

CITY OF BENTON, KENTUCKY
ORDINANCE NO. 19-010-07

**AN ORDINANCE OF THE CITY OF BENTON, KENTUCKY TO REQUIRE
SIDEWALKS FOR PLANNED COMMERCIAL DEVELOPMENT PROJECTS**

WHEREAS, the City Council of the City of Benton, Kentucky desires and intends to improve the accessibility through the City for pedestrians and other non-vehicular transportation;
and

WHEREAS, the City Council of the City of Benton, Kentucky desires and intends to plan for the appropriate and responsible development of commercial properties in the City,

NOW THEREFORE, BE IT HEREBY ORDAINED by the City Council of the City of Benton, Kentucky, as follows:

§155.057 of the Benton Code of Ordinances (being §5.08 of the City of Benton's Planning and Zoning Ordinance) is hereby amended as follows:

5.08 Planned Commercial Development Project

- (1) Plat Plan: A plat shall be presented for Planning Commission review and shall show the following:
 - a. Kind, location, bulk and capacity of structures and uses
 - b. General floor plans of buildings
 - c. Location and identification of open spaces, street, and all other means for pedestrian and vehicular circulation, parks, recreational areas and other non-building sites
 - d. Provisions for automobile parking
 - e. General nature and location of public and private utilities and other community facilities and services, including sidewalks as set forth below.
- (3) The following regulations shall also apply to a planned commercial development project:
 - (a) Building Heights: No building shall exceed two stories or twenty-five (25) feet in height.
 - (b) Screening: The project shall be permanently screened from all adjoining properties located in any residential zone. Other screening may be required when, in the opinion of the Planning Commission, conditions warrant.

(c) Tract Coverage: The ground area occupied by all the buildings shall not exceed in the aggregate twenty-five (25) percent of the lot or tract.

(d) Customer Parking Space: Notwithstanding any other requirements of this Ordinance, there shall be provided one (1) paved off-street parking space for each two hundred (200) square feet of retail floor space.

(e) Loading Space: Notwithstanding any other requirements of this Ordinance, there shall be provided one (1) off-street loading or unloading space for each ten thousand (10,000) square feet or fraction thereof of aggregate floor space of all buildings in the center. At least one-third (1/3) of the spaces required shall be significant in area and vertical clearance to accommodate trucks of the tractor-trailer type.

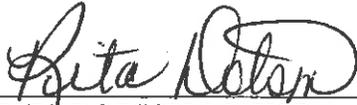
(f) Signs: Signs and other forms of outdoor advertisements shall be permitted only as permitted in commercial zones C-1 or C-2, except that the project may be permitted two (2) free-standing signs having a maximum total area of one hundred (100) square feet each.

(g) If a commercial development project involves new construction of a building in excess of 20,000 square feet or the increase of the square footage of an existing building to more than 20,000 square feet, then both this Section 5.08 and Section 5.16 "Retail & Commercial Service Buildings in Excess of 20,000 Square Feet" of this Zoning Ordinance shall be applicable to the development. If there is a conflict between the sections, the more restrictive shall be applicable.

(h) The Planning Commission shall attach reasonable special conditions to insure that there shall be no departure from the intent of this Ordinance. The project shall comply with all such conditions.

(i) A planned commercial development must have, and the plat plan must show, a sidewalk extending along the road frontage of a property from one boundary line to the other. The sidewalk must match any existing sidewalk to which it connects with respect to location and width, and otherwise must be two (2) linear feet from the gutterline or edge of the pavement, whichever is furthest from the road, and must be five (5) feet wide, and must be made out of concrete or other suitable material approved by the Planning and Zoning Commission.

Passed this the 18 day of June, 2019.


RITA DOTSON, MAYOR

ATTEST:

Bethany Cooper
BETHANY COOPER
CITY CLERK/TREASURER

First Reading 5-20-2019
Second Reading 6-18-2019
Publication 6-25-2019

Drafted and Approved as to form and
Legality by:

Zachary D. Brien
ZACHARY D. BRIEN
CITY ATTORNEY

COUNCIL MEMBERS VOTING

SPONSOR

✓

CHARLES EDMONDS
ANN RILEY
KEVIN FARLEY
RITA MURRAY
SHERRA RILEY
BUTCH HOLLAND

AYE

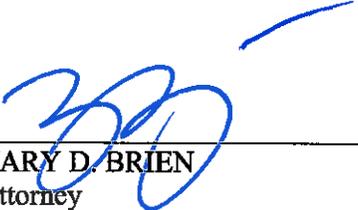
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AN ORDINANCE OF THE CITY OF BENTON, KENTUCKY TO REQUIRE SIDEWALKS FOR PLANNED COMMERCIAL DEVELOPMENT PROJECTS. This ordinance is summarized as an ordinance requiring planned commercial developments to include suitable sidewalks along the road frontage of their properties.

A complete copy of this ordinance is available for viewing at the City Hall during regular business hours.

I hereby certify that the above is a true and correct summary of an Ordinance adopted by the City of Benton on 4-18, 2019.



ZACHARY D. BRIEN
City Attorney
P.O. Box 466
Benton, KY 42025