

ARTICLE XIX ◇ SPECIAL DISTRICTS

Shelbyville Zoning Regulations

2010

Section 1901	Purpose and Intent
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Section 1901 Purpose and Intent

The purpose of this Article is to provide mechanisms for the protection and enhancement of special areas or resources within Shelby County and the cities of Shelbyville and Simpsonville. The districts provided for in this Article are overlay districts unless otherwise specified herein.

Section 1902 Definitions Referenced

The definitions of certain terms referenced in these sections are set forth in Article II, "Terms and Definitions" of this Zoning Regulation, as amended.

Section 1903 Applicability

The requirements established herein shall apply to lands in unincorporated Shelby County and to lands in the cities of Shelbyville and Simpsonville designated as one of the special districts set up below. Where there is a conflict between the terms and/or requirements contained in this Article and another Article contained in this Regulation, as amended or any other ordinance, code, or regulation of Shelby County or the cities of Shelbyville and Simpsonville, the more restrictive shall apply.

Section 1904 BEQ, Building Exterior Quality Design Overlay District

A. Purpose and Intent

The BEQ overlay district is established to promote high quality development along commercial corridors which have been developed haphazardly or have deteriorated and are in need of visual improvements or along major commercial corridors with high visibility which will have a strong influence on the perception of Shelby County and the cities of Shelbyville and Simpsonville.

This district is designed to encourage high quality development by establishing restrictions and standards to promote optimum development and so that investment values will be maximized and will not be endangered by unsightly or undesirable developments.

The BEQ district shall overlay other zoning districts so that all lands lying within the BEQ district shall also be included within other zoning districts. Each parcel of land with the BEQ district designation shall be subject to the provisions, regulations, standards, and restrictions of both the BEQ district and of the other zoning districts within which it lies.

B. Designation of Corridor(s)

The BEQ, Building Exterior Quality Design Corridor(s) shall include:

1. Frankfort Road Corridor: Those properties located on or in the vicinity of Frankfort Road (US 60) in the unincorporated areas of Shelby County, Kentucky;

said properties being more particularly shown on the map attached hereto and by reference made a part hereof as Exhibit "A".

2. Mt. Eden Road (KY 53 S) Corridor: Those properties located on or in the vicinity of Mt. Eden Road (KY 53 S) in the unincorporated areas of Shelby County, Kentucky; said properties being more particularly shown on the map attached hereto and by reference made a part hereof as Exhibit "A".

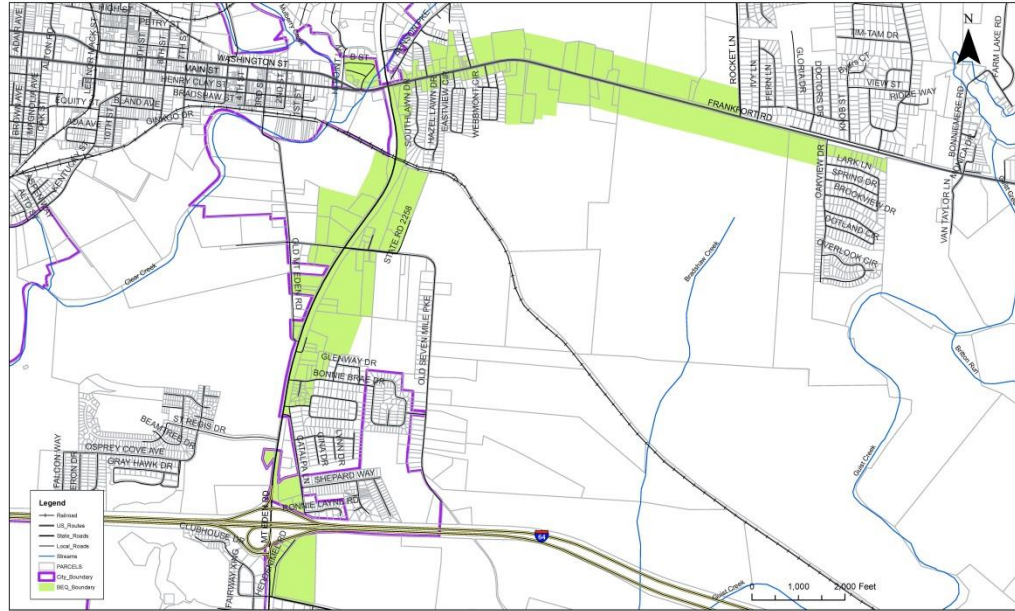


Exhibit "A"
Frankfort Road & Mt Eden Road Building Exterior Quality Design Corridor
- Shelby County, Kentucky -

Building Exterior Quality Design Corridor standards shall be applicable to all properties within the BEQ boundaries designated by this map.

