CIVIC</b>  |  |        |        |        |        |        |    |                          |    |        |        |        |        |         |        |        |   |                           |
| Public Service<br>Continued...                                      | Detention Facilities   |        |        |        |        |        |    | P                        |    |        |        |        |        |         |        |        |   |                           |
|   | Health Care Facilities   | C      |        | P      |        |        |    | P                        |    | C      |        |        |        |         |        |        |   |                           |
|   | Government-owned<br>public corporations or<br>agencies                 |        |        |        | P      | P      |    | P                        |    | P      |        |        |        |         |        |        |   |                           |
|   | Local Utility Services   |        |        |        |        |        |    | P                        |    |        |        |        |        |         |        |        |   |                           |
|   | Residential Care<br>Facilities (nursing and<br>retirement homes, etc.) |        |        |        |        |        |    | P                        |    |        |        |        |        |         |        |        | C |                           |
|   | Parks and Recreation<br>Services                                       | C      | C      | C      | C      | C      | P* | P                        |    |        |        |        |        | C       | C      | C      | C |                           |
|   | Public Schools   | P*     |        |        |        |        |    | P                        |    |        |        |        |        | C       | C      | C      | C |                           |
|   | Religious Assembly   | P      | P      | P      | P      | P      |    | P                        | C  | C      | C      | C      | C      | C       | C      | C      | C |                           |
|   | Safety Services  |        |        |        |        |        |    | P                        |    |        |        |        |        |         |        |        |   |                           |
| <b>PLANNED DEVELOPMENT PROJECT</b>                                  |  |        |        |        |        |        |    |                          |    |        |        |        |        |         |        |        |   |                           |
|   | PDP  |        | C      | C      | C      | C      |    |                          | C* | C      |        | C*     | C*     | C       | C      | C      |   |                           |

Nothing in this Ordinance hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in this Ordinance; nor shall any just or legal right or remedy of any character be lost impaired or affected by this Ordinance.

All other sections and provisions of the Ordinances for the City of Murray, not specifically amended herein, shall remain in full force and effect and shall not be considered amended and shall be incorporated by reference as if fully stated herein.

\_\_\_\_\_  
BOB ROGERS, MAYOR

ATTEST:

\_\_\_\_\_  
DANNETTA CLAYTON, CITY CLERK

Introduced by the City Council on \_\_\_\_\_.

Adopted by the City Council on \_\_\_\_\_.

Published in the Murray Ledger and Times on \_\_\_\_\_.