*Note: Uses and design standards applicable in this zoning district are to be found in the Plan Reports adopted for each TNZD, not in this section of the LDC. See the appendix of chapter 2 for plan reports.*

## 2.7.4 TRADITIONAL NEIGHBORHOOD ZONING DISTRICT

### A. GENERAL STANDARDS

1. Relationship to the Comprehensive Plan.

   The Traditional Neighborhood Zoning District (TNZD), implements the community form strategy of the Comprehensive Plan. In particular, the TNZD implements Goal C1 of the Comprehensive Plan by providing standards which preserve and enhance existing traditional neighborhoods which are eligible for the TNZD zoning classification in order to ensure that development and redevelopment in such neighborhoods is compatible with the organization and pattern of the Traditional Neighborhood Form and of the district; Goal J1 by providing a means to integrate and reuse community facilities; and Guideline 5, Policy 2, by providing for land use regulations which encourage preservation and reuse of historic buildings and other features in distinctive areas.

2. Purpose of the District.

   The TNZD is an urban residential zone established pursuant to KRS 100.201(3). The TNZD is designed to recognize historic or long-established traditional neighborhoods and to protect them as a distinct pattern of development. TNZD's occur in developed areas that experience redevelopment and infill development. Traditional neighborhoods are broadly characterized as communities having an identifiable boundary, a predominance of residential uses and open space such as parks and playgrounds, a connected street and alley pattern, buildings that are close to or at the sidewalk, and, in some cases, a well-defined center or transition area that contains a mixture of uses.

   The TNZD is designed to promote diversity and integration of uses and structures in an existing traditional neighborhood through flexible design standards that:

   a. Regulate the use of structures on a structure-by-structure basis which stabilizes and protects the urban residential character of the area;

   b. Maintain traditional neighborhoods that are livable, diverse, and sustainable;

   c. Promote uses of land that are appropriate to the distinctive characteristics of existing traditional neighborhoods;

d. Respect and reinforce existing traditional neighborhoods, integrating new development with existing development to ensure compatibility;

e. Provide flexibility to meet changing needs, technologies, economics, and consumer preferences;

f. Promote development patterns and land uses which reduce transportation needs and which conserve energy and natural resources;

g. Protect and enhance historic and natural resources;

h. Encourage the provision of adequate parks and open spaces to serve the needs of residents of traditional neighborhoods.

i. Encourage a variety of compatible architectural styles, building forms, and building relationships within existing traditional neighborhoods.

*NOTE: Chapter 11, Part 4 of the LDC is not intended to be applicable to the TNZD District unless otherwise specified.*

3. Applicability of Other Ordinances.

Unless otherwise specifically provided in this Section or in the TNZD Plan, all provisions of the Land Development Code shall be applicable to the TNZD, except to the extent that they conflict with an approved provision of this zone.

B. DEVELOPMENT GUIDELINES AND STANDARDS

1. Traditional Pattern.

The TNZD pattern is generally characterized by these features:

a. A variety of housing types. This allows younger and older people, singles and families, and people with a wide range of incomes to have places to live. Examples include detached houses on small, standard, or large lots, duplexes, row houses, and apartment buildings;

b. A network of connected streets and walkways. Traditional neighborhood streets provide a variety of transportation routes and disperse traffic. Streets are relatively narrow and most are tree lined to create a pleasant environment;

c. Civic or institutional buildings such as schools, libraries, museums, meeting halls, places of worship, and day care facilities may occupy prominent places in the traditional neighborhood. Civic or institutional uses should be encouraged to use buildings originally designed for those uses to assure their preservation as part of the community fabric and may have public open space around the buildings. Civic buildings have a distinctive form to differentiate their role from that of other buildings;

d. A human building scale described by a variety of many separate buildings on small lots to generate a cohesive pattern that allows streets to be civic places. Building heights vary, with one to four story structures typical in the TNZD. Buildings in the Traditional Neighborhood Center should generally be four stories and placed close to the sidewalk, creating a strong sense of spatial definition, while buildings in the Traditional Neighborhood General are usually set back from the sidewalk reflecting the predominant setback pattern along the block face. Buildings in the Traditional Neighborhood Transition–Center should also reflect the predominant setback pattern along the block face.

e. Open space and natural features, such as trees of high quality and significant tree stands, wetlands, streams, and steep slopes, are retained, linked where possible and incorporated into the traditional neighborhood pattern; and

f. Cultural resources, such as historic buildings, districts and landscapes, are preserved and reused in the TNZD.

