

Section 6.11: Neighborhood Business District (B-1)

Intent: The intent of this zoning district, when properly applied, is to provide resident consumer more localized opportunities to purchase convenience goods and services. It is not the intent of this zoning district to provide areas for the purchase of regionally demanded goods and services, only that demanded, on a convenience basis, by the local resident population.

A. Principal Uses Permitted

Those uses permitted and as regulated in the P-1 Professional Office District
Commercial establishments, for the sale of convenience goods, personal service establishments, and other consumer services, including but not limited to convenience stores, mini-marts including gasoline sales, video rental stores, grocery stores, etc., and provided that all processing is performed as a consumer service for retail customers served on the premises and all such establishments are limited to a maximum building size of 5000 square feet in total gross floor area per lot.

B. Accessory Uses Permitted

Parking for the principal use (may be shared with adjacent uses, see Section 11.4 of these regulations)
Garage or other accessory building
Private recreational facilities
Drive-In Facilities, serving a principal use, determined by the City or County Engineer not to be a traffic hazard.

C. Conditional Uses Permitted

(1) Bed and Breakfast Establishments or Short-Term Rentals: Prior to the approval of a conditional use permit hereunder, the BOA must consider the impact of the proposed use upon surrounding properties and insure that the character of the area is protected. This conditional use shall meet the mandatory requirements set forth in Section 4.3(C) of these Regulations and the following mandatory criteria: (1) The maximum stay for a guest shall be 30 consecutive days. A dwelling unit rented to and occupied by the same occupant for 31 consecutive days or more is not considered a bed and breakfast establishment or short term rental. (2) The bed and breakfast or short-term rental shall be in the name of the Applicant/Owner, who shall be an owner of the real property upon which the B&B or short-term rental use is to be permitted. (3) The BOA may limit the number of rooms and maximum occupancy. (4) The Applicant/Owner must provide the Planning Commission and post on the exterior of the site the name and contact information for a responsible local contact person who will be available during periods of occupancy. (5) The maximum occupancy of the dwelling shall not exceed two (2) times the number of bedrooms, not including the resident owner and family members. (6) Such use shall be limited to detached single-family dwellings or an approved detached accessory dwelling and shall not be located in two-family or multi-family residential dwellings, condominiums, townhouses, or single-wide manufactured homes. (7) Only minimal food service shall be served or otherwise provided to guests, and evidence of annual food safety permit from the Health Department must be submitted at the time of annual inspection. (8) The dwelling unit shall maintain its exterior appearance as a single-family residential structure, and there shall be minimal outdoor signage identifying the conditional use, as allowed by applicable sign regulations. (9) The dwelling unit shall have off-street parking and comply with the minimum/maximum parking standards as set forth in Article 11 of this Ordinance. (10) The use shall comply with all applicable building, health, fire and related safety codes at all times and shall be inspected by the Building Inspector and Fire Marshall before any activity can occur. Evidence of fire and building compliance shall be submitted at the time of annual inspection. (11) As part of the consideration of an application under this section, the BOA shall, when considering compliance with Section 4.3 (C) of these regulations consider the following relevant factors as a basis for approval or denial of the Conditional Use: (a) The land use character of the area in which the proposed use will locate. Mixed use areas are generally considered more appropriate for bed and breakfast establishments and short-term rentals. Mixed density residential areas are not as appropriate for bed and breakfast establishments and short-term rentals as mixed use areas but can be considered as appropriate with proof of appropriateness given. Areas of solidly single family residential use should be limited as locations for bed and breakfast establishments and short term rentals with a general presumption that such use may have a detrimental effect on the character of the area and its housing stock. (b) The number of bed and breakfast establishments and short-term rental units in the area, specifically on the block where the proposed use will be located. As a general presumption, too many bed and breakfast establishments and short-term rental units in a smaller area will change the character of the area, provide unique challenges to the permanent residents of the area and will deter long-term residency in the area. Evidence to overcome this presumption shall be provided as part of any application for a bed and breakfast establishment or short term rental use. (c) The character of the structure to be used and the impact of the proposed use on the availability/affordability of housing for permanent residency. Permanent residents are an important and vital part of the community. They support local business and the community as a whole. Removing too many dwelling units from permanent residency to be used solely for bed and breakfast establishment or short term rental is presumed detrimental the vibrancy of the community. Evidence to overcome this presumption shall be provided as part of any application for a bed and

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breakfast establishment or short-term rental use. Preference shall be given by the BOA to applications with a permanent resident owner/operator on site during periods of occupancy. (d) In addition to the above relevant factors, the BOA may further consider other relevant factors deemed by the BOA to be unique to the subject property.