3. Mt. Eden Road (KY 53 S) Corridor (Shelbyville City Limits): Those properties located on or in the vicinity of Mt. Eden Road (KY 53 S), US 60, Old Mt. Eden Road, Clubhouse Drive and Fairway Crossing in the limits of the City of Shelbyville, Kentucky; said properties being more particularly shown on the map attached hereto and by reference made a part hereof as Exhibit "B".

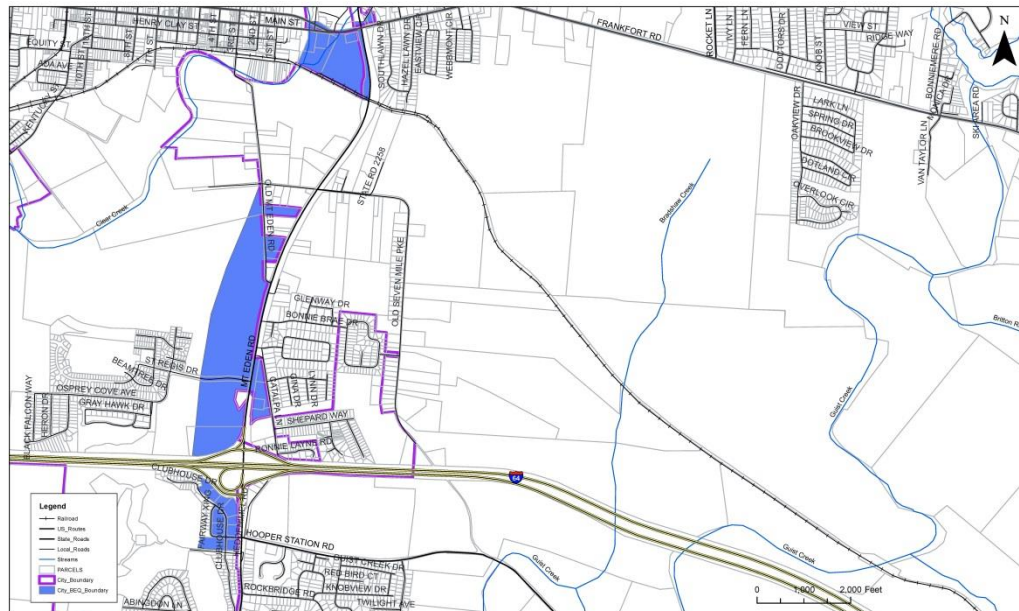
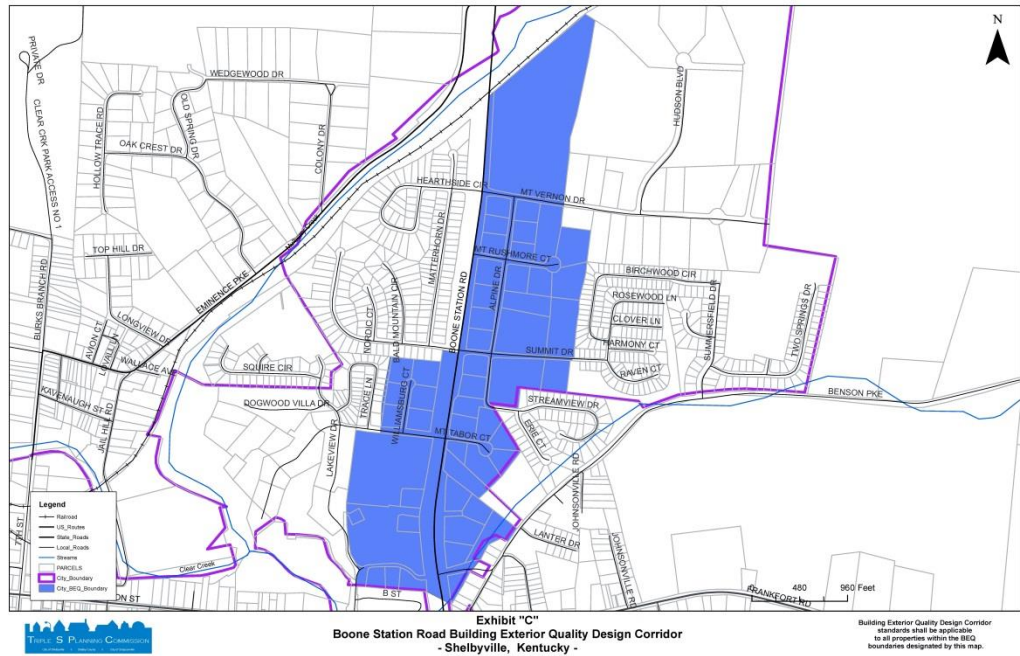