2. TNZD Components.

The TNZD consists of one required component and two optional components: the Traditional Neighborhood General (required), the Traditional Neighborhood Transition—Center (optional), and/or the Traditional Neighborhood Center (optional). The TNZD Plan shall include the applicable components, which are described as follows:

a. Traditional Neighborhood General. The TNZD Neighborhood General is primarily one and two-family residential but allows a mixture of certain other uses where the building was originally designed for those uses and new development at a compatible scale, intensity and design where mapped. For example multi-family residential and certain commercial uses are permitted in mapped locations or where the original building use included multi-family residential or retail. The TNZD general also contains permanent open space, typically in the form of Parks, playgrounds, greens or courts.

b. Traditional Neighborhood Transition—Center. The Traditional Neighborhood Transition—Center includes a mixture of residential densities, commercial, and office uses, often containing civic uses and open space. The Traditional Neighborhood Transition—Center is located between the Traditional Neighborhood General and the Traditional Neighborhood Center and serves as a transition area between areas of different intensity patterns in the Traditional Neighborhood General and Traditional Neighborhood Center where historic patterns of original use have resulted in significant change in the intensity and diversity of uses. The specific size and location of the Traditional Neighborhood Transition—Center is intended to be flexible based on the context of the adjacent patterns of development and the presence of sensitive cultural or natural features.

c. Traditional Neighborhood Center. The Traditional Neighborhood Center serves as the focal point and informal gathering place of the district. It is made up of medium to high-density residential uses, neighborhood-serving shops and services, civic buildings, and may include formal open space such as plazas or squares. The Traditional Neighborhood Center should be compact and is usually located within a 5-to-10 minute walk (approximately 1,350 feet) of most neighborhood residents. It may also be located where it can intercept traffic coming and going from the neighborhood. To encourage a mixture of uses in the Traditional Neighborhood Center, the following guidelines shall apply:

   i. Dwelling units are encouraged to be located in the TNZD Center (at least 10% of the total number of dwelling units in the TNZD is recommended but not required). Retail, office, and service uses should be sized in area and intensity to meet the needs of neighborhood residents.

   ii. Single retail uses with a building footprint of greater than 50,000 square feet are not allowed.

d. Land Use within TNZD. The table below is illustrative of the uses permitted within the TNZD. Permitted uses of structures, densities, and floor area ratios within a TNZD are regulated on a structure-by-structure basis. The TNZD shall contain a mixture of uses, including single-family and multi-family residential, retail, and service establishments. The regulation of usage of any structure within the TNZD shall be guided by the architecture, size, or traditional use of the building, and in accordance with the purposes and pattern of the district.

TNZD Land Use Table

'P' means the use is permitted, subject to design standards and location standards where noted. 'P/M' means the use is permitted where mapped. Mapped uses recognize historic uses of lots or, in the case of vacant development sites, an appropriate compatible use. 'X' means the use is not permitted. P/CU = Permitted as Conditional Use. No permitted use or use permitted where mapped shall be required to secure a conditional use permit.

| Land Use Category | *Neighborhood General* | *Neighborhood Transition-Center* | *Neighborhood Center* |
|---|---|---|---|
| ***Residential Uses*** | | | |
| *Single Family Residential – One dwelling unit per lot** | P | P | X |
| *Two-family Residential** | P | P | P |
| *Multifamily Residential* | P/M | P | P |
| *Garages and Accessory Residential Units (Carriage Houses)* | P | P | P |
| *Home Occupations* | P | P | P |
| ***Office Uses*** | | | |
| *Professional Office* | X | P | P |
| *General/Business Office* | X | X | P |
| ***Institutional Uses*** | | | |
| *Churches & Synagogues* | P/M | P | P/M |
| *Community Centers, Cultural Centers, and Civic buildings* | P/M | P | X |
| *Clubs and Lodges* | P/M | P/M | X |
| *Fraternities and Sororities* | X | X | X |
| *Schools, public and private* | P/M | P | X |
| *Trade, business, or industrial schools* | X | P | X |
| *Colleges and Universities* | X | P | X |
| *Day Care Centers* | X | P | X |
| *Family Day Care Home* | X | P | X |
| [redacted] | | | |
| *Corner Commercial Establishments* | P/M | P/M | N/A |
| *General Commercial* | X | P** | P‡ |

