



# CITY OF LUDLOW

---

51 Elm Street • P.O. Box 16188  
Ludlow, KY 41016

## CITY OF LUDLOW COUNCIL MEETING AGENDA

**March 12, 2025**  
**7:00 p.m.**

**Ludlow Municipal Center, Ed F. Schroeder Meeting Hall**  
**51 Elm Street, Ludlow, Kentucky**

- I. Call to Order
- II. Pledge of Allegiance
- III. Roll Call of Members
- IV. Presentations:
  - ♦ Presentation by Shelly Phelps of the Cabinet for Health and Family Services on the Need for Foster Families in Our Area
  - ♦ Presentation of the Audit for Fiscal Year 2024-2025 by John Chamberlin of Chamberlin Owen CPAs
- V. Review and Vote to Excuse Councilmember Abigail Miller's Absence from the Council Meeting on February 12, 2026
- VI. Approve Meeting Minutes for February 12, 2026
- VII. Staff Reports:
  - Fire Chief • Police Chief • Public Works Director • Code Enforcement Officer
  - City Treasurer
- VIII. Mayor's Report
- IX. Council Committee Reports:
  - Finance • Parks and Recreation • Public Works/Code Enforcement
- X. Citizens Wishing to Address Mayor and Council  
*Public comment welcome—Limited to three (3) minutes per citizen.*
- XI. Unfinished Business:
  - ♦ Second Reading of Ordinance 2026-2 *An Ordinance of the City of Ludlow, Kentucky, Repealing the Zoning Code and Adopting a New Zoning Code, Pursuant to the Z21 Committee, as Set Forth in File #PC-25-0005-TX of the Kenton County Planning Commission*
  - ♦ Second Reading of Ordinance 2026-3 *An Ordinance Amending the City of Ludlow Code of Ordinances, Chapter 36, for the Purpose of Conforming the Urban Design Review Board Ordinance to the Recommendations of the Kentucky Heritage Council*
  - ♦ Second Reading of Ordinance 2026-4 *An Ordinance of the City of Ludlow, in Kenton County, Kentucky, Amending the Parking Schedule Contained in Chapter 75 of the Ludlow Code of Ordinances*
- XII. New Business:
  - ♦ First Reading of Ordinance 2026-5 *An Ordinance Amending the City of Ludlow Zoning Code, Adopting the Recommendations of the Kenton County Planning Commission Regarding Compliance with KRS 100.348*



# CITY OF LUDLOW

---

51 Elm Street • P.O. Box 16188  
Ludlow, KY 41016

XIII. Announcements

XIV. Adjournment

**LUDLOW ORDINANCE NO. 2026-2**

**AN ORDINANCE OF THE CITY OF LUDLOW, KENTUCKY, REPEALING THE ZONING CODE AND ADOPTING A NEW ZONING CODE, PURSUANT TO THE Z21 COMMITTEE, AS SET FORTH IN FILE #PC-25-0005-TX OF THE KENTON COUNTY PLANNING COMMISSION**

**WHEREAS**, the City of Ludlow had adopted a zoning ordinance and has made amendments to the same since its adoption; and

**WHEREAS**, the City, through its code enforcement officer Jamie West and its City Administrator Scott Smith, coordinated with the Kenton County Planning Commission to solicit recommendations for adopting a Z21 Zoning Code; and

**WHEREAS**, the City filed a text amendment with the Kenton County Planning Commission, styled PC-25-0005-TX, which was heard on Thursday, September 4, 2025, by the Kenton County Planning Commission; and

**WHEREAS**, the Kenton County Planning Commission adopted the text amendment, which is incorporated herein as if fully set forth and which may be found at the Planning and Development Services of Kenton County and at the City Clerk's office; and

**WHEREAS**, the above-described process is in compliance with KRS 100.201, et seq.; and

**WHEREAS**, repealing the City's existing zoning ordinance is necessary and proper for the adoption of the Z21 Zoning Code.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF LUDLOW, IN KENTON COUNTY, KENTUCKY, AS FOLLOWS:**

**SECTION I**

That the Mayor and City Council hereby repeals the City's existing Zoning Code..

