

Article 1: General Provisions

1.1 Adoption

WHEREAS the cities of Bardstown, Bloomfield, Fairfield, New Haven and Nelson County, Kentucky, have been engaged in a joint planning effort to provide for the orderly development of the aforesaid cities and county, and

WHEREAS providing for such development requires the adoption of various types of land use regulations, and

WHEREAS the aforesaid cities and county have adopted the objectives of the land use plan element, and have further adopted a comprehensive plan,

NOW THEREFORE BE IT ORDAINED AND ORDERED by the City Council of Bardstown and the Boards of Trustees of the cities of Bloomfield, Fairfield, New Haven and the Fiscal Court of Nelson County that it shall be unlawful for any person, firm, or corporation to locate, erect, or construct any building intended or designated to be used for residential, business, or industrial purposes or to alter any building to be used for such purposes or to use any building or property for such purposes within any zone, district, or neighborhood, except as hereinafter provided.

1.2 Title

This Zoning Regulation is entitled "Zoning Regulations for Bardstown, Bloomfield, Fairfield, New Haven, and Nelson County, Kentucky" and may be referred to as the "Zoning Regulations". The zoning maps referred to herein are entitled "Zoning Map, Bardstown", "Zoning Map, Bloomfield", "Zoning Map, Fairfield", "Zoning Map, New Haven", "Zoning Map, Nelson County". The Zoning Maps are hereby made a part of the Zoning Regulations. Certified copies of the text and maps are on file with the Joint City-County Planning Commission of Nelson County, the Bardstown City Clerk, the Bloomfield City Clerk, the Fairfield City Clerk, the New Haven City Clerk, and the Nelson County Court Clerk.

1.3 Purpose

The purpose of the Zoning Regulations is to promote the general welfare by establishing and regulating zoning districts throughout Bardstown, Bloomfield, Fairfield, New Haven, and Nelson County for the specific purposes detailed in the Kentucky Revised Statutes, Section 100.201. In establishing the zoning districts, these regulations seek to promote the general welfare, by designating sufficient space for all necessary uses of the land in logical patterns, by protecting the permitted uses in each district from the undesirable effects of conflicting uses, and seek to ensure the stable value of all permitted development. These regulations further seek the general welfare by protecting the efficiency and encouraging the improvement of traffic circulation and access to the land in all districts in order that daily travel and commerce may increase in safety and may be carried forth with a minimum of delay for the benefit of all activities and persons in the aforementioned cities and county.

1.4 Conflict with Other Instruments

In case of conflict between the Zoning Regulation or any part thereof and the whole or part of any existing or future ordinance of the City of Bardstown, Bloomfield, Fairfield, New Haven, or order of Nelson County, including but not limited to the Subdivision Regulations for All of Nelson County, or the whole or part of any existing or future private covenants or deeds, the most restrictive in each case shall apply.

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1.5 Separability

If any clause, sentence, subdivision, paragraph, section or part of this Zoning Regulation be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause sentence, subdivision, paragraph, section, or part thereof directly involved in the controversy in which said judgment shall be rendered.

1.6 Repeal of Conflicting Law

Upon adoption, this Zoning Regulation shall supersede and take precedence over the ordinance entitled "Zoning Ordinance" for the City of Bardstown, Kentucky as originally adopted, together with all amendments thereto, as well as previous editions of the "Zoning Regulations for Bardstown, Bloomfield, Fairfield, New Haven and Nelson County, Kentucky" but shall not be retroactive in force and effect except as otherwise provided in this Zoning Regulation. All other ordinances, regulations, or parts of ordinances, or regulations in conflict with this Zoning Regulation, or inconsistent with the provisions of this Regulation, are hereby repealed to the extent necessary to give this Regulation full force and effect.

1.7 Application of Regulations

All existing and future structures and uses of premises within the cities of Bardstown, Bloomfield, Fairfield, New Haven, and Nelson County shall conform with all applicable provisions of the Zoning Regulation. Each zoning district is established to permit only those uses specifically listed as permitted, except as provided under the nonconforming provisions, and is intended for the protection of those uses. No other uses are permitted except as provided elsewhere in this Zoning Regulation. The interpretation as to the uses allowed in any zone is the responsibility of the Administrative Official. The Administrative Official's interpretation shall be considered final unless subject to an administrative appeal to the applicable Board of Adjustment.

1.8 Agricultural Land Use Exceptions

Notwithstanding any other provision of this Zoning Regulation, land which is used solely for agricultural, farming, dairying, stock-raising, or similar purposes shall have no regulations imposed as to building permit fees, certificates of occupancy, height, yard, location or courts requirements for agricultural structures except that (a) setback lines may be required for the protection of existing and proposed streets and highways, and (b) that all buildings or structures in a designated floodway or flood plain or which tend to increase flood heights or obstruct the flow of flood waters may be fully regulated. The interpretation of the Administrative Official as to the agricultural character or exemption of any use shall be considered final unless appealed to the applicable Board of Adjustment.

1.9 Interpretation and Scope of Regulations

This Zoning Regulation shall be strictly construed and may not be extended by implication except where the intention of Nelson County and the cities of Bardstown, Bloomfield, Fairfield, and New Haven must prevail. In their interpretation and application, the provisions of this Regulation shall be held to be minimum requirements. The Planning Commission shall have all powers conferred by KRS Chapter 100 including but not limited to those specifically mentioned in KRS 100.203 and 100.213(2).

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1.10 Effective Date

The Zoning Regulation shall be in full force and effect at the date of its adoption by the legislative bodies of Nelson County and the Cities of Bardstown, Bloomfield, Fairfield, New Haven and within their respective areas of jurisdiction.

The original effective date of this Zoning Regulation was November 28, 1974. The effective date of this Zoning Regulation, as amended, was August 30, 2006.