- (2) Mini-warehouses: which provide for rental, small storage facilities that are offered for use to the public. The Board of Adjustments when granting requests for mini-warehouse facilities may limit the number of units provided, restrict the size or orientation of any structure, require screening, buffering, or landscaping, require a specific type of building material, require green landscape buffer areas, require storm water abatement measures or impose any other requirement that it deems necessary to help the requested use blend into its unique surroundings. (NA in City of Bardstown)
- (3) Car Wash: The Board of Adjustment, when reviewing applications for this conditional use, shall review plans for the operation to determine if traffic circulation/vehicle storage and wash water discharge are adequately provided for. The opinion of the City or County Engineer shall be sought concerning traffic circulation/vehicle storage provisions. Wash water shall be discharged into sanitary sewers of a facility approved by the Nelson County Health Department.
- (4) Mobile Home as Place of Residence for a Commercial Watchman: The Board of Adjustment, when reviewing applications for this conditional use, shall consider the following factors: if there other facilities that can reasonably accommodate a watchman's residence, if so the permit may be denied; if there is a necessity for a watchman living on site; sewage disposal facilities; as well as aesthetic considerations, appearance, and maintenance concerns.

D. Planned Unit Development Uses Permitted (approved as provided for in Section 8.2 of these Regulations)

- (1) Mixed Commercial, Office, Residential Development: A development approved under this section may consist of multi-family, two family and single family residential lots or clusters of lots mixed with areas designated for commercial, office or other uses in the ranges allowed in section A. above. Residential densities are not to exceed that allowed in the R-3 zone. As part of the approval process for the Planned Unit Development designation, the developer must designate particular areas to be dedicated to each use and housing type or density. Once approved, that designation, related to use, housing type or density, may only be changed by amending the planned unit development designation through the process used for initial approval.
- (2) Golf Courses, Recreational Facilities and similar uses: providing for public accessibility to relatively undeveloped green spaces and forest reserves, provided that: adequate parking facilities and traffic access are provided based on anticipated demand; and adequate buffers between active uses and adjacent properties are provided where deemed necessary by the Planning Commission.
- (3) B-1 PUD Neighborhood Business (Only in effect in the City of Bardstown and in the Deatsville and Hunters Village Unincorporated Character Areas as established by the *Nelson County 2020: A Comprehensive Plan.*) (Amendment: January 14, 2002)

Intent: The intent of this PUD zoning district, when properly applied, is to allow development of commercial uses that will blend in with existing residential districts.

Note: A site development plan must be submitted as part of the rezoning application requesting reclassification to this PUD zoning district. This plan shall show: location of existing structures, utilities; roadways (which may be private, but must provide guaranteed, adequate access to all parcels as well as adjoining parcels); intended option choice for commercial use of the property; size, type and design of structures (must blend in with surrounding residential uses); storm water drainage and retention facilities; signage; lighting; landscaping; screening and buffering. Setbacks and parking requirements may be varied as part of the overall approval of site plan. All items required are subject to Planning Commission review and approval. The standard for review shall be that all required items must be provided in a way so as to minimize adverse impacts on the public and surrounding residential uses. Departures from the development plan, as finally approved, must receive Planning Commission and appropriate legislative body ~~City Council~~ approval after another required public hearing.

(Option A) Principal Uses Permitted

Those uses as allowed in the B-1 Neighborhood Business District and P-1 Professional Office District. Maximum of 10,000 square feet of floor area.

(Option B) Principal Uses Permitted

Those uses as allowed in the B-2 Central Business District excluding the following uses: outside storage, automobile dealerships and sales lots. Maximum of 10,000 square feet of floor area.

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(Option C) Otherwise Allowed Uses Serving Alcohol by the Drink: providing that the nuisance aspects of these uses are mitigated to the extent possible using screens, buffers, limitations on hours of business, or other conditions necessary in the opinion of the Planning Commission to allow the unique aspects of this type of use to blend in with the surrounding land use pattern, current and anticipated. Maximum of 10,000 square feet of floor area.

E. Dimension and Area Requirements

Standard	Requirement
Height (maximum)	35 feet
Lot Area (minimum)	
Served by sanitary sewer	7,500 square feet
Not served by sanitary sewer	43,560 square feet
Lot Width (minimum)	50 feet
Open Space (minimum)	20 percent
Front Yard Setback (minimum)	50 feet Note: Except along roadways classified as collectors or higher by the transportation element of the adopted comprehensive plan where the setback is 50 feet from roadway right-of-way.
Side Yard Setback (minimum)	15 feet
Rear Yard Setback (minimum)	30 feet

F. Parking & Off-Street Loading Requirements

Parking requirements may be found in Article 11 of these Zoning Regulations, by use.

G. Sign Requirements

Sign requirements as set out in Article 12 of these Zoning Regulations.

- Amended 5-12-04
- Amended City of Bardstown, Ordinance B2017-07, May 5, 2017; City of Bloomfield, Ordinance 2017-117, May 14, 2017; City of Fairfield, Ordinance 2017-PZ-02-2017, May 14, 2017; City of New Haven, Ordinance #463, Series 2017, May 26, 2017; and Fiscal Court, June 9, 2017.