TNZD Land Use Table (continued)

| Land Use Category | *Neighborhood General* | *Neighborhood Transition-Center* | *Neighborhood Center* |
|---|---|---|---|
| ***Other Uses*** | | | |
| *Bed and Breakfast Establishments* | P/CU | P/CU | P/CU |
| *Original Use of Building* | P | P | P |
| *Storage sheds* | P | P | P |
| *Accessory Uses* | P | P | P |
| *Temporary Buildings and Uses* | P | P | P |
| *Historic House Museums* | P/CU | P/CU | P/CU |

* Plus one dwelling unit in the Accessory Structure Area

** Commercial uses in the Neighborhood Transition—Center, with or without residential, shall be limited to antique and collectibles shops; art galleries; cafes, tea rooms, and coffee houses; book stores; florists and sundry stores; restaurants and delis (no drive through service); beauty salons and barber shops; and, professional offices.

‡ Commercial uses in the Neighborhood Center, with or without residential, shall be limited to antique shops and interior decorating shops; bakeries and delicatessens, retail sales; art and craft galleries; barber and beauty shops; music and art stores; photographic studios and shops; music and art stores; photographic studios and shops; stationery stores; candy stores, retail sales; pharmacies; convenience grocery stores; coin laundries; dry-cleaning pick-up only; restaurants, where food and drink may be served or consumed outside or inside (no drive-through service); theaters; toy & hobby stores; other similar neighborhood serving retail uses as established by the Planning Commission; and professional offices.

N/A = Not applicable, since commercial uses are permitted by right in the Neighborhood Center

*Note: Building uses in effect prior to the adoption of these regulations and operating in a legal fashion according to the prior zoning classification of the property, including legal non-conforming uses, may continue to operate under the Traditional Neighborhood Zoning District. Legal non-conforming uses may not be expanded.*

3. Civic Uses.

   Civic Uses should be encouraged to adapt and reuse existing Civic Buildings before considering alternative locations. New Civic Buildings should be located at important sites to reinforce community identity and should have a distinctive form to differentiate their role from that of other buildings and uses.

C. PROCEDURES

1. Zoning Map Amendment Process.

a. Application Requirements.

An application to amend the zoning district map to TNZD may be initiated only by the legislative body with zoning authority over the affected area. An application to amend the zoning map to TNZD shall be made only as the result of a recommendation of a neighborhood or small area study adopted by the legislative body with zoning authority over the subject property.

The application shall contain: (1) a description of the boundaries of a contiguous area which shall constitute the TNZD and the street address or block and lot number of each parcel to be included in the district; (2) a list of property owners within the boundaries and their addresses and (3) a TNZD Plan that meets the requirements set forth in C.3. of this Section.

The application shall also contain an existing conditions map or maps which shall include:

i. Name of the neighborhood;

ii. Scale, date, north arrow and vicinity map; and

iii. The location and names of all existing streets; the location, current use and zoning of all existing parcels; any existing recreation or open space areas, including Parks; and any railroads, cemeteries, watercourses, bridges, lakes, jurisdictional wetlands, sinkholes, regulatory flood plains, conveyance zones, topography, woodlands, and other physical conditions affecting the area.

If the zoning district map amendment is enacted by the legislative body, building permits for improvement of any property within the TNZD shall be issued only when in conformance with the TNZD Plan, these regulations, and other applicable provisions of the Land Development Code.

b. Zoning Map Amendment Process.

A proposal to amend the zoning district map to TNZD shall be heard in the same manner as provided generally for zoning map amendments in KRS Chapter 100.

