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**Section 600 General Regulation**

No land shall be used or occupied and no structure shall be erected, altered, used or occupied except for the principal uses permitted for each of the zones created by these Regulations together with lawfully permitted conditional uses and/or accessory uses as listed in the following Sections of these Regulations.

**Section 610 Official Zoning Map**

The Official Zoning Map shall be identified by the signature of the County Judge and/or Mayors and attested by the City and/or County Clerk and bearing the seal of the legislative bodies under the following words: "This is to certify that this is the Official Zoning Map referred to in section 620 of the Shelby County Zoning Regulations," together with the date of the adoption of these Regulations.

If, in accordance with the provisions of these Regulations and KRS 100, changes are made in a zones boundaries or other matter portrayed on the Official Zoning Map, such changes shall be entered on the Official Zoning Map promptly after the amendment has been approved by the legislative body involved with an entry on the Official Zoning Map as follows: "On \_\_\_\_\_

(date), by official action of the legislative body, the following change(s) were made on the Official Zoning Map: (brief description of nature of change)," which entry shall be signed by the County Judge or Mayor, and attested by the County or City Clerk. No amendment to these Regulations which involves matter portrayed on the Official Zoning Map shall become effective until after such change and entry has been made on said map.

No changes of any nature shall be made on the Official Zoning Map or matter thereon except in conformity with the procedures set forth in these Regulations. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of these Regulations and punishable as provided under Section 360.

Regardless of the existence of purported copies of the Official Zoning Map which may from time to time be made or published, the Official Zoning Map which shall be located in the office of the Triple S Planning Commission, shall be the final authority as to the current zoning status of land and water areas, buildings, and other structures in the County (including all incorporated areas).

### **Section 615 Replacement of Official Zoning Map**

In the event that the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the legislative body (bodies) may by resolution adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map. The new Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map, but no such correction shall have the effect of amending the original Official Zoning Map or any subsequent amendment thereof. The new Official Zoning Map shall be identified by the signature of the Mayors and/or the County Judge attested by the City and/or County Clerk, and bearing the seal of the legislative body under the following words: "This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map adopted (date of adoption of map being replaced) as part of the Shelby County Zoning Regulations."

Unless the prior Official Zoning Map has been lost, or has been totally destroyed, the prior map or any significant parts thereof remaining shall be preserved, together with all available records pertaining to its adoption or amendment.

### **Section 620 Interpretation of Zone Boundaries**

Boundaries of zones established under provisions of these Regulations are shown on the County Zoning Maps on file in the Office of the City Clerk, Shelbyville, Kentucky, the Office of the City Clerk, Simpsonville, and in the Office of the Shelby County Clerk, Kentucky.

The following rules shall be used to interpret the exact location of the zone boundaries shown on the County Zoning Maps:

- a. Where a zone boundary follows a street or railroad the centerline of the street or railroad right-of-way is the boundary of the zone.
- b. Where a zone boundary approximately follows a lot or property line, that line is the boundary of the zone.
- c. Boundaries indicated as approximately following city corporation limits shall be construed as following such corporation line.
- d. Where a zone boundary follows a stream or the shore of a body of water, that stream or shore line is the boundary of that zone.
- e. Where a zone boundary does not clearly follow any of the features mentioned above, its exact location on the ground shall be determined by measurement according to the map scale.

- f. All questions not covered by 620(a) through 620(e) concerning the exact location of any zone boundary line or portion thereof, shall be determined by the Board of Zoning Adjustment.

Where a zone boundary line on the County Zoning Map divides a lot of single ownership which was recorded at the time of enactment of these Regulations, the Board of Zoning Adjustment may permit the extension of the Regulations for either portion of the lot a distance not to exceed fifty (50) feet into the remaining portion of the lot.

Whenever any street, alley, public way, or public easement is vacated through legal action, the abutting zones shall be extended, depending on the land to which the vacated lands revert.

### **Section 630 Rezoning for Unincorporated Land**

In case any area hereafter becomes a part of the unincorporated land area of Shelby County as a result of the dissolution of an incorporated city or by any other means, the Triple S Planning Commission shall initiate the amendment procedure to assign such area to a zone. The Triple S Planning Commission shall consider such an amendment during the first amendment meeting at which it is eligible for consideration. Zoning permits shall not be issued for such area until it is assigned to a zone.

### **Section 640 Zones/Districts Established**

The following zoning district classifications are established for the County of Shelby, Kentucky and their environs:

A	Agricultural
ROS	Recreational/Open Space
RE	Residential Estates
R-1	Residential - Very Low Density
R-2	Residential - Low Density
R-3	Residential - Medium Density
R-4	Residential - Multi-Family
MHP	Mobile Home Park
C-1	Commercial - Central Business District (Downtown)
C-2	Commercial - Neighborhood
C-3	Commercial - General
C-4	Highway Commercial
P-1	Professional - Limited Office
P-2	Professional - General Usage
X-1	Limited Interchange
X-2	General Interchange Commercial
I-1	Industrial - Light
I-2	Industrial - Heavy
F/C	Flood Plain/Conservation Zone

### **Section 641 Expressly Prohibited Uses in Shelbyville, Simpsonville, and Shelby County**

Hazardous and inert waste storage, incineration, landfills, storage and/or handling of any type and mining of any type are expressly prohibited in the City limits of Shelbyville, Simpsonville, and Shelby County.

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## **Section 650 Agricultural Districts**

The intent of the Agricultural District is to preserve, promote and protect the rural character of the land, including agricultural uses, significant natural features, wooded areas, the water courses, and to minimize erosion of soil, siltation and pollution of streams and lakes.

## **Section 652 Agricultural District (A)**

The purpose of the Agricultural District (A) is to maintain the agricultural endeavors within the unincorporated areas of Shelby County.

