

## Section 6.13: Regional Retail Business District (B-3)

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Intent: The intent of this zoning classification, when properly applied, is to provide areas for major retail service and goods providers to locate. Areas zoned to this classification are primarily those with high accessibility for the community at large.

### A. Principal Uses Permitted

Those uses allowed in B-2 Zoning District.

Retail commercial uses serving the community as a whole, or whose customer base is the community at large not just the local or transitory population. Such uses include but are not limited to: large retail stores; groceries; movie theaters; furniture and reupholsterers; automobile service stations; automobile and small truck sales and/or service; minor automobile and truck repair; used car lots; restaurants, drive-in or sit down (no uses allowed serving liquor by the drink are allowed without first obtaining a PUD designation, see Section D. below; only in effect in the City of Bardstown); motels and hotels; boat and marine supplies; drive-in theaters, skating rinks; bowling alleys; and mini-warehouses.

Car wash, discharging wash water into a sanitary sewer or a Nelson County Health Department approved waste facility, and a traffic pattern and vehicle storage plan determined by the City or County Engineer not to pose a traffic hazard.

Parking Lots and structures

### B. Accessory Uses Permitted

Garage or other accessory building

Private recreational facilities

Only that wholesaling of merchandise or services which is clearly incidental and subordinate to the principal retail use of the premises.

### C. Conditional Uses Permitted

- (1) Regular Outside Storage of Material; related to the business or offered for sale, whether stored in containers or individually. The Board of Adjustment when reviewing a request for this conditional use may impose the following conditions some of which are mandatory (\*): restrictions on areas to be used; restrict the time period for storage; impose screening or buffering requirements; require additional parking where existing parking areas are used for such storage(\*); and any other condition that helps the proposed use to blend in with its unique surroundings. (Only in effect in the City of Bardstown)
- (2) Green Houses, Plant Nurseries, and Produce Markets; determined by the Board of Adjustment to be accessory to the primary use of the property or in the alternative, an appropriate primary use. The Board of Adjustment when reviewing a request for this conditional use may impose the following conditions some of which are mandatory (\*): restrictions on areas to be used; restrict the time period for such use; impose screening or buffering requirements; require additional parking where existing parking areas are used for such uses(\*); and any other condition that helps the proposed use to blend in with its unique surroundings.
- (3) 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.
- (4) Micro-Brewery. The intent of this conditional use is to allow micro-breweries supporting permitted eating and drinking establishments, event facilities, or similar uses. 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. Any conditional use permit issued hereunder must meet the mandatory requirements for approval set out in KRS 100.237 and Section 4.3C of this Ordinance. The BOA also may impose conditions that ensure compatibility and appropriateness of the proposed use, and such conditions may include, but are not limited to, limitations on hours of operation, screening and buffering, etc.
- (5) Craft Distillery, Type II. The intent of this conditional use is to allow craft distilleries supporting permitted eating and drinking establishments, event facilities, or similar uses. 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. Any conditional use permit issued hereunder must meet the mandatory requirements for approval set out in KRS 100.237 and the following minimum criteria:

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- (a) The use and any associated use on the property shall serve alcohol by the drink only in accordance with the underlying zoning requirements;
- (b) All processing, production, manufacturing, distilling, brewing, and/or bottling associated with such distillery shall be located within a fully enclosed building;
- (c) Outdoor storage of materials, equipment, or supplies is not allowed, unless otherwise allowed by the underlying zoning;
- (d) All loading and unloading areas shall be oriented away from public streets, whenever feasible;
- (e) The use shall have no more than 240 gallons of barreled distilled spirits stored on site during any 24-hour period;
- (f) All facilities shall have an automatic fire sprinkler system;
- (g) All facilities shall be served by public water and sanitary sewer;
- (h) The Owner must provide evidence of annual production from the Alcohol and Tobacco Tax and Trade Bureau at the time of the annual inspection; and,
- (i) The BOA also may impose conditions that ensure compatibility and appropriateness of the proposed use, and such conditions may include, but are not limited to, limitations on hours of operation, screening and buffering, etc.

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

- (1) 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.
- (2) Dance Halls, Reception Halls, Nightclubs, Billiard or Pool Halls: providing that the nuisance aspects of these uses are mitigated to the extent possible uses 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.

**E. Dimension and Area Requirements**

<b>Standard</b>	<b>Requirement</b>
Height (maximum)	50 feet
Lot Area (minimum)	
Served by sanitary sewer	5,000 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
Side Yard Setback (minimum)	
Not adjoining a residential use	15 feet
Adjoining a residential use	25 feet
Rear Yard Setback (minimum)	25 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 City of Bardstown, Ordinance B2015-27, September 25, 15; City of Bloomfield, Ordinance 2015-107, October 23, 2015; City of Fairfield, Ordinance 2015-PZ-02 & 03, November 13, 2015; City of New Haven, Ordinance #455, Series 2015, October 23, 2015; and, Fiscal Court, Ordinance #930.1-4, September 4, 2015 and Ordinance #930.1-5 through 930.1-10, October 23, 2015.
- Amended City of Bardstown, Ordinance B2017-05, March 10, 2017; City of Bloomfield, Ordinance 2017-116, March 24, 2017; City of Fairfield, Ordinance 2017-PZ-01-2017, March 31, 2017; City of New Haven, Ordinance #462, Series 2017, March 22, 2017; and Fiscal Court, Ordinance #930.1-12, March 31, 2017.