The Planning Commission or the legislative body may add conditions of approval to the TNZD Plan which shall become a fundamental part of the TNZD Plan. Conditions may relate to anything that ensures conformance with the Comprehensive Plan, promotes the purpose and intent of KRS 100.201(3), and stabilizes and protects the traditional pattern in the district.

2. Findings Necessary for Proposed Map Amendment to TNZD.

Before any map amendment to TNZD is granted, in addition to the findings required by KRS 100.213, the Planning Commission or the legislative body must find with respect to the subject property that:

a. the majority of the structures were in use prior to November 22, 1926; and

b. either that:

i. the entire area embodies the distinctive characteristics of a type, period, or method of construction; or

ii. the entire area represents a significant and distinguishable entity whose components may lack individual distinction.

3. Requirements of the TNZD Plan.

Along with the zone change application, the applicant shall submit a proposed TNZD Plan. No TNZD Plan shall be deemed accepted unless complete and containing all of the following:

a. TNZD Plan Map. This map or maps shall be drawn and submitted at a scale not less detailed than one inch equals two hundred (200) feet, or other scale acceptable to the Planning Commission staff, and shall include:

   i. the name of the neighborhood;

   ii. scale, date, north arrow, and vicinity map; the location and delineation of the required components and optional components, if applicable, of the TNZD (TNZD Transition-Center, TNZD General, and TNZD Center);

   iii. the existing lot patterns and layouts of blocks;

   iv. the layout of streets, bikeways, and pedestrian paths;

   v. the location of any proposed transit-related commercial development ;

   vi. the location of Parks and open space areas dedicated to public use;

   vii. the location of institutional uses; and,

   viii. the location of uses permitted only where specifically designated on the TNZD Plan Map, if applicable.

b. TNZD Plan Report. The TNZD Plan Report shall include the following:

   i. a statement indicating the purpose and intent of the plan, the basis for the zoning request, and a statement of how the plan complies with the comprehensive plan, the TNZD pattern, and the requirements of this Chapter; and

   ii. site design standards, written and/or graphic, specifying the permitted range of lot sizes (width and length), lot coverage, set back and/or build to lines, and the maximum building height for all uses.

   iii. Land Use. The TNZD Plan shall set forth the permitted land uses within each component of the TNZD, and may include a list of uses permitted only where specifically mapped within each component and/or conditional uses within each component of the TNZD, all of which must be in the format of the Land Use Table in B.2.d of this Section, above.

iv. Density. The maximum number of residential dwelling units per acre permitted in each component of the TNZD shall be designated in the TNZD Plan. An Accessory Apartment constructed in accordance with applicable land use standards of the TNZD shall not be counted as an additional residential dwelling unit on one and two-family residential or corner commercial sites.

v. Architectural Design. Architectural design standards shall be set forth in the TNZD Plan and shall be applicable to all new construction and expansions to existing buildings in the TNZD.

(1) Property that is regulated and governed by overlay district or by the Historic Landmarks and Preservation Districts Commission, shall continue to be subject to review by the body or official(s) designated by ordinance to ensure compatibility of building types and to relate new buildings to the building traditions of the neighborhood. To the extent that the architectural design requirements in the TNZD Plan conflict with any Historic Landmarks and Preservation architectural design requirements, the more restrictive shall prevail.

(2) Architectural design standards set forth in the TNZD Plan may be written and/or graphic and shall specify building proportions, massing, materials, and other features that assure compatibility with the distinctive pattern of the district. The standards shall also specify the materials and configurations permitted for walls, roofs, openings, street furniture, and other elements. Architectural standards should encourage the following: architectural compatibility among structures within the neighborhood; human scale design; pedestrian use of the neighborhood; relationship to the street and to surrounding buildings; and special architectural treatment for civic buildings.

vi. The TNZD Plan Report may also include the following:

(1) Standards for the design, functionality, and location of all open space, parks, and squares;

(2) Design standards for streets and alleys, sidewalks, transit shelters, and streetscape;

(3) Parking and loading requirements;

(4) Standards for the design and size of signs within the TNZD, provided they are no less restrictive than the requirements of the Development Code; and

(5) Landscaping and buffering requirements, provided they are no less restrictive than the requirements of the Development Code.