**SECTION II**

That the Mayor and City Council hereby adopt the Z21 Zoning Code, as more fully set forth in File #PC-25-0005-TX of the Kenton County Planning Commission. The file may be located at the City Clerk's office or with Planning and Development Services of Kenton County.

**SECTION III**

All ordinances in conflict with this ordinance shall be, and hereby are, repealed to the extent of said conflict.

**SECTION IV**

If any part of this ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this ordinance are severable.

**SECTION V**

That this ordinance shall become effective upon its passage and shall be published under KRS 83A.060 (9) and other applicable law. The ordinance may be published in summary.

Passed by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

**CITY OF LUDLOW, KENTUCKY**

\_\_\_\_\_  
Sarah Thompson, Mayor

ATTEST: \_\_\_\_\_  
Laurie Sparks, City Clerk

First Reading: \_\_\_\_\_ Second Reading: \_\_\_\_\_ Publication: \_\_\_\_\_

**CITY OF LUDLOW, KENTUCKY**

**ORDINANCE NO. 2026-3**

**AN ORDINANCE AMENDING THE CITY OF LUDLOW CODE OF ORDINANCES, CHAPTER 36, FOR THE PURPOSE OF CONFORMING THE URBAN DESIGN REVIEW BOARD TO THE RECOMMENDATIONS OF THE KENTUCKY HERITAGE COUNCIL.**

**SUMMARY**

1. Approves and adopts the amendments to Chapter 36 of the City's Code of Ordinances. The City Council finds amendments are necessary to promote the effective functioning of the Urban Design Review Board.

Provides that Board members shall attend at least one informational or educational meeting per year. Amends the provision that Board members shall not vote on any matter that may affect a property or participate in discussions about any property where the Board member's employees, agents, partners, or associates have an interest. Requires the Board to prepare and keep on file a written annual report of its activities, cases and decisions, qualifications of members and other work. Items shall be available for public inspection.

Provides a process for the Board to follow when determining whether a property qualifies for designation as a landmark or a historic district. A public hearing must be held and notice must be advertised. The Board must adopt general guidelines that apply to landmarks and historic districts. Establishes criteria for a property to meet to qualify for a designation as a landmark or historic district.

After the public hearing, the Board shall make a recommendation to the City Council with a written report and must also send the same to the Planning and Zoning Commission. The Planning and Zoning Commission shall provide a report to the City Council and shall also review as necessary for a Comprehensive Plan amendment or zoning map change. City Council must approve, modify, or disapprove the proposed designation within sixty (60) days after receiving the recommendation of the Board and material from the Planning and Zoning Commission. Notification shall be provided to all owners of any decisions. Amendments or rescissions of any designation shall follow the same process.

The Board is required to review all proposed National Register nominations. The Board is required to work with federal, state, and local governments on historic preservation issues. The Board is required to advise and assist individuals or groups about historic preservation. The Board has the right to receive, hold, and spend funds legally received for the purpose of carrying out the provisions of the Ordinance.

2. Provides for repeal of inconsistent laws, severability of provisions, and an effective date upon passage and publication.
3. Contains a severability provision and provides that the ordinance shall become effective upon its passage.

The full text of Ordinance 2026-3 is available for examination in the City Clerk's Office, 51 Elm Street, Ludlow, Kentucky 41016 or at [www.ludlow.org](http://www.ludlow.org).

---

I, Michelle K. Eviston, an attorney licensed to practice law in the Commonwealth of Kentucky, acting as attorney for the City of Ludlow, Kentucky, do hereby certify that this summary was prepared by me at the direction of the City Council of the City of Ludlow, and that said summary is a true and accurate summary of the contents of the ordinance.

---

MICHELLE K. EVISTON, ESQ.