1. Principal Permitted Uses
  - a. Land used exclusively for agricultural endeavors
  - b. Agricultural use services
  - c. Hunting, trapping, wildlife refuge, forestry
  - d. Single family detached dwelling
  - e. One mobile home as principal residence on a tract of land of at least fifteen (15) acres minimum, maximum one (1) mobile home per farm (see Section 910)
  - f. Agricultural Home Occupations (As defined)
  - g. Production and storage of distilled spirits for human consumption<sup>1</sup>
    - 1) At least twenty-five percent (25%) of the property shall be dedicated to agricultural uses as defined in KRS Chapter 100 and/or preserved as a conservation area.
    - 2) The total combined lot area shall be not less than 100 acres.
    - 3) The maximum building footprint for any single structure shall not exceed 60,000 square feet.
    - 4) The maximum allowed building height shall be 72 feet.
    - 5) Storage of distilled spirits shall be allowed only if a distillery is located on the same property or adjacent property within 24 months of commencement of storage.
    - 6) Facility tours, visitors centers, food service operations, restaurant, and the sale of products produced on site and complementary products directly to consumers are permitted.
    - 7) Festivals or similar public gatherings which serve to promote the sale of locally-produced products are permitted, provided any single event shall not exceed fifty-six (56) continuous hours in length.
    - 8) A Traffic Impact Study prepared in accordance with Article XVII of these regulations shall be submitted to the Planning Commission.
    - 9) Development Plan Approval:

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<sup>1</sup> This permitted use added March 2014 by Shelby County Fiscal Court.

Prior to issuance of a zoning permit for any structure, the applicant shall submit a development plan for review by the Planning Commission. The contents of the plan shall be the same as those required for a Final Development Plan set forth in Section 1340 of these regulations. The review by the Planning Commission shall be limited to a determination of compliance with the specific requirements of this Section 652. The Planning Commission shall conduct the review as a public hearing after giving written notice by certified mail with return receipt requested at least 14 days in advance of the hearing to adjoining property owners. Records maintained by the property valuation administrator may be relied upon conclusively to determine the identity and address of the owner. The Planning Commission shall approve any development plan that meets the specific requirements of this Section 652.

2. Conditionally Permitted Uses

- a. Non-profit or private facilities, such as schools, churches, cemeteries, libraries, parks
- b. Airports and/or private landing strips for the land owners use only
- c. Veterinarian clinics
- d. Wireless transmitting stations
- e. Municipal, county, state, and federal buildings
- f. Agricultural Community Farm
  - 1) Farmers Market – refers to any activity where the farmer sells agricultural, value added agricultural products, and complementary products primarily in Shelby County directly to consumers at a stand located on or near the farm.
  - 2) Farm tours with the primary activity of promoting, educating, and selling to the public, agricultural, value added agricultural products, and complimentary products produced primarily in Shelby County and Kentucky.
  - 3) A restaurant owned and operated/managed by the farm owner who resides thereon and sells to the public agricultural, value added agricultural products, and complimentary products produced primarily in Shelby County and Kentucky.
  - 4) Rental of booths or similar space owned and operated/managed by the farm owner who resides thereon and is actively involved in the farming operation. The space rented shall be of a short term nature and be used to substantially promote the agricultural operation. The assembly shall also be subject to any pertinent local and state regulations.
  - 5) Festivals or similar public gatherings held on an Agricultural Community Farm shall which serve to promote the sale of locally produced agricultural and/or Agricultural value-added products. Such events shall be permitted event-by-event. The event shall not exceed fifty-six (56) continuous hours in length.
- g. Recreational facilities, including playgrounds, golf courses, country clubs, sportsman's farms, riding stables, fishing lakes, private clubs, and RV parks (See

Article IX) but not including amusement parks and other commercial endeavors which require large amounts of construction or equipment or which are incompatible with a rural atmosphere.

- h. Bed and breakfast occupied by the owner or manager serving only breakfast to guests only.

3. Permitted Accessory Uses

- a. Accessory uses in connection with agriculture, such as tenant homes and single-family dwellings, for occupancy by full-time employees of the farm operation, agriculture structures, stables, and parking areas
- b. Roadside stands offering for sale only agricultural products grown on the premises and on-premise signs advertising such stands according to standards in Article XI.
- c. Keeping of roomers or boarders by a resident family
- d. Swimming pools and tennis courts for private use
- e. Horse training track, boarding of horses, riding classes

4. Development Standards

Unless otherwise provided in this Section 652, the following development standards shall apply:<sup>2</sup>

Minimum lot area: 5 acres

(Exception Per KRS 100:111 22 One (1) tract that would be the first division from a farm since 1961, a minimum two (2) acres, 250 feet of road frontage and meet the 4 to1 ratio shall not require plat approval.)

Minimum lot area for singular mobile home: 15 acres

Minimum width at building line: 250'

Minimum road frontage: 5 to 10 acres  
250 feet of road frontage, shall meet 4 to 1 ratio at front property line.

10 to 15 acres  
250 feet of road frontage, no part of the tract shall be less than the minimum.

Over 15 acres 100 feet of road frontage, no part shall be less than the minimum.

Minimum front yard: 100' from front property

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<sup>2</sup> This passage added March 2014 by Shelby County Fiscal Court.

	line
Minimum side yard (each side):	25'
Minimum rear yard:	25'
Maximum building height (see definition 18):	36' or 3 stories
Signs:	See Article XI
Parking:	See Article X
Minimum size lot on septic tank in the agricultural district shall be two (2) acres.	

**Section 654 Recreational/Open Space (ROS)**

This zone is to designate areas of the city for parks, recreation and open space so as to provide the necessary and desirable recreation activities in the community.

1. Principal Permitted Uses

- a. Recreational uses and equipment necessary for recreational activities
- b. Storage buildings necessary for mechanical equipment, storage, and maintenance equipment
- c. Swimming pools
- d. Shelter structures

2. Conditionally Permitted Uses

- a. Retaining walls
- b. Signs limited to thirty (30) square feet
- c. Necessary utilities
- d. Off-street parking
- e. Dwelling of caretaker or administrator
- f. Museum and other temporary exhibits

3. Development Standards

Minimum lot area:	none
Maximum building height:	35'



## **Section 660 Residential Districts**

The purpose of residential districts is to establish and preserve single and multifamily home neighborhoods as desired by large numbers of people free from other uses except those which are both compatible with and convenient to the residents of such a district. The following regulations shall apply in all residential districts:

1. Principle Permitted Uses
  - a. Single-family dwellings
2. Accessory Structures and Uses Permitted
  - a. Private swimming pools. The pool or the lot must be fenced to prevent access of children.
  - b. Garage or other buildings not used as a dwelling and accessory to the principal use.
  - c. Home occupations
  - d. Signs as permitted in Article XI.
3. Conditional Uses
  - a. The following non-profit public or private facilities are Conditional Uses and must comply with Section 430 of these Regulations; schools, churches, and other places of worship, parish houses, hospitals, nursing homes, fraternities, public libraries, parks, recreational facilities as defined in Section 652(2g), municipal, county, state or federal use, public utilities, funeral homes, cemeteries, philanthropic institutions and clubs, except a club in which the chief activity is customarily carried on as a business, animal or poultry farms, group homes, greenhouses and kennels.
  - b. Renting of sleeping rooms. Three (3) sleeping rooms are the maximum that shall be rented in any building.
  - c. Bed and Breakfast (see 664.2(h)).
4. Planned-Unit Development - project for residential use only. The procedure under Article XII, Sections 1200-1240 shall be followed.

