

ORDINANCE NO.

07-14

**AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY
UPDATING A SECTION OF THE LAND USE REGULATIONS, ORDINANCE
NO. 00-02 OF THE MADISON COUNTY OFFICE OF PLANNING AND
DEVELOPMENT.**

WHEREAS, the Madison County Planning Commission met in a Public Hearing on May 14, 2007 for the purpose of discussing and making unanimous recommendation to change and/or update the Land Use Regulations, adding Section 409, Design Standards for certain land use areas;

WHEREAS, the Madison County Fiscal Court authorizes the Madison County Office of Planning and Development to change and/or update the Land Use Regulations, adding Section 409 Design Standards;

NOW, THEREFORE, be it ordained by the Fiscal Court of the County of Madison, Commonwealth of Kentucky, as follows:

Severability.

If any word, phrase, sentence, part, section, subsection, or other portion of this Ordinance or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the proscribed Application thereof, shall be severable, and the remaining provisions of this Ordinance, and all applications thereof, not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

SEE THE ATTACHED AS IT WILL READ IN THE REGULATIONS...

A) Section 8. Effective Date.

This Ordinance shall be effective immediately upon passage, pursuant to applicable legal and procedural requirements.

B) Section 9. Authority.

This Local Ordinance is enacted pursuant to applicable authority granted by the Commonwealth and federal government.

That the County Clerk cause this ordinance to be published in accordance with the appropriate Kentucky Revised Statues.

This Ordinance No. 07.14 shall become effective on the date of the second reading and adoption.

DATE OF FIRST READING: July 10, 2007

MOTION BY: Roger Barger

SECONDED BY: William Tudor

VOTE: YES NO

JUDGE, KENT CLARK ✓
MAGISTRATE LARRY COMBS ✓
MAGISTRATE ROGER BARGER ✓
MAGISTRATE WILLIAM TUDOR ✓
MAGISTRATE HAROLD K. BOTNER ✓

DATE OF SECOND READING: 7-24-2007

MOTION BY: William H Tudor

SECONDED BY: Harold K Botner Jr.

VOTE: YES NO

JUDGE, KENT CLARK ✓
MAGISTRATE LARRY COMBS ✓
MAGISTRATE ROGER BARGER ✓
MAGISTRATE WILLIAM TUDOR ✓
MAGISTRATE HAROLD K. BOTNER ✓
[Signature]

MADISON COUNTY JUDGE EXECUTIVE

Attest:

[Signature]
MADISON COUNTY CLERK

409 DESIGN STANDARDS

PLANNED UNIT DEVELOPMENTS (PUD)

PLANNED COMMERCIAL CENTER (PCC)

HISTORICAL and TRANSPORTATION CORRIDORS (HC / TC)

INDUSTRIAL LAND USE CLASSIFICATIONS

Purpose

The purpose of these guidelines is to augment the existing criteria contained in the UC-4.1 Planned Commercial Center Land Use, Historical Corridors and PUD Land Use as well as those contained in the *Land Use and Subdivision Regulations*, with more specific interpretations that apply to the design of retail developments. These guidelines require a basic level of architectural variety, compatible scale, pedestrian and bicycle access, and mitigation of negative impacts.

Procedure

The following guidelines are intended to be used as a design aid by developers proposing commercial and industrial developments and as an evaluation tool by the staff of the Planning Commission in their review processes. These guidelines shall apply to all projects, which are processed according to the criteria for proposed development plans and to all projects for retail establishments of 10,000 square feet or more. These guidelines are to be used in conjunction with the *Subdivision and Land Use Regulations*.

409.1 Design Guidelines

AESTHETIC CHARACTER

Facades and Exterior Walls

INTENT: Facades should be articulated to reduce the massive scale and the uniform, impersonal appearances of large retail buildings and provide visual interest that will be consistent with the community's identity character, and scale. The intent is to encourage a more human scale that residents of Madison County will be able to identify with their community. The resulting scale will ensure a greater likelihood of reuse of structure by subsequent tenants.

GUIDELINE: Developments with facade over 100 feet in linear length shall incorporate wall projections or recesses a minimum of 3 foot depth and a minimum of 20 contiguous feet within each 100 feet of facade length and shall extend over 20 percent of the facade. Developments shall use animating features such as arcades, display windows, entry areas, or awnings along at least 60 percent of the facade.

HISTORIC CORRIDORS: Developments located within designated Historic Corridors should be designed with architectural features that enhance and reflect historical characteristics and aesthetics.

Smaller Retail Stores

INTENT: The presence of smaller retail stores gives a center a "friendlier" appearance by creating variety, breaking up large expanses, and expanding the range of the site's activities. Windows and window displays of such stores should be used to contribute to the visual interest of exterior facades. The standards presented in this section are directed toward those situations where additional, smaller stores, with separate, exterior customer entrances are located in the principal buildings or development site.