**CITY OF LUDLOW, KENTUCKY**

**ORDINANCE NO. 2026-4**

**AN ORDINANCE OF THE CITY OF LUDLOW, IN KENTON COUNTY, KENTUCKY, AMENDING THE PARKING SCHEDULE CONTAINED IN CHAPTER 75 OF THE LUDLOW CODE OF ORDINANCES.**

**SUMMARY**

1. Prohibits parking on the Southbound side of Walnut Alley beginning at the intersection with Locust Street and extending west for a distance of 100 feet.
2. Provides for repeal of inconsistent laws, severability of provisions, and an effective date upon passage and publication.

The full text of Ordinance 2026-4 is available for examination in the City Clerk's Office, 51 Elm Street, Ludlow, Kentucky 41016 or at [www.ludlow.org](http://www.ludlow.org).

---

I, Zach S. Smith, an attorney licensed to practice law in the Commonwealth of Kentucky, acting as attorney for the City of Ludlow, Kentucky, do hereby certify that this summary was prepared by me at the direction of the City Council of the City of Ludlow, and that said summary is a true and accurate summary of the contents of the ordinance.

---

ZACH S. SMITH, ESQ

**LUDLOW ORDINANCE NO. 2026-5**

**AN ORDINANCE AMENDING THE CITY OF LUDLOW ZONING CODE, ADOPTING THE RECOMMENDATIONS OF THE KENTON COUNTY PLANNING COMMISSION REGARDING COMPLIANCE WITH KRS 100.348.**

**WHEREAS**, the City of Ludlow participates in the Kenton County Planning Commission; and

**WHEREAS**, the Kenton County Planning Commission has recommended changes to the Ludlow Zoning Code in order to bring the Code into compliance with KRS 100.348; and

**WHEREAS**, the Ludlow City Council finds the Kenton County Planning Commission's recommendations to be in the best interest of the City of Ludlow.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF LUDLOW, IN KENTON COUNTY, KENTUCKY, AS FOLLOWS:**

**SECTION I**

That the Ludlow City Council hereby approves and adopts the amendments to the City's Zoning Code, which amendments are attached as **Exhibit A** to this Ordinance and which are incorporated by reference herein. The Ludlow City Council finds that the amendments bring the City's Zoning Code into compliance with KRS 100.348.

**SECTION II**

That the Mayor is authorized to apply for a text amendment to the City's Zoning Code through Kenton County Planning and Development Services.

**SECTION III**

All ordinances in conflict with this ordinance shall be, and hereby are, repealed to the extent of said conflict.

**SECTION IV**

If any part of this ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this ordinance are severable.

**SECTION V**

That this ordinance shall become effective upon its passage and shall be published under KRS 83A.060 (9) and other applicable law. The ordinance may be published in summary.

Passed by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

**CITY OF LUDLOW, KENTUCKY**

\_\_\_\_\_  
Sarah Thompson, Mayor

ATTEST: \_\_\_\_\_  
Laurie Sparks, City Clerk

First Reading: \_\_\_\_\_ Second Reading: \_\_\_\_\_  
Publication: \_\_\_\_\_

DRAFT COPY - FOR REVIEW ONLY

**EXHIBIT A**

Proposed Text Amendments to the City of Ludlow's Code of Ordinances

Words to be deleted are [struck through] – Words to be added are **underlined**.

DRAFT COPY - FOR REVIEW ONLY

**General Attachment Notice:**

*For ease of viewing, only those portions of the Zoning Ordinance pertaining to the requests within the submitted application have been included within these attachments. The complete zoning code can be viewed online at: [www.pdskc.org](http://www.pdskc.org)*

**ATTACHMENT A**

Proposed Text Amendments to the Ludlow Zoning Ordinance  
Words to be **deleted** are ~~lined through~~ - Words to be **added** are underlined.