## **Section 662 Residential Estates (RE)**

Minimum lot size of one (1) acre on septic tank type sewage.

1. Principle Permitted Uses
  - a. Detached single-family dwellings on septic tank type sewage
2. Conditionally Permitted Uses
  - a. Churches, parish houses and other places of worship
  - b. Public parks, non-commercial private recreational areas and other public facilities of non-commercial nature
  - c. Public libraries and public schools

- d. Bed and breakfast occupied by the owner or manager serving only breakfast to guests only

3. Accessory Uses

Accessory uses and buildings may be permitted only as customarily incidental to any of the permitted and conditionally permitted uses listed above.

4. Development Standards

Minimum lot area:	43,560 sq. ft.
Minimum lot width at the building line:	100'
Minimum Front Yard:	100' from centerline of roadway
Minimum side yard (each side):	25'
Minimum rear yard:	25'
Maximum building height:	36' or 3 Stories

**Section 664 Very Low Density Residential District (R-1)**

The low density residential classification is a restrictive residential district. The principal land use in this district is for single-family dwellings and for associated religious, recreational, educational and public facilities necessary to provide for a balanced and attractive low density residential area. Lands in this district are intended to be protected from encroachment of uses detrimental to and not performing a function appropriate to the residential environment.

1. Principal Permitted Uses

- a. Detached single-family dwellings on sewer line.

2. Conditionally Permitted Uses

The following uses are special exceptions and require written approval of the Board of Zoning Adjustment. The Board may attach certain conditions to its approval which it feels are necessary to preserve and protect the character of the district in which the proposed use would locate.

- a. Churches, parish houses and other places of worship
- b. Public libraries and public schools
- c. Public parks, noncommercial private recreational areas and other public facilities of a noncommercial nature
- d. Funeral homes and cemeteries
- e. Hospitals and clinics for human care, nursing and convalescent homes
- f. Philanthropic institutions and clubs, except a club which is customarily carried on as a business
- g. Noncommercial kennel on the premises of a residence occupied by the owner or

tenant as a dwelling.

- h. Bed and breakfast occupied by the owner or manager serving only breakfast to guests only.

3. Accessory Uses

Accessory uses and buildings may be permitted only as customarily incidental to any of the permitted and conditionally permitted uses listed above.

4. Development Standards

Minimum lot area on sewer:	12,500 sq. ft.
Minimum lot width at the building line:	75'
Minimum front yard:	30'
Minimum side yard (each side):	15'
Minimum rear yard :	25'
Maximum building height:	36' or 3 stories
Signs:	See Article XI
Parking:	See Article X

**Section 665 Low Density Residential District (R-2)**

1. Principal Permitted Uses

- a. Single-family dwellings
- b. Two-family dwellings
- c. All other uses permitted in Residential Estates (RE) and the Very Low Density Residential (R-1) District
- d. Agricultural Uses as permitted in the Very Low Density (R-1) District

2. Conditionally Permitted Uses

- a. The following uses are conditional uses and require a conditional use permit as stipulated in Article IV, Section 435 of these Regulations; all conditional uses permitted in R-1; funeral homes and mortuaries; and townhouses not exceeding two (2) units per building.

3. Development Standards

Minimum lot area on sewer:	8,500 sq. ft. per unit; 10,500 for duplex
Minimum lot width:	75'
Minimum front yard:	30'

Minimum side yard (each side):	12'
Minimum rear yard:	25'
Maximum lot coverage:	30%

**Section 666 Medium Density Residential District (R-3)**

The Medium Density Residential District is intended to provide for medium population density. Single-family dwelling units are the principal uses permitted along with the associated uses referred to in Section 664 as being necessary to provide a balanced and attractive residential area. The purpose of this district is the same as that of the R-1, Low Density Residential District except that two-family, detached, dwelling units are permitted.

1. Principal Permitted Uses

- a. Detached single-family dwellings
- b. Detached two-family dwellings
- c. Multi-family up to twelve (12) units per acre

2. Conditionally Permitted Uses

- a. Any use conditionally permitted in an R-1 residential district and subject to the requirements thereof as provided in Section 664.

3. Accessory Uses

Accessory uses and buildings may be permitted as customarily incidental to any of the principal and conditionally permitted uses listed above.

4. Development Standards

Minimum lot area on sewer:	7,500 sq. ft. for single-family; 10,000 sq. ft. for two-family dwellings; add 2,500 sq. ft. per multi-family unit
Minimum lot width at building line:	60' for one-family; 75' for two-family dwellings; over two family 90'
Minimum front yard:	25'
Minimum side yard (each side):	7'
Minimum rear yard :	25'
Maximum building height:	36' or 3 stories
Maximum lot coverage:	30%
Signs:	See Article XI
Parking:	See Article X

Buffer Zone:

See Article XV

**Section 667 Multi-family Residential District (R-4)**

This residential district provides for medium and high population density. The principal use of land may include two-family residential units to multi-family dwellings. Uses are also permitted on a conditional or accessory basis that complement the more intense residential use that is intended in an R-3 district.

1. Principal Permitted Uses

- a. Detached single-family dwellings
- b. Detached two-family dwellings
- c. Multi-family dwellings including town houses, condominiums, rooming and boarding houses and tourist homes

2. Conditionally Permitted Uses

- a. Any use conditionally permitted in an R-1 residential district and subject to the requirements thereof as provided in Section 664(2)
- b. Private nursery, day school, kindergarten and child care center

3. Accessory Uses

Accessory uses and buildings may be permitted as customarily incidental to any of the permitted and conditionally permitted uses listed above.