GUIDELINE: Where principal buildings contain additional, separately owned stores, which occupy less than ten thousand (10,000) square feet of gross floor area, with separate, exterior customer entrances:

- a. The street level facade of such stores shall be transparent between the height of three feet and eight feet above the walkway grade for no less than 60 percent of the horizontal length of the building facade of such additional stores.
- b. Windows shall be recessed and should include visually prominent sills, shutters, or other such forms of framing.

409.2 Detail Features

INTENT: Buildings should have architectural features and patterns that provide visual interests, at the scale of the pedestrian, reduce massive aesthetic effects, and recognize local character. The elements in the following standard should be integral parts of the building fabric, and not superficially applied trim or graphics, or paint.

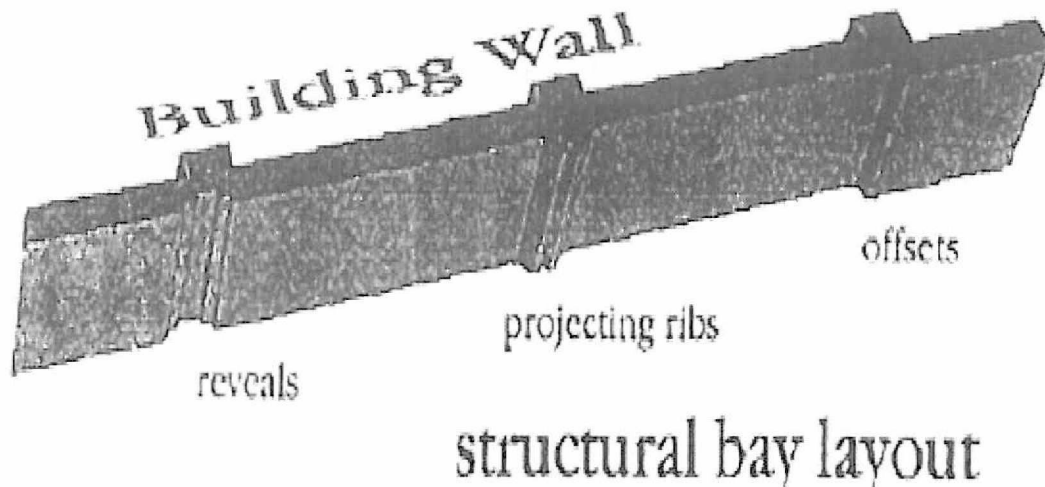
GUIDELINE: Building facades shall include a repeating pattern that shall include no less than three of the elements listed below. At least one of these elements shall repeat horizontally. All elements shall repeat at intervals of no more than thirty (30) feet, either horizontally or vertically.

Color change

Texture change

Material module change

Expression of architectural or structural bay through a change in plane no less than 12 inches in width, such as an offset, reveal, or projecting rib.



409.3 Roofs

INTENT: Variations in rooflines should be used to add interest to, and reduce the massive scale of large buildings. Roof features should compliment the character of adjoining neighborhoods.

GUIDELINE: Rooflines shall be varied with a change in height every 100 linear feet in the building length. Parapets, mansard roofs, gable roofs, hip roofs, or dormers shall be used to conceal flat roofs and roof top equipment from public view. Alternating lengths and designs may be acceptable and can be addressed during the preliminary development plan.

Materials and Colors

INTENT: Exterior building materials and colors comprise a significant part of the visual impact of a building. Therefore, they should be aesthetically pleasing and compatible with materials and colors used in adjoining neighborhoods.

GUIDELINE:

Predominant exterior building materials shall be high quality materials. These include, without limitation:

Brick

Wood

Sandstone

Other native stone

Tinted, textured, concrete masonry units

b. Facade colors shall be low reflectance, subtle, neutral, or earth tone colors. The use of high intensity colors, metallic colors, black or fluorescent colors is prohibited.

c. Building trim and accent areas may feature brighter colors, including primary colors, but neon tubing shall not be an acceptable feature for building trim or accent areas.

d. Predominant exterior building materials as well as accents should not include the following:

Smooth-faced concrete block
Tilt-up concrete panels
Pre-fabricated steel panels

409.4 Entryways

INTENT: Entryway design elements and variations should give orientation and aesthetically pleasing character to the building. The standards identify desirable entryway design features.

GUIDELINE: Each principal building on a site shall have clearly defined, highly visible customer entrances featuring no less than three of the following:

canopies or porticos
overhangs
recesses/projections
arcades
raised corniced parapets over the door
peaked roof forms
arches
outdoor patios
display windows
architectural details such as tile work and moldings which are integrated into the building structure and design integral planters or wing walls that incorporate landscaped areas and/or places for sitting.

409.5 SITE DESIGN AND RELATIONSHIP TO THE SURROUNDING COMMUNITY

Entrances

INTENT: Large retail buildings should feature multiple entrances. Multiple building entrances reduce walking distances from cars, facilitate pedestrian and bicycle access from public sidewalks, and provide convenience where certain entrances offer access to individual stores, or identified departments in a store. Multiple entrances also mitigate the effect of the unbroken walls and neglected areas that often characterize building facades that face bordering land uses.