**LUDLOW ZONING ORDINANCE****4.04 Table of Uses**

- A. **General.** The following table lists permitted and conditional uses in each base zoning district. Additional use restrictions may be contained in Section 4.05, Use-Specific Standards, or as part of an Overlay District.
- B. **Districts.** Table 4.1, Permitted and Conditional Uses lists uses for each standard district within the City of Ludlow's zoning jurisdiction. Planned Unit Development and Overlay Districts are not listed in the table. Uses within a Planned Unit Development District are approved through the Development Plan approval process. Uses permitted within an Overlay District are generally regulated by the underlying base district.
- C. **Symbols.**
1. Where the symbol "P" is shown, the use to which it refers is permitted as a "use by right" in the indicated district, provided it complies fully with all applicable Use-Specific Standards included in Section 4.05, Use-Specific Standards.
  2. Where the symbol "C" is shown, the use to which it refers is a conditional use which must be approved by the Board of Adjustment and is subject to any Use-Specific Standards included in Section 4.05, Use-Specific Standards. The Board of Adjustment may also impose additional conditions as part of the conditional use approval per KRS 100.237.
  3. Where the symbol "-" is shown, the use to which it refers is prohibited in the indicated district.
  4. All uses will be hyperlinked to their corresponding definition in Article 14, Definitions.
- D. **Uses within the HPO (Historic Preservation Overlay) Zone.**
1. PERMITTED USES: Any permitted uses allowed in the underlying zone and that do not destroy or alter the exterior architectural features of the building or structure in accordance with the purpose of this zone are permitted.
  2. ACCESSORY USES: Any accessory uses allowed in the underlying zone and that do not destroy or alter the exterior architectural features of the building, structure, appurtenances, or place in accordance with the purpose of this zone are permitted.
  3. CONDITIONAL USES: Any conditional uses allowed in the underlying zone and that do not destroy or alter the exterior architectural features of the building, structure, appurtenances, or place in accordance with the purpose of this zone are permitted.

**TABLE 4.1 PERMITTED AND CONDITIONAL USES**

Use	Residential				Commercial	Employment	Other			Special	Use Specific Standards
	R-CPS	R-U	R-M	R-MF	NC	FI	MU	CO	INST	RD	
<b>RESIDENTIAL</b>											
Accessory Dwelling Unit	P	P	P	-	-	-	P	-	-	P	4.05, B.1.
Cottage Court	-	-	-	-	-	-	-	-	-	-	[4.05, B.2.]
Live/Work Unit	-	P	P	-	P	-	P	-	-	C	4.05, B.2[3].
[Manufactured Home, Qualified	P	P	P	P	-	-	P	-	-	-	4.05, B.4.]
Manufactured Home	-	-	-	-	-	-	-	-	-	-	4.05, B.3[5].
Mobile Home	-	-	-	-	-	-	-	-	-	-	4.05, B.4[6].
Multi-family	-	-	-	P	-	-	P	-	-	P	4.05, B.5[7].
Single-Family, attached	-	P	P	-	-	-	P	-	-	P	4.05, B.6[8].
Single-Family, detached	P	P	P	-	-	-	-	-	p*	p*	
Upper Floor Housing	-	P	-	-	P	-	P	-	-	C	4.05, B.7[9].
Two-Family	P	P	P	-	P	-	P	-	-	P	4.05, B.8[10].
Three/Four-Family	-	-	P	P	-	-	P	-	-	P	4.05, B.9[11].

**4.05 Use-Specific Standards**

**B. Residential, Except Accessory Dwellings**

1. **Accessory Dwellings** (see Subsection 4.05, J. Accessory Uses and Buildings)
2. **Live/Work Unit**

- a. No more than four people may be engaged in the making, servicing, or selling of goods and services within the non-residential space.
- b. At least one person associated with the non-residential activity shall reside in the dwelling portion of the unit.

- c. The dwelling portion of the unit shall be above or behind the non-residential space.
- d. The non-residential space shall not exceed 50 percent of the gross floor area of the unit.
- e. Live/work units must have a common access for both the residential and non-residential space and be designed in such a way as to prevent separate lease of spaces.
- f. Any residential dwelling unit using septic tanks shall comply with Section 8.03, E, Water Quality Buffer.