4. Development Standards

Minimum lot area on sewer:	5,000 sq. ft. for single-family; 7,500 sq. ft. for two-family; 5,000 sq. ft. for 1st unit + 2,000 sq. ft. for each additional unit for multi-family dwellings
Minimum lot width at building line:	50' for one-family; 70' for two-family; 80' for multi-family dwellings
Minimum front yard:	25'
Minimum side yard (each side):	7'
Minimum rear yard:	15'
Maximum Building Height:	36' or 3 stories
Signs:	See Article XI
Parking:	See Article X
Buffer Zones:	See Article XV

**Section 669 Mobile Home Parks (MHP)**

See Article IX

## **Section 670 Business Districts**

Accommodate existing and future business development in such locations and with such regulations so as to provide availability and accessibility for the success of business operations, to encourage the development of new business at appropriate locations and to preserve and protect existing and future development of non-business uses of access points, service roads, parking and loading areas, screening, and other regulations.

## **Section 672 Central Business District (C-1)**

The Central Business District is intended for the conduct of retail business and for personal and business service for the city and its trade area. It is the most intensely developed district and contains stores and services for all areas of the city, requiring a high degree of internal interaction that demands close proximity and freedom of movement by pedestrians within the District.

### **1. Principal Permitted Uses**

Any consumer and personal service establishments such as, but not limited to, the following:

Shoe repair shops, drug stores, hardware stores, barber and beauty shops, clothing stores, banks and other financial institutions, hotels, office buildings, walk-in restaurants, pool rooms, gift shops and variety stores, printing shops, jewelry stores, mail-order houses, radio and television studios, and health center.

Dry cleaning establishments are permitted, provided that establishments meet all fire code requirements; have installed venting which assures dispersion of all obnoxious fumes and odors at least twenty-five (25) feet above the street level or five (5) feet above the roof level of the highest adjoining building, whichever is the higher; use only nonflammable solvents as specified by the Underwriters' Laboratory, Incorporated, receive and disburse merchandise for processing on the premises; and provide at least two (2) off-street parking spaces for customers.

In no case, shall the following uses be permitted within the Central Business District:

New or used car sales, farm implement sales, trailer sales, drive-in theaters, drive-in restaurants, or any other similar uses which the Board of Zoning Adjustment determines to be detrimental to the district as a pedestrian-oriented retail consumer-service district.

### **2. Conditionally Permitted Uses**

The following uses are special exceptions and require written approval of the Board of Zoning Adjustment:

Churches and other places of worship; parish houses; public libraries; passive recreation and/or public parks, service stations, municipal county, state and federal buildings, public utilities; funeral homes; hospitals and clinics for human care, philanthropic institutions and clubs, including a club of which the chief activity is customarily carried on as a business; use of upper floors as residential dwellings by the owner of the business on the lower floors, the owner of the building, or as rental property, provided there are not any mixed floor uses within the building and a development plan has been submitted and approved.

The Board of Zoning Adjustment may attach certain conditions to its approval which it feels are necessary to preserve and protect the character of the district in which the proposed use would locate.

3. Accessory Uses

Any accessory use or building customarily incidental to the above permitted uses is permitted.

4. Required Conditions

All permitted and conditionally permitted uses within the Central Business District shall be conducted wholly within an enclosed building except for off-street parking and loading facilities provided for under Article X of these regulations.

5. Development Standards

Minimum lot area on sewer:	None
Minimum yard requirements:	None
Maximum building height:	36' or 3 stories
Signs:	See Article XI
Parking:	See Article X
Buffer Zones:	See Article XV
Lighting, Noise, Odor:	See Article XVI

**Section 674 Neighborhood Business District (C-2)**

The purpose of the Neighborhood Business District is to provide retail stores and personal service outlets to meet the need of the people in adjacent or nearby residential areas for convenient services. These districts are closely related to residential districts but they are also commercial areas that generate activities that can be disruptive in residential areas unless they are properly regulated. The intent of these Regulations is to make the C-2 districts as compatible as possible with associated residential districts while permitting commercial activity.

1. Principal Permitted Uses

Any convenience-type retail business or service establishments such as, but not limited to, the following:

Groceries, drug stores, shoe repair shops, hardware store, barber and beauty shops, clothing shops, banks and finance companies, walk-in restaurants, drive-in (drive-thru) restaurants, self-service laundries, convenience type stores, theaters, places of amusement and assembly, car washes and antique shops. Any other retail business or service establishment which is determined by the Board of Zoning Adjustment to be of the same general character as the above mentioned uses.

Any retail or wholesale business or service (except warehouses), including the making of articles to be sold at retail on the premises; manufacturing incidental to a retail business or service where the products are sold principally on the premises by the producer to the consumer and where not more than five persons are employed in such manufacture; provided further, however, that the following uses shall not be permitted: auto wrecking; coal or lumber yards; dairy; electric welding; gasoline, oil or alcohol storage above the ground in excess of five hundred (500) gallons; grist or flour mill; junk, scrap paper or rag storage; baling; laundry or bakery employing more than five persons; machine shop, slaughter house or stock yard; tinsmith shop; or sheet metal works; or any other use which in the opinion of the Board of Zoning Adjustment would be injurious because of



offensive fumes, odors, noises, dust, vibrations or other objectionable features, or hazardous to the community and/or county on account of danger of fire or explosion, even when conducted under safeguards.

2. Conditionally Permitted Uses

The following uses are special exceptions and require written approval of the Board of Zoning Adjustment:

Churches and other places of worship; parish houses; public libraries; public schools; parks, and noncommercial public recreational facilities; public utilities; funeral homes; cemeteries; nursing homes, hospitals and clinics for human care, philanthropic institutions and clubs, including a club of which the chief activity is customarily carried on as a business.

The Board of Zoning Adjustment may attach certain conditions to its approval which it feels are necessary to preserve and protect the character of the district in which the proposed use would locate.

3. Accessory Uses

Any accessory use or building customarily incidental to the above permitted uses is permitted, including dwelling units occupying the same building as the principal commercial use and being for use by the owner and/or operator of the permitted commercial use.

4. Required Conditions

a. Screening: Where a side lot line is shared with an adjoining residential lot, a well-maintained compact hedge, a solid fence or similar solid screening device at least six (6) feet in height shall be installed by the property/business owner or the developer to screen the business use from the adjoining lot in the residential district. The screen shall begin at the front building line and extend along the common side lot line to the rear property line.

b. Access to Highways and Streets: In all commercial zones, points of access to highways and streets shall be controlled by the Planning Commission and by Article VIII, Section 820 of these Regulations. Before any building permit for any structure in a C-2 district may be issued the prospective builder or operator of the proposed C-2 activity shall submit a sketch of the layout and design of the proposed structure and/or use and its access points to the highway and/or street to the Planning Commission. The Planning Commission may require that when two or more consumer commercial establishments adjoin along one side of any street or highway that they share access points to the street. When more than four consumer commercial establishments adjoin along any highway or street, a road parallel to the highway or street may be built, at the expense of all adjoining consumer commercial establishments, to provide service to all consumer commercial establishments on the same side of the street or highway. This road shall have access to the highway or street at no more than two points for every four consumer commercial establishments. The provisions of Article VIII of these Regulations shall also apply in a C-2 district. Parking and off-street loading requirements are provided in Article X of these regulations.