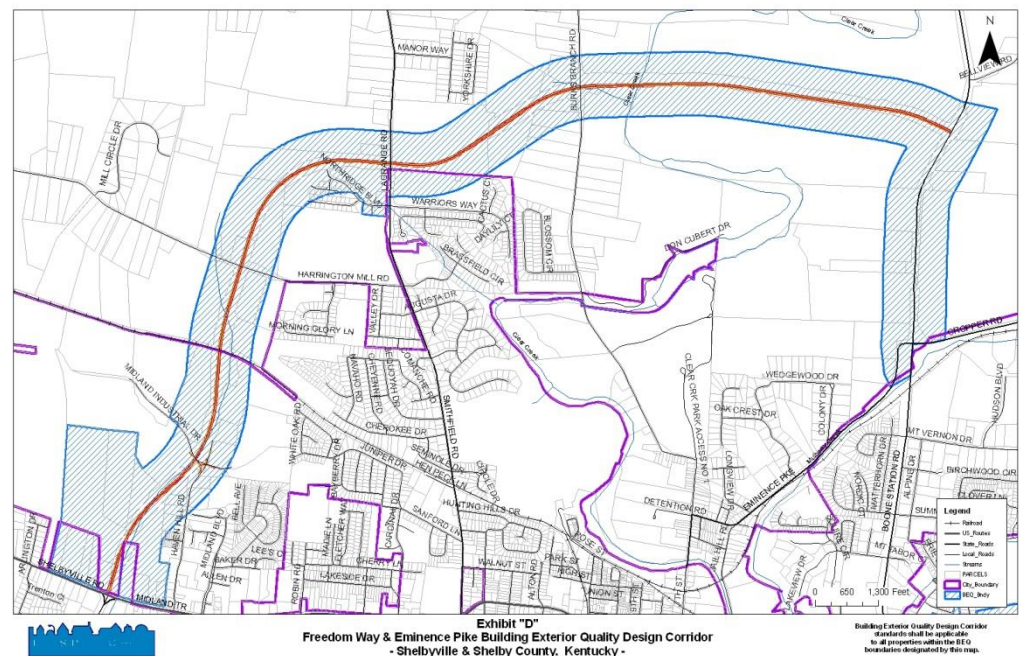
Exhibit "B"
Mt Eden Road Building Exterior Quality Design Corridor
- Shelbyville, Kentucky -

Building Exterior Quality Design Corridor standards shall be applicable to all properties within the BEQ boundaries designated by this map.

4. Boone Station Road (KY 55 N) Corridor (Shelbyville City Limits): Those properties located on or in the vicinity of Boone Station Road (KY 55 N), Mt. Tabor Court, Williamsburg Road, Williamsburg Court, Summit Drive, Mt. Rushmore Court, Alpine Drive and Mt. Vernon Drive in the limits of the City of Shelbyville, Kentucky; said properties being more particularly shown on the map attached hereto and by reference made a part hereof as Exhibit "C".



5. Freedom's Way/Eminence Pike Corridor: Those properties located on or in the vicinity of Freedom's Way and Eminence Pike in the unincorporated areas of Shelby County and in the city limits of the City of Shelbyville, Kentucky; said properties being more particularly shown on the map attached hereto and by reference made a part hereof as Exhibit "D".



6. Buck Creek Road (KY 1848) Corridor: Those properties located on or in the

vicinity of Buck Creek Road (KY 1848) in the city limits of Simpsonville, Kentucky; said properties being more particularly shown on the map attached hereto and by reference made a part hereof as Exhibit "E".