### **3. ~~Manufactured Home, Qualified~~**

- a. ~~Must meet the KRS definition for “Qualified manufactured home” (KRS 100.348 (2)(d)).~~
- b. ~~Is compatible, in terms of assessed value, with existing housing located within 1/8 mile radius of the proposed location of the qualified manufacture home immediately adjacent to:~~
  - 1. ~~Either side of the proposed site within the same block front; or~~
  - 2. ~~Adjacent to the rear; or~~
  - 3. ~~Within a one-eighth (1/8) mile radius or less from the proposed location of the qualified manufactured home.~~
- c. ~~In order to determine if a qualified manufactured home is compatible with the existing housing located within 1/8 mile radius of the proposed location of the qualified manufacture home, it must be demonstrated that the qualified manufacture home is consistent with:~~
  - 1. ~~Floor living space and setbacks;~~
  - 2. ~~Siding and exterior materials;~~
  - 3. ~~Roof pitches;~~
  - 4. ~~Square footage;~~
  - 5. ~~Foundations~~
- d. ~~Any residential and building manufacturing, and residential dwelling units using septic tanks shall comply with Section 8.03, E., Water Quality Buffer.]~~

### **3[4]. ~~Manufactured Home~~**

- a. Must meet the KRS definition of “Manufactured home” (KRS 100.348 (2)(c)).
- b. Any residential and building manufacturing, and residential dwelling units using septic tanks shall comply with Section 8.03, E., Water Quality Buffer.
- c. A patio slab of at least 180 square feet conveniently located at the entrance of the manufactured home is required on each lot. The patio slab shall be constructed of an all-weather type material.

### **4[5]. ~~Mobile Home~~**

- a. Must have been manufactured prior to June 15, 1976.
- b. Must be transportable in one or more sections.
- c. Must be eight feet or more in width, 40 feet or more in length, or when erected on site, 320 square feet or greater in area.
- d. Must be built on a permanent chassis and designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein.
- e. Mobile homes must be installed in accordance with KRS 227.570 by a Kentucky certified installer.
- f. Any residential and building manufacturing, and residential dwelling units using septic tanks shall comply with Section 8.03, E, Water Quality Buffer.
- g. A patio slab of at least 180 square feet conveniently located at the entrance is required on each lot. The patio slab shall be constructed of an all-weather type material.

### **5[6]. ~~Multi-Family~~**

- a. If a property owner puts locks on each bedroom door in a single-family home with the intention of subleasing bedrooms as units, that single-family home shall be considered a multi-family residence.
- b. All primary structures shall be oriented to a public or private street, a common open space, or plaza, not a parking lot.
- c. The location of detached garages, carports, and surface parking lots shall comply with Section 10.02, Location of Parking.
- d. Parking garages containing more than 50 spaces shall comply with Section 7.07, 2., d., Parking Garages - Landscaping.
- e. A building shall not be located closer than 20 feet to any other building.
- f. Walkways shall connect all buildings to each other, parking areas, amenity areas, and existing public sidewalks adjacent to the development.
- g. All sides of a building shall display a similar level of architectural features and materials.
- h. Garages shall be:
  1. Made of the same material as the primary structure.
  2. Similar in architectural style to the primary structure (roof pitch, gables, etc.).
  3. Sited in a way that avoids long, monotonous rows of garage doors and building walls.
  4. Oriented so that they do not visually dominate the building façade or the streetscape.

**6[7]. Single-Family, attached**

- a. Each dwelling unit shall be located on its own lot or established as a condominium created under KRS Chapter 381.