5. Development Standards

Minimum lot area on sewer: None  
Minimum lot frontage: 60'

Minimum front yard:	25', or one-half of the street right-of-way, whichever is greater
Minimum side yard:	If adjacent to residential district, must comply with adjacent district's requirements
Minimum rear yard:	Same as side yard
Maximum building height:	36' or 3 stories
Signs:	See Article XI
Parking:	See Article X
Buffer Zones:	See Article XV
Lighting, Noise, Odor:	See Article XVI

### **Section 676 General Commercial District (C-3)**

The C-3 zone is for the conduct of retail sales and personal business oriented to vehicles and vehicular travel primarily on major streets, roads and arterials. Characteristically, the District is centering about major road intersections and along arterial routes. Travel within the District is mainly by way of private automobile.

1. Principal Permitted Uses

- a. Any uses in the Neighborhood Business District (C-2).
- b. New or used car sales, farm implement sales, trailer sales, drive-in theaters, drive-in restaurants, or any other similar uses.

2. Conditionally Permitted Uses

The following uses are special exceptions and require written approval of the Board of Zoning Adjustment:

Churches and other places of worship; public libraries; public parks, and commercial public recreational facilities; public utilities; funeral homes; cemeteries; roadside stands and clubs, including a club of which the chief activity is customarily carried on as a business; dwelling units occupying the same building as the principal commercial use and being for the use of the owner and/or operator of the permitted commercial use; mobile home park; mobile home subdivision; recreational vehicle park, and recycling pick-up/center.

The Board of Zoning Adjustment may attach certain conditions to its approval which it feels are necessary to preserve and protect the character of the district in which the proposed use would locate.

3. Accessory Uses

Any accessory use or building customarily incidental to the above permitted uses is permitted.

4. Special Use

A Planned Unit Development for highway business shall be permitted as a special use in conformance with Article XII of these Regulations.

5. Required Conditions

Same as the required conditions for the C-2 District.

6. Development Standards

Minimum lot area on sewer:	none
Minimum lot frontage:	100'
Minimum front yard:	25', or one-half of the street right-of-way, whichever is greater
Minimum side yard:	If adjacent to residential district, must comply with adjacent district's requirements
Minimum rear yard (each side):	Same as side yard
Maximum building height:	36' or 3 stories
Signs:	See Article XI
Parking:	See Article X
Buffer Zones:	See Article XV
Lighting, Noise, Odor:	See Article XVI

**Section 678 Highway Commercial (C-4)**

The Highway Commercial Zone (C-4) is for the conduct of retail sales activities as described in C-1, C-2, and C-3 districts. Residential uses including multi-family uses may be allowed in this zone provided a plan for such use is acceptable.

1. Principal Permitted Uses

- a. Any consumer and personal service established as indicated in the C-1, C-2, and C-3, and planned shopping center districts, but limited to the uses mentioned above.

2. Conditionally Permitted Uses

- a. The following uses are special exceptions and require written approval of the Board of zoning Adjustment:  
  
Churches and other places of worship; parish houses; public libraries; public schools; parks, and non-commercial public recreational facilities; public utilities; funeral homes; cemeteries; nurses' homes, hospitals and clinics for human care, philanthropic institutions and clubs, including a club of which the chief activity is customarily carried on as a business.

The Board of Zoning Adjustment may attach certain conditions to its approval which it feels are necessary to preserve and protect the character of the zone in which the proposed use would locate.

3. Accessory Uses

Any accessory use or building customarily incidental to the above permitted uses is permitted, including dwelling units occupying the same building as the principal commercial use and being for use by the owner and/or operator of the permitted commercial use.

4. Required Conditions

- a. Screening: Where a side lot line is shared with an adjoining residential lot, a well-maintained compact hedge, a solid fence or similar solid screening device at least six (6) feet in height shall be installed by the property/business owner or the developer to screen the business use from the adjoining lot in the residential zone. The screen shall begin at the front building line and extend along the common side lot line to the rear property line. The Triple S Planning Commission holds the right to invoke a more stringent buffering zone if a potential threat to the health, safety, welfare and morals of the general public exists.
- b. Access to Highways and Streets: In all commercial zones, points of access to highways and streets shall be controlled by the Triple S Planning Commission and by Article VIII, Section 820, of these Regulations. Before any zoning permit for any structure in a C-4 zone may be issued the prospective builder or operator of the proposed C-4 activity shall submit a sketch of the layout and design of the proposed structure and/or use and its access points to the highway and/or street to the Triple S Planning Commission. The Triple S Planning Commission may require that when two or more consumer commercial establishments adjoin along one side of any street or highway that they share access points to the street. When more than four (4) consumer commercial establishments adjoin along any highway or street, a road parallel to the highway or street may be built, at the expense of all adjoining consumer commercial establishments, to provide service to all consumer commercial establishments on the same side of the street or highway. This road shall have access to the highway or street at no more than two (2) points for every four (4) consumer commercial establishments. The provisions of Article VIII of these Regulations shall also apply in a C-4 zone. Parking and off-street loading requirements are provided in Article X of these regulations.

5. Development Standards

Minimum lot area on sewer:	None
Minimum lot frontage:	100'
Minimum front yard:	35', or one-half of the street-right-of-way, whichever is greater
Minimum side yard:	If adjacent to a residential district, must comply with adjacent district's requirements
Minimum rear yard (each side):	Same as side yard
Maximum bldg. height:	36' or 3 stories

Signs:	See Article XI
Parking:	See Article X
Buffer Zones:	See Article XV
Lighting, Noise, Odor:	See Article XVI

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**Section 680 Professional Districts**

The Professional Zones were established to provide for professional offices, limited personal service businesses, and for community oriented public and private facilities in urban areas.