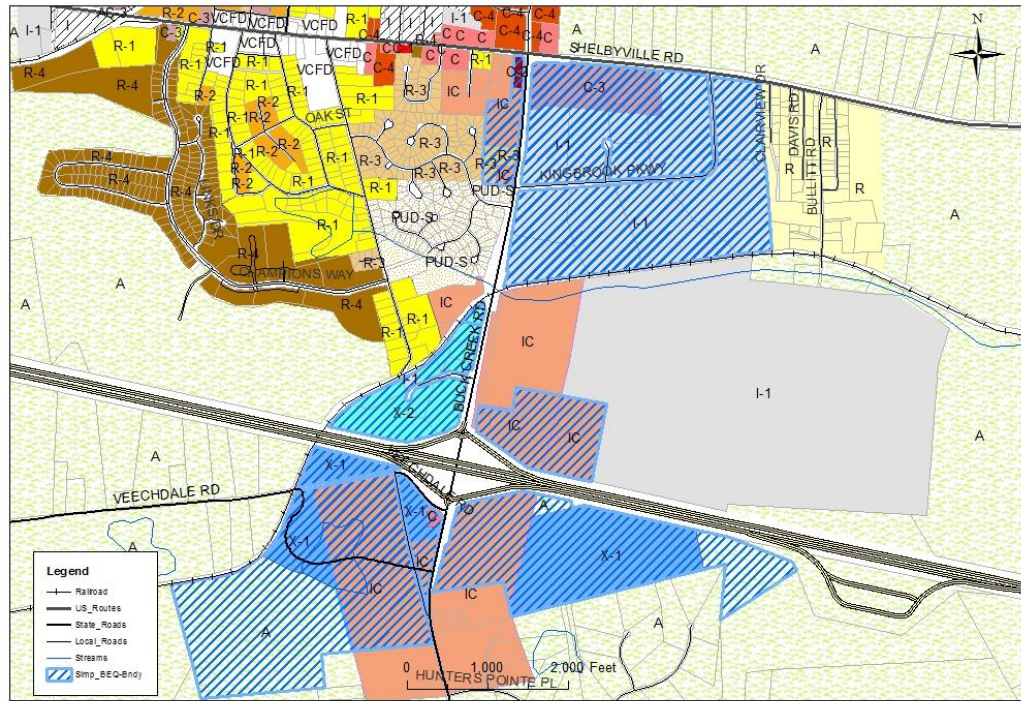


Exhibit "E"
Buck Creek Road Building Exterior Quality Design Corridor
- Simpsonville, Kentucky -

Building Exterior Quality Design Corridor standards shall be applicable to all properties within the BEQ boundaries designated by the map.

7. Buck Creek Road (KY 1848) Corridor: Those properties located on or in the vicinity of Buck Creek Road (KY 1848) in the unincorporated areas of Shelby County, Kentucky; said properties being more particularly shown on the map attached hereto and by reference made a part hereof as Exhibit "F".