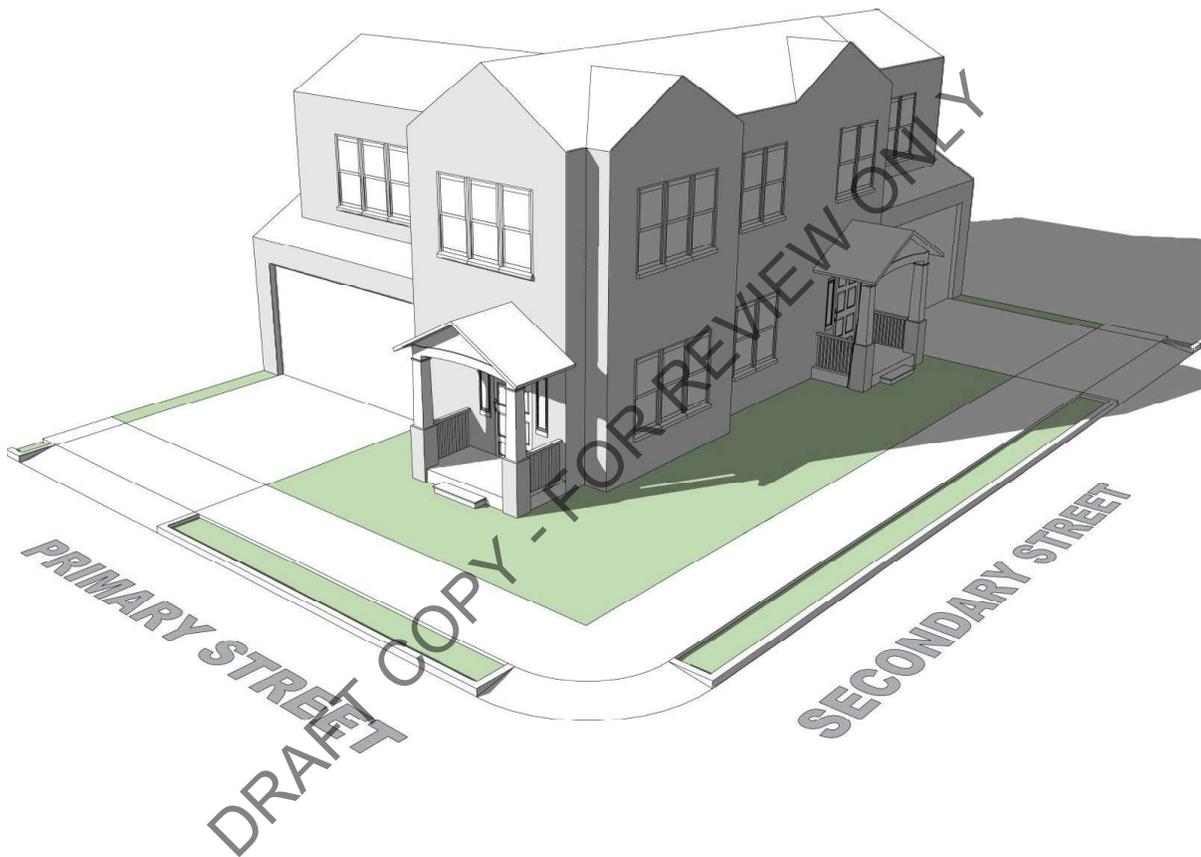
- b. No more than two adjacent dwelling units may have the same front facade setback. Variations in front facade setback shall be a minimum of three feet.
- c. No more than eight dwelling units may be attached in one structure.
- d. Any residential dwelling units using septic tanks shall comply with Section 8.03, E., Water Quality Buffers.

**7[8]. Upper Floor Housing**

- a. Outside staircases to units on upper floors are permitted provided they are not visible from a public street. This does not apply to emergency fire escapes required by the building code.
- b. Any residential dwelling units using septic tanks shall comply with Section 8.03, E., Water Quality Buffers.

#### **8[9]. Two-Family**

- a. Each unit shall have an entrance oriented to a public street frontage or share a common entry oriented to a public street frontage.
- b. Each dwelling in a duplex, located on a corner or double frontage lot, shall front a separate street whenever practicable, except where access is restricted or where the City determines that access to an adjacent street is not desirable.



- c. Outside staircases to units on upper floors are permitted provided they are not visible from the public street. This does not apply to emergency fire escapes required by the building code.
- d. Any residential dwelling units using septic tanks shall comply with Section 8.03, E., Water Quality Buffers.

#### **9[10]. Three/Four-Family**

- a. The primary entrance of each dwelling unit shall be oriented to a public street frontage. Individual units may share a common entry oriented to a public street frontage.
- b. Outside staircases to units on upper floors are permitted provided they are not visible from a public street. This does not apply to emergency fire escapes required by the building code.