GUIDELINE: All sides of a principal building that directly face an abutting public or private right-of-way shall feature at least one customer entrance. Where a principal building directly faces more than two abutting public or private rights-of-way, this requirement shall apply only to two sides of the building, including the side of the building facing the primary street, and another side of the building facing a secondary street.

The number of entrances for the principal building shall be addressed at the preliminary development plan stage. Where additional stores will be located in the principal building, each such store shall have at least one exterior customer entrance, which shall conform to the above requirements.

409.6 Parking Lot Orientation

INTENT: Parking areas should provide safe, convenient, and efficient access for vehicles and pedestrians. They should be distributed around large buildings in order to shorten the distance to other buildings and public sidewalks and to reduce the overall scale of the paved surface. If buildings are located closer to streets, the scale of the complex is reduced, pedestrian traffic is encouraged, and architectural details take on added importance.

GUIDELINE: No more than 60 percent of the off-street parking area for the entire property shall be located between the front facade within the front yard of the principal building(s) and the primary abutting street unless the principal building(s) and/or parking lots are screened from view by out-lot development (such as restaurants) and additional tree plantings and/or berms.

409.7 Back and Sides

INTENT: The rear or sides of buildings often present an unattractive view of blank walls, loading areas, storage areas, HVAC units, garbage receptacles, and other such features. Architectural and landscaping features should mitigate these impacts. Any back or side of a building visible from a public or private right-of-way shall be built in accordance with Article I. The Planning Commission may waive this requirement as part of the development plan.

GUIDELINE: The minimum setback for any building facade shall be in accordance with the UC-4 requirements (*Land Use Management Ordinance*). Where the facade faces adjacent residential uses an earthen berm shall be installed, no less than 6 feet in height, containing at a minimum, a double row of evergreen or deciduous trees planted at intervals of 15 feet on center. The Planning Commission to effectively buffer adjacent land use as deemed appropriate may require additional landscaping. All additional landscape requirements of the *Landscape Ordinance* shall apply.

409.8 Outdoor Storage, Trash Collection, and Loading Areas

INTENT: Loading areas and outdoor storage areas exert visual and noise impacts on surrounding neighborhoods. These areas, when visible from adjoining properties and/or public streets, should be screened, recessed or enclosed. While screens and recesses can effectively mitigate these impacts, the selection of inappropriate screening materials can exacerbate the problem. Appropriate locations for loading and outdoor storage areas include areas between buildings, where more than one building is located on a site and such buildings are not more than 40 feet apart, or on those sides of buildings that do not have customer entrances.

GUIDELINE:

- a. Areas for outdoor storage, truck parking, trash collection or compaction, loading, or other such uses shall not be visible from public or private rights-of-way.
- b. No areas for outdoor storage, trash collection or compaction, loading, or other such uses shall be located within 20 feet of any public or street, public sidewalk, or internal pedestrian way.

- c. Loading docks, truck parking, outdoor storage, utility meters, HVAC equipment, trash dumpsters, trash compaction, and other service functions shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets, and no attention is attracted to the functions by the use of screening materials that are different from or inferior to the principal materials of the building and landscape.
- d. Non-enclosed areas for the storage and sale of seasonal inventory shall be permanently defined and screened with walls and/or fences. Materials, colors, and designs of screening walls and/or fences and the cover shall conform to those used as predominant materials and colors of the building. If such areas are to be covered, then the covering shall conform to those used as predominant materials and colors on the buildings.
- e. Temporary sales/displays, such as Christmas trees, landscape materials, and fireworks, shall follow all outdoor requirements for UC-4 districts as described in the *Land Use Management Ordinance*. Location and time/duration of such sales/displays shall be reviewed and approved by the Planning Director or appointed designee.

409.10 Central Features and Community Spaces

INTENT: Buildings should offer attractive and inviting pedestrian scale features, spaces and amenities. Entrances and parking lots should be configured to be functional and inviting with walkways conveniently tied to logical destinations. Bus stops and drop-off/pick-up points should be considered as integral parts of the configuration. Special design features such as towers, arcades, porticos, pedestrian light fixtures, bollards, planter walls, and other architectural elements that define circulation ways and outdoor spaces should anchor pedestrian ways. The features and spaces should enhance the building and the center as integral parts of the community fabric.

GUIDELINE: Each retail establishment subject to these standards shall contribute to the establishment or enhancement of community and public spaces by providing at least two of the following: patio/seating area, pedestrian plaza with benches, transportation center, window shopping walkways, outdoor play area, kiosk area, water feature, clock tower, steeple, or other such deliberately shaped area and/or a focal feature or amenity that, in the judgment of the Planning Commission, adequately enhances such community and public spaces. Any such areas shall have direct access to the public sidewalk network and such features shall not be constructed of materials that are inferior to the principal materials of the building and landscape.

Although Madison County does not currently maintain a public bus system, areas shall be provided or designed to accommodate possible (future) bus service and the growing number of private bus services (i.e., nursing home/assisted living, Housing Authority, Bluegrass Action Council, etc.)