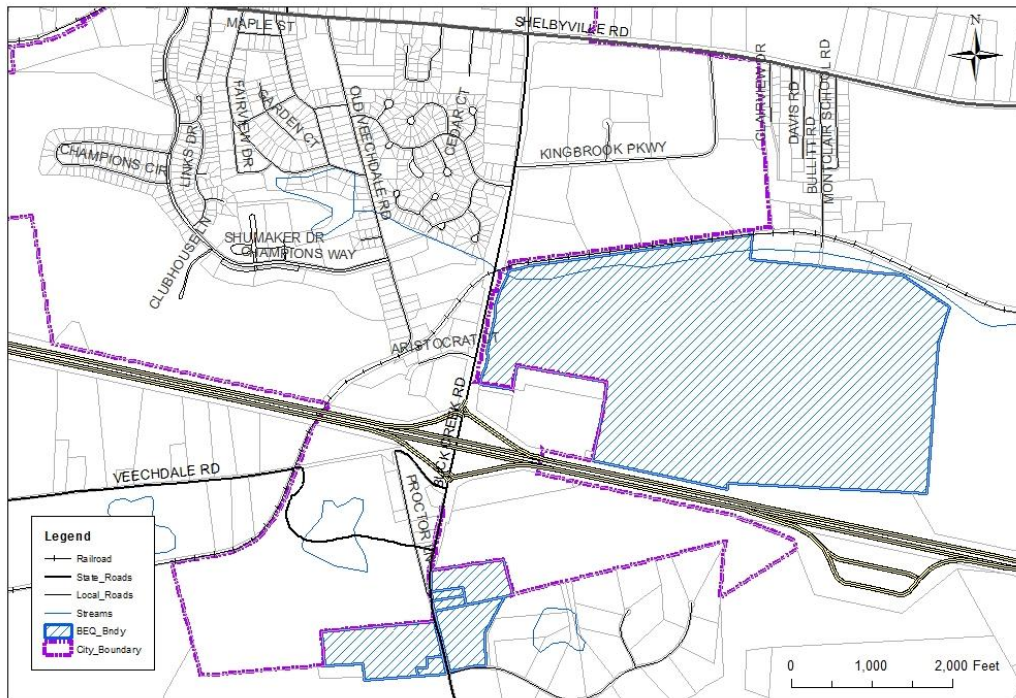


Exhibit "F"
Buck Creek Road Building Exterior Quality Design Corridor
- Shelby County, Kentucky -

Building Exterior Quality Design Corridor standards shall be applicable to all properties within the BEQ boundaries designated by the map.

C. Development Requirements

Any multi-family (3 dwellings or more), commercial, office, wholesale, distribution, storage and industrial use within the BEQ district, in addition to meeting all requirements and standards of the district within which it is located, shall also comply with the following minimum standards and restrictions:

1. Building Design Requirements

Exterior surface materials of buildings in the overlay district shall be divided into "Primary Materials" and "Secondary Materials", and buildings shall incorporate each of the materials as follows:

a. Primary Materials (67% or more of the area of each wall including gables)

Fired clay brick or brick face; natural stone including granite, marble, sandstone, field stone or any other natural stone approved by the Administrative Official; manufactured stone including imitation field stone, marble terrazzo, and any other manufactured architectural finish stone approved by the Administrative Official; architecturally treated slabs, precast, or tilt up concrete panels either fluted or with exposed aggregate; split face or scored CMU.

b. Secondary Materials (33% or less of the area of each wall including gables)

Stucco on lathe; wood either vertical or horizontal board siding patterns, shingle patterns painted or stained; fiber-cement planks and panels either lap siding, shingle siding or vertical siding patterns painted or stained; vinyl either vertical or horizontal board siding patterns, shingle patterns; clay tile with baked-on enamel finish; Dryvit and/or EIFS when applied a minimum of eight (8) feet above grade level.

c. Materials such as aluminum, steel, mirrored or reflective glass, textured paint, cinder block, unfinished concrete, fiberglass or plastic are prohibited. Architectural detailing and decorative trim shall be approved by the Administrative Official at his/her discretion.

d. Buildings shall incorporate categories of materials in the following manner:

1) Primary materials shall compose of 67 percent or more of the area of each wall elevation. Secondary materials shall compose of 33 percent or less of the area of each wall elevation. Gable areas shall be calculated in the total of the elevation. Where primary and secondary materials are proposed to be combined on an elevation, the heavier material shall be located below the lighter material (i.e.: brick shall be located below stucco on lathe). It is acceptable to provide the heavier material as a detail on the corner of a building or along cornices or windows.

2) Buildings may be constructed primarily of one (1) specific primary material provided the design provides a variation in the detailing, footprint of the structure or deviations in long wall sections to provide visual interest.

- 3) Exposed roof materials shall be architectural asphalt shingles, wooden shingles, standing seam metal roof or lap seam metal roofing panel, terra cotta, and slate shingles. All the features described above are intended to aid in giving the roof plane textural interest. Roof colors shall be muted and compatible with the dominant building color.
- 4) Attached awnings, either metal or fabric, shall be in a color complimentary to the main wall color. All trim and decorative bands shall be selected from the primary and secondary materials and shall be harmonious with wall color although they are selected for accent. Signs on awnings shall conform to Article XI and in Section 4 below of these Regulations.
- 5) Canopies shall be faced with primary and/or secondary materials. The supports of the structure of the canopy shall be faced using the primary material of the primary structure. Gasoline Stations shall have a canopy over the fuel pumps that is attached to and is an extension of the main structure. The canopy shall have either a cross-gabled or cross-hipped roof that is consistent with the main structure's roof color, material, and pitch.
- 6) Primary and secondary material colors shall be compatible with each other and compatible with adjacent properties. Subdued, low-reflecting, muted, and neutral or earth-toned colors are permitted. High-intensity colors, bright primary colors, metallic colors or fluorescent colors are not permitted. Black may only be used as an accent color, or on windows and window surrounds and trim. It shall not be used as the main color or on major trim elements.
- 7) Neon tubing lighting is prohibited on buildings and structures.
- 8) Prototype or franchise designs shall be adapted to reflect these design standards and be compatible with the character and uniqueness of Shelby County and the cities of Shelbyville and Simpsonville.