**10.05 Off-Street Parking Requirements**

- A. The number of off-street parking spaces required within PUD districts shall be approved through the Development Plan Process.
- B. The following table lists the parking requirements for all other zoning districts:

TABLE 10.1 - REQUIRED OFF-STREET PARKING	
USE	PARKING REQUIREMENT
<b>RESIDENTIAL</b>	
[Manufactured Home, Qualified]	In addition to any provided garage spaces, 2 per unit if on-street parking is provided or 4 per unit if no on-street parking is provided.

**ARTICLE 14 DEFINITIONS**

**14.02 Definitions**

Except for Flood Protection Development Standards (Section 8.04) and Sexually Oriented Businesses (Article 9), the words, phrases and terms used within this ordinance shall be interpreted as stated in this Article. Except as specifically defined herein, all words and phrases used in this Zoning Ordinance shall have their customary meaning as defined in a standard, common dictionary. The definitions for Flood Protection Development Standards (Section 8.04) are in Section 14.03. The definitions for Sexually Oriented Businesses (Article 9) are in Section 14.04.

**D**

**Dwelling, Single-Family, Detached** – A dwelling standing by itself and containing only one dwelling unit, separate from other dwellings by open space, but shall not include mobile homes and manufactured homes. This definition includes Manufactured Homes, Qualified.



**M**

**Manufactured Home, Qualified** – [As defined by KRS 100.348 (2)(d)]. A manufactured home that meets all of the following criteria:

1. Is manufactured on a date not to exceed five years prior to the date of installation and has all parts that operate only during transport removed;

2. Is affixed to a permanent foundation and is connected to the appropriate facilities and is installed in compliance with KRS 227.570;
3. Has a width of at least 20 feet at its smallest width measurement or is two stories in height and oriented on the lot or parcel so that its main entrance door faces the street; and
4. Has a minimum total living area of 900 square feet;
5. A manufactured home that does not meet the minimum width of 20 feet or minimum total living area of 900 square feet may be treated as a qualified manufactured home for purposes of this definition if:
  - (a) The setback requirements or lot dimensions would not reasonably accommodate a home meeting these minimum dimensions;
  - (b) The home is the maximum width and square footage that could reasonably fit on the lot while complying with all applicable setback requirements and other zoning regulations; and
  - (c) The home otherwise meets all other requirements of a qualified manufactured home under this definition.

DRAFT COPY - FOR REVIEW ONLY

**General Attachment Notice:**

*For ease of viewing, only those portions of the Zoning Ordinance pertaining to the requests within the submitted application have been included within these attachments. The complete zoning code can be viewed online at: [www.pdskc.org](http://www.pdskc.org)*

**ATTACHMENT B**

Proposed Text Amendments to the Ludlow Zoning Ordinance  
Words to be **deleted** are lined through - Words to be **added** are underlined.

**ZONING ORDINANCE – LUDLOW****ARTICLE VII DEFINITIONS****SECTION 7.0 WORDS AND PHRASES:**

For the purposes of this ordinance, certain terms, phrases, words, and their derivatives are herewith defined as follows:

Words used in the future tense include the present;

Words used in the present tense include the future;

Words used in the singular include the plural;

Words used in the plural include the singular;

Words used in the masculine include the feminine;

Words used in the feminine include the masculine;

The word "shall" is mandatory;

The word "may" shall be deemed as permissive.

**DWELLING, DETACHED, SINGLE-FAMILY:** A dwelling standing by itself and containing only one (1) dwelling unit, separate from other dwellings by open space, but shall not include mobile homes and manufactured homes. This definition includes Manufactured Homes, Qualified.

**MANUFACTURED HOME, QUALIFIED:** A manufactured home that meets all of the following criteria:

6. Is manufactured on a date not to exceed five years prior to the date of installation and has all parts that operate only during transport removed;
7. Is affixed to a permanent foundation and is connected to the appropriate facilities and is installed in compliance with KRS 227.570;
8. Has a width of at least 20 feet at its smallest width measurement or is two stories in height and oriented on the lot or parcel so that its main entrance door faces the street; and
9. Has a minimum total living area of 900 square feet;