**Section 681 Professional (P-1) Limited Office**

1. Principal Permitted Uses

- a. Offices devoted to business management and professional services.
- b. Banks, building and loan companies, savings and loan companies, and similar financial institutions
- c. Design offices, studios, offices to facilitate architects, engineers, planners, interior designers and graphic artists, but not limited to the above.

2. Conditionally Permitted Uses

The following uses are special exceptions and require written approval of the Board of Zoning Adjustment.

- a. Business and personal services of a type and nature clearly supplementary to and complementing the principal uses permitted, and in the same building with said principal use, such as medical laboratories, office supply and equipment repair shops and services, pharmacies, restaurants and similar uses; provided, that said business and personal services shall be conducted primarily for the convenience of the principal permitted uses and that all the entrances to such service establishments shall be from within the building in which located.

3. Accessory Uses

Any accessory use or building customarily incidental to the above permitted and conditionally permitted uses.

4. Special Uses

A planned unit development (PUD) for professional limited office space shall be permitted as a special use in conformance with Article VII of these Regulations.

5. Required Conditions

- a. Loading Docks: No loading dock shall be constructed fronting on any public street or roadway.
- b. Storage Facilities: No materials or supplies shall be stored or permitted to remain on any part of the property outside the buildings constructed thereon without proper screening and adequate distances from adjoining properties.
- c. Buffer requirement must meet the conditions set forth in Article XV.

6. Development Standards

Minimum lot area on sewer:	22,500 sq. ft.
Minimum lot frontage:	100'
Minimum front yard:	50', or one-half of the

	street right-of-way, which ever is greater
Minimum side yard (each side):	15' minimum; 35' if adjacent to a residential zone
Minimum rear yard:	35' minimum; 50' if adjacent to a residential zone
Maximum building height:	36' or three (3) stories
Signs:	See Article XI
Parking:	See Article X
Buffer Zones:	See Article XV
Lighting, Noise, Odor:	See Article XVI

## **Section 682 Professional (P-2) General Usage**

### 1. Principal Permitted Uses

- a. Any use permitted in the Professional Limited Office (P-1) Zone.
- b. Clinics - medical or dental offices, medical or dental laboratories.
- c. Public/Government buildings - police and fire stations, community buildings and recreation centers.
- d. Personal health care services - beauty shops, barber shops, exercise and leisure facilities.

### 2. Conditionally Permitted Uses

The following uses are special exceptions and require written approval of the Board of Zoning Adjustment.

- a. Business and personal services of a type and nature clearly supplementary to and complementing the principal uses permitted, and in the same building with said principal use, such as office supply and equipment repair shops and services, pharmacies, restaurants and similar uses; provided, that said business and personal services shall be conducted primarily for the convenience of the principal permitted uses and that all the entrances to such service establishments shall be from within the building in which located.

### 3. Accessory Uses

Any accessory use or building customarily incidental to the above permitted and conditionally permitted uses.

### 4. Special Uses

A planned unit development (PUD) for professional limited office space shall be permitted as a special use in conformance with Article VII of these Regulations.



5. Required Conditions

- a. Loading Docks: No loading dock shall be constructed fronting on any public street or roadway.
- b. Storage Facilities: No materials or supplies shall be stored or permitted to remain on any part of the property outside the buildings constructed thereon without proper screening and adequate distances from adjoining properties.
- c. Buffer Zones - See Article XV

6. Development Standards

Minimum lot area on sewer:	22,500 sq. ft.
Minimum lot frontage:	100'
Minimum front yard:	50', or one-half of the street right-of-way, which ever is greater
Minimum side yard (each side):	35' minimum; 40' if adjacent to a residential zone
Minimum rear yard:	35' minimum; 50' if adjacent to a residential zone
Maximum building height:	36' or three (3) stories
Signs:	See Article XI
Parking:	See Article X
Buffer Zones:	See Article XV
Lighting, Noise, Odor:	See Article XVI

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## Section 683 Interchange Zones

Zones with uses that are adjacent and near to interstate highways.

## Section 684 Limited Interchange Zones (X-1)

Zones adjacent to and near interstate interchanges consisting of hotels, motels, restaurants, shopping centers, theaters, wholesale centers, outlet malls, recreational facilities, service stations, flea and farmers markets and similar uses. Interchange commercial districts should have more permissive signage regulations than commercial districts.

### 1. Principal Permitted Uses

- a. Agriculture.
- b. Agricultural structures
- c. Farm dwellings
- d. Recreational facilities
- e. Commercial centers and complementary uses as determined by the Triple S Planning Commission

### 2. Conditionally Permitted Uses

- a. Commercial subdivisions
- b. Automobile, vehicle, machinery and/or material recyclers as defined in KRS 177.905

#### Conditionally Permitted Uses (City of Simpsonville)

The conditionally permitted uses listed in Table 6.01 may be permitted in the X-1 district.

### 3. Special Regulations

- a. The effect of a planned-development project on surrounding uses shall be considered in determining its approval or disapproval.
- b. The Triple S Planning Commission shall require the dedication or reservation of rights-of-way as authorized to provide access to interior land in interchange zones. Streets providing this interior access shall be spaced according to the standard defined by Section 870 of these Regulations.
- c. Planned Unit Development project for any uses except heavy industry. The procedure under Article XII, Section 1210 shall be followed.
- d. Buffering as required in Article XV.

### 4. Development Standards

Minimum lot area on sewer:	30,000 sq. ft.
Minimum lot frontage:	150'
Minimum front yard:	75', or one-half of the

	street right-of-way, whichever is greater
Minimum side yard:	25' minimum, 50' if adjacent to Residential or Agricultural
Minimum rear yard:	50' minimum; 75' if adjacent to a residential zone
Maximum building height:	36' or three (3) stories
Signs:	See Article XI
Parking:	See Article X
Buffer Zones:	See Article XV
Lighting, Noise, Odor:	See Article XVI

### **Section 685 General Interchange Zones (X-2)**

Zones adjacent to interstate interchanges utilizing the uses as stipulated in the Limited Interchange Zone (X-1), but may also include truck stops, mobile homes sales lots, warehousing and distribution centers.