D. Sign Requirements

1. Signs shall conform to Article XI of these Regulations with the following additional regulations:
 - a. No visible neon tubing sign(s) permitted on the exterior or interior in the windows visible from the public street right-of-way.
 - b. All freestanding signs shall be limited to a maximum height of six (6) feet for properties that front on a public road with right-of-way containing a width up to 100 feet; and, all freestanding signs shall be limited to a maximum height of twenty (20) feet for properties that front on a public road with right-of-way containing a width greater than 100 feet.
2. Signs shall be constructed with the following finish materials:
 - a. Wood, painted, stained or natural;
 - b. Masonry;

- c. Metal; and
- d. Plastic, when used for individual letters and symbols only.
- e. Sign supports shall be a minimum of fifty (50%) percent of the width of the sign and be faced with the primary material used on the buildings.

E. Utility Requirements

All utilities shall be located underground when any new development or redevelopment occurs. Utilities may be located above ground if the utilities are accessible from the rear lot line and enter the rear of the building.

F. Other Requirements

Buildings and site elements shall be well maintained and repaired or replaced in a timely manner should damage or deterioration occur. Any damage or deterioration shall be corrected within one hundred twenty (120) days.

G. Design Review

All developments in the Building Exterior Quality Design Corridor shall submit an application for Certificate of Approval along with other submittal requirements as specified in subsection 1. below to the Administrative Official. This application is required for all new building construction, reconstruction, additions, alterations, and accessory buildings.

1. Submittal Requirements

- a. A completed application for Certificate of Approval.
- b. A site plan which meets the minimum requirements for development review as specified in Article XII and Article XIII of these Regulations.
- c. Elevation drawings which shall include dimensions of all sides of existing and proposed structures, all related accessory structures to be developed or placed on the site including but not limited to solid waste and recycling containment areas, electrical service transformers, air conditioning units, satellite dishes, and other utility or mechanical equipment. Locations and screening materials shall be clearly noted. This shall apply both to structures and equipment at grade or placed on roof tops.
- d. The exterior finish material selection for each building shall be clearly noted for each elevation and may be illustrated using a detail inset. For each elevation, the area covered by each finish material shall be given as a percent of the total area of the elevation.
- e. To aid in evaluating the exterior design, the applicant shall submit schematic floor plans showing window, door and loading dock locations, and other exterior features that clearly define the intent of the completed exterior of the structure.
- f. Colored renderings clearly indicating color choices or exterior building and finish material samples shall be submitted.
- g. Sign package which meets the requirements of Article XI and these Regulations.

- h. Other information as may be deemed necessary by the Administrative Official to evaluate the appearance of the completed structure.

H. Applicability Standards

1. All new non-residential development and multi-family development consisting of three (3) or more dwelling units shall be subject to all provisions of this Article. The requirements of this Article shall not apply to single-family and two-family dwellings used exclusively for residential purposes.
2. Expansion of structures in excess of 25% but less than 50% of the existing gross floor area shall subject only the expansion area to the standards of this Article.
3. Expansion of structures in excess of 50% of the existing gross floor area shall subject the entire structure to the standards of this Article.
4. Improvements to exterior walls covering more than 25% of the total wall area shall subject the structure to the standards of this Article.
5. If any structure is destroyed by any means and to an extent greater than 50% of its replacement cost at the time of the destruction, then such structure shall only be rebuilt in accordance with the standards of this Article.
6. Transfer of business ownership from one entity to another shall not subject the structure to the provisions of this Article.
7. Change of use from one permitted use to another shall not subject the structure to the provisions of this Article.
8. This section shall not be construed in any way as to prevent the ordinary maintenance or minor repairs of existing structures.