Unless otherwise specifically provided in the TNZD Plan Report, the requirements of the Land Development Code with respect to open space, street design, streetscape, sidewalks, transit shelters, parking and loading, signs, and landscaping shall be applicable in the TNZD.

4. Amendments to Approved TNZD Plan.

Applications to amend the TNZD Plan to change the land use of a particular property from a permitted use to a permitted where mapped use, or to permit the original use of a particular building, may be filed by the Planning Commission, the legislative body with zoning authority, or the owner of the subject property. All other amendments to the TNZD Plan shall be initiated by the Planning Commission or the legislative body with zoning authority.

Applications shall be accompanied by such written and graphic information as is necessary for the Planning Commission to determine whether the proposed amendment conforms to the Comprehensive Plan, the traditional pattern, the urban residential character of the area, the District Plan, and the requirements of this Section.

a. Amendments to the TNZD Plan to change land use to a "permitted where mapped" use.

i. Except as provided in paragraph ii. below with respect to original uses, proposed amendments to the TNZD Plan to change the land use of a particular property from a permitted use to a permitted where mapped use in the applicable TNZD component shall be processed in accordance with the provisions of this paragraph. The Planning Commission shall hold at least one public hearing after notice is given to first tier adjoining property owners at least thirty (30) days in advance of the hearing by first class mail. After the public hearing, the Planning Commission may approve the proposed TNZD Plan amendment if it finds that the proposed land use change conforms to the Comprehensive Plan, the traditional pattern, the urban residential character of the area as described in the TNZD Plan.

(1) The owner of the subject property or any aggrieved person may appeal the decision of the Planning Commission to the legislative body with zoning authority by filing an appeal with the legislative body no later than ten (10) calendar days after the date of the action of the Planning Commission. Actions of the Planning Commission under this paragraph that have not been appealed to the legislative body within ten calendar (10) days shall not be subject to further review or appeal.

(2) Notice of the appeal shall be provided to the applicant, the appellant, and all first tier property owners at least seven (7) days prior to the meeting at which the legislative body will consider the appeal. The legislative body may take one of the following actions:

(a.) The legislative body may review the record made before the Planning Commission and may affirm the Planning Commission's decision without a hearing;

(b.) The legislative body may review the record made before the Commission and overturn the Planning Commission's decision based on findings of fact supported by the record which differ from the findings of fact of the Commission; or

(c.) The legislative body may also hold its own public hearing after notice as set forth in this Section, and may make as a result thereof findings which may differ from those found by the Commission.

ii. Original Use Exception. The Planning Director or designee may amend the TNZD Plan map with respect to a particular property to permit the original use of the primary structure thereon without a public hearing only if the original use is a permitted or permitted where mapped use in the applicable TNZD component, and if the applicant demonstrates that (1) the primary structure was existing on the property on November 22, 1926; and (2) said primary structure was used on or before November 22, 1926 for the specific purpose for which the applicant seeks to use the structure.

The decision of the Planning Director or designee may be appealed to the Board of Zoning Adjustment in accordance with KRS Chapter 100.

b. All other TNZD Plan Amendments. All amendments to the TNZD Plan other than those described in paragraph a. above shall be initiated by the Planning Commission or the legislative body, and shall be processed in the following manner:

   i. A public hearing shall be held by the Planning Commission after notice of the hearing is given pursuant to KRS Chapter 424.

   ii. After the public hearing, the Planning Commission shall make a recommendation on the proposed amendment to the legislative body with zoning authority.

   iii. Final action on amendments to the TNZD Plan shall then be taken by the legislative body with zoning authority. No amendment to the TNZD Plan shall become effective until approved by the legislative body with zoning authority. Failure of the legislative body to act on the proposed amendment shall not result in a deemed approval of the proposed amendment.

   iv. Appeals of actions of the legislative body on TNZD Plan Amendments may be taken to a court of competent jurisdiction.

5. Site Plan Review.

   The applicant for a building permit for new construction or expansion of principal or accessory structures, or for a change of use, will be required to certify (by submitting an Overlay Permit or Certificate of Appropriateness, where applicable) conformance with the TNZD Plan, including architectural standards, at the time of the site plan for review and approval by the permitting agency or official(s).