1. Principal Permitted Uses
  - a. All uses permitted in the Limited Interchange (X-1) Zone
  - b. Various types of light industry as approved by the Triple S Planning Commission. These various types of light industries cannot create obnoxious noise, odors, glare, or other types of pollutants that may be considered hazardous to the health, safety, welfare and morals of the general public.
2. Conditionally Permitted Uses
  - a. Commercial subdivisions
  - b. Automobile, vehicle, machinery and/or material recyclers as defined in KRS 177.905
3. Special Regulations
  - a. The effect of a planned-development project on surrounding uses shall be considered in determining its approval or disapproval.
  - b. The Triple S Planning Commission shall require the dedication or reservation of rights-of-way as authorized to provide access to interior land in interchange zones. Streets providing this interior access shall be spaced according to the standard defined by Section 870 of these Regulations.
  - c. Buffering as required in Article XV.
4. Development Standards

Minimum lot area on sewer: 40,000 sq. ft.

Minimum lot frontage:	150'
Minimum front yard:	75' or one half of the street right-of-way, whichever is greater
Minimum side yard:	25' minimum, 50' if adjacent to Residential or Agricultural
Minimum rear yard:	50' minimum, 75' if adjacent to a residential zone
Signs:	See Article XI
Parking:	See Article X
Buffer:	See Article XV
Lighting, Noise, Odor:	See Article XVI

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## **Section 686 Industrial Districts**

### **Section 687 Light Industrial District (I-1)**

The Light Industrial District is primarily intended for production and assembly plants and industrial operations or services that are conducted in such a manner that noise, odor, dust, glare and vibration produced is essentially contained within the premises. These activities shall not: 1) present any significant on-site release or discharge of pollutants including but not limited to, odor, noise, dust, smoke, contaminants, hazardous substances, wastewater, vibrations, waste, recycled materials into the environment including, without limitation to, the air, water, or land, regardless or approval of Federal, State, or Local agencies, and 2) have any negative off-site environmental effects, and 3) require visible outdoor storage or large amounts of water or wastewater treatment operations.

Light industry excludes those industries which are required to obtain a hazardous waste treatment storage or disposal permit pursuant to the Resource Conservation Act (RCRA), 42 U.S.C. Section 9601 et seq. or State statutes promulgated in lieu thereof. In determining which industries are excluded from light industrial districts according to the above referenced standards, the Planning Commission shall take into account the presence, storage, treatment, recycling, or disposal of any hazardous substance as defined by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. Section 9601 et seq., or hazardous waste as defined by the RCRA or State statutes promulgated in lieu thereof.

1. Principal Permitted Uses - as interpreted by the Administrative Official, but not limited to the following:

Adding machine manufacture; artificial flower manufacture; automobile assembly; automobile rental agency; automobile, trailer and farm implement dealers; animal hospitals, veterinary clinic and associated kennels; baggage transfer, storage and warehouse; bakery; bottling works and beverage manufacture; bicycle and motorcycle repair; blacksmith; book publishing; boot and shoe manufacture; broom manufacture; building materials yard; cabinet maker; candy manufacture; canning and preserving factory; cap and hat manufacture; carpenter shop; carpet cleaning; car wash; chicken hatchery; cigar and cigarette manufacture; coal yard; coffin and concrete burial vault manufacture; cold storage warehouses; condensed milk manufacture; contractors' storage yard; cosmetic manufacture; creamery; dry goods; wholesale or storage; dyeing and cleaning; electrical supply manufacture; enameling and painting; engraving plant; envelope manufacture; express storage and delivery station; feed, wholesale, flour and grain storage and elevators; food products manufacture; fruit and vegetable drying; fuel distributing station; fuel gas storage; fur warehouse; furniture warehouse or storage; repair garage; garment factory; grocery store, wholesale; ice manufacture; laundry; lumber yard, not including sawmill; moving company and storage facilities; paper box, can, tube and sack manufacture; radio and television manufacture; screw and bolt manufacture; seed company; sheet metal shop; sporting goods manufacture; tinsmith shop; tire manufacture, including recapping plants; warehouses; welding shop; and wood products manufacturing.

2. Conditionally Permitted Uses

The following uses are special exceptions and require written approval of the Board of Zoning Adjustment:

Any industrial, manufacturing, fabrication, processing or industrial service use which the Board of Zoning Adjustment determines would not emit obnoxious noise, odor, smoke, dust, particles, materials, or vibration beyond the confines of its property may be conditionally permitted.

The Board may attach certain conditions to its approval which it feels are necessary to

preserve and protect the character of the zone in which the proposed use could locate.

3. Accessory Uses

Any accessory use or building customarily incidental to the above permitted and conditionally permitted uses.

4. Special Uses

A Planned Unit Development for light industries shall be permitted as a special use in conformance with Article XII of these Regulations.

5. Required Conditions

- a. Yards: On lots adjacent to a residential district, all buildings shall be located so as to provide a minimum yard of one-hundred (100) feet.
- b. Loading Docks: No loading dock shall be constructed fronting on any public street or roadway.
- c. Storage Facilities: No materials or supplies shall be stored or permitted to remain on any part of the property outside the buildings constructed thereon without proper screening and adequate distances from adjoining properties.
- d. Waste Disposal: No waste material or refuse shall be dumped upon or permitted to remain upon any part of an industrial property outside of buildings constructed thereon. In addition, the property shall not be used by an industry whose primary business requires industrial sewerage, unless the governing municipal body authorizes the use of its sewage disposal facilities.
- e. Buffering as required in Article XV.

6. Development Standards

Minimum lot area on sewer:	None
Minimum lot frontage:	100'
Minimum front yard:	40', or one-half of the street right-of-way, whichever is greater
Minimum side yard:	50' minimum; 100' if adjacent to residential zone
	Minimum rear yard: 50' minimum, 100' if adjacent to a residential zone
Maximum building height:	60'
Signs:	See Article XI
Parking:	See Article X
Buffer Zones:	See Article XV



**Section 689 Heavy Industrial District (I-2)**

The Heavy Industrial District is primarily intended for production and assembly plants and industrial operations or services that present: 1) the potential of a significant release or discharge of waste, wastewater, hazardous substances, pollutants or contaminants into the environment including, without limitation air, water, or land, or 2) activities that require a large amount of water and wastewater treatment for operation, and 3) industrial uses with negative off-site environmental effects shall be excluded. Industrial uses with negative off-site lighting, noise and objectionable odor impacts shall be excluded. Heavy Industries should be located in areas with topographic features suitable for such industries and where adequate utilities and transportation are available.

1. Principal Permitted Uses

- a. Any use permitted in the Light Industrial (I-1) District.
- b. Agricultural implement manufacture; airplane repair and manufacture; aluminum manufacture; automobile manufacture; bank equipment manufacture; barrel manufacture; bicycle manufacture; boat manufacture, can manufacture; candle manufacture; cast iron pipe manufacture; casting foundry; celluloid manufacture; concrete plant; corrugated metal manufacture; culvert pipe manufacture; engine manufacture; fixture manufacture; furnace manufacture; furniture manufacture; hardware manufacture; iron (ornamental) works; linoleum manufacture; locomotive manufacture; machine shop; metal products manufacture; motorcycle manufacture; shoe manufacture; structural iron and steel manufacture; tobacco manufacture; tool manufacture; and wire manufacture.

2. Conditionally Permitted Uses

The following uses are special exceptions and require written approval of the Board of Zoning Adjustment:

- a. Abattoirs and meat processing; acid manufacture; acetylene gas manufacture; ammonia manufacture; asphalt manufacture, refining or storage; blast furnace, brick kiln, charcoal manufacture and pulverizing; chemical manufacture, creosote treatment and manufacture; exterminator or insect poison manufacture; fat rendering, fertilizer manufacture; flour and grain milling; gasoline storage, wholesale; junk yards; leather curing and tanning; lime manufacture; monument works; plaster of paris manufacture; quarry works; refuse dump; rock crushing; salvage storage yard; sawmill; scrap iron; storage yard; stock yards; sulphur, sulfuric acid, or derivatives manufacture; tar distillation or manufacture; terra cotta manufacture; wrecking material yard; and coal washing, storage and transfer yards and facilities.

The Board may attach certain conditions, including buffer zones surrounding the entire site, to its approval which it feels are necessary to preserve and protect the character of the zone in which the proposed use would locate.

- b. Any other industrial, manufacturing, fabrication or processing uses which the Board of Zoning Adjustments determines to be non-detrimental to surrounding properties nor possess other characteristics that would be a nuisance to the residents of the city and/or county.

3. Accessory Uses

Any accessory use or building customarily incidental to the above permitted and conditionally permitted uses.

4. Special Use

A Planned Unit Development for heavy industries shall be permitted as a special use in conformance with Article XII of these regulations.

5. Required Conditions

- a. Yards: On lots adjacent to a residential district, all buildings shall be located so as to provide a minimum side and rear yards of one-hundred (100) feet.
- b. Loading Docks: No loading dock shall be constructed fronting on any public street or roadway.
- c. Storage Facilities: No materials or supplies shall be stored or permitted to remain on any part of the property outside the buildings constructed thereon without proper screening and adequate distances from adjoining properties.
- d. Waste Disposal: No waste material or refuse shall be dumped upon or permitted to remain upon any part of an industrial property outside of buildings constructed thereon. In addition, the property shall not be used by an industry whose primary business requires industrial sewerage, unless the governing municipal body authorizes the use of its sewage disposal facilities.
- e. Junk yards, salvage and scrap iron yards and similar uses shall be enclosed by an acceptable fence, wall or other screening not less than six (6) feet in height. The Board of Zoning Adjustment shall determine the acceptability of said screening.

6. Development Standards

Minimum lot area on sewer:	none
Minimum lot frontage:	100'
Minimum front yard:	50', or one-half of the street right-of-way, whichever is greater
Minimum side yard:	50' minimum; 100' if adjacent to residential district
	Minimum rear yard: 50', or 100' if adjacent to a residential district
Maximum building height:	60'
Signs:	See Article XI
Parking:	See Article X
Buffer Zones:	See Article XV
Lighting, Noise, Odor:	See Article XVI

## **Section 690 Floodplain/Conservation District (F/C)**

The Floodplain/Conservation District is an exceptional area for which special regulations have been developed. This district is composed of lands that are subject to being flooded and the special regulations have the purpose of preventing development in the flood plain of buildings and structures that will increase flood heights and damage and preventing excessive property damage and loss of life in areas of greatest flood hazard.

1. Principal Permitted Uses

None

2. Conditionally Permitted Uses

The following uses are permitted in a Floodplain District, subject to the restrictions, limitations and procedures set forth in this Section and in other provisions of these regulations.

- a. Agricultural uses not involving the commercial slaughtering of animals or other operations producing obnoxious odors or noises.
- b. Open-type recreational facilities, either public or private.
- c. Outdoor advertising subject to provisions of Article XI of these regulations.
- d. Temporary uses subject to Article VIII of these regulations.
- e. Any other uses customarily accessory or incidental to the above uses.

3. Restrictions and Limitations in Floodplain Areas

- a. The erection of any structure for residential purposes is prohibited.
- b. No use or structure shall be permitted in a Floodplain District that restricts, impedes or diverts the natural flow of water in the area.
- c. There shall be no filling of land or excavation of land unless and until a certificate shall be issued by the City Engineer, or an equivalent official, and the State Division of Water (if applicable), and approved by the Planning Commission that such filling or excavation does not alter the natural flow of water.

4. Procedure for Development

No building, structure, use or improvement shall be undertaken in a Floodplain District without the prior approval of the Planning Commission or without a Conditional Use Permit issued by the Board of Zoning Adjustment.

- a. A development plan shall be prepared by the applicant and submitted to the Planning Commission for review and approval. Provisions of Article XIII of these regulations pertaining to Development Plans shall be followed.
- b. In reviewing the submitted plan of development, the Planning Commission shall be guided by the following standards:
  - i. Permitted uses shall be of the type not subject to major damage by floods as set forth in Section 690(2).
  - ii. Structures shall be placed on the lot so as to offer no obstruction to the flow of water at the one-hundred (100) year flood plain level.

- iii. Structures shall be firmly anchored to prevent floating away during floods.
  - iv. Topographic data, hydrological data, engineering studies or other special studies may be necessary to determine the effects of flooding on a proposed structure or the effect on the floodway of the structure and the Planning Commission may require that such studies be prepared by competent engineers or other professionals.
  - v. The granting of approval shall not be construed to imply that the action of the City Council, Planning Commission or any of their offices or agencies is a representation, guarantee or warranty of any kind of the practicality or safety of any structure or plan proposed and shall create no liability upon or a cause of action against such public bodies, officers or employees for any damage that may result pursuant thereto.
- c. The Board of Zoning Adjustment shall secure a written recommendation from the Planning Commission setting necessary standards and conditions for the proper operation of the proposed use or structure before issuing the Conditional Use Permit.
  - d. Nothing in these regulations shall be construed to relieve the developer of the responsibility to conform to all State and Federal regulations regarding identified federal floodway.