

Section 6.9: Multi-Family Residential District (R-4)

Intent: The intent of this zone, when properly applied, is to provide areas for multi-family residential development, but at a medium level of relative density. This zone is only properly applied to areas with sanitary sewers available.

A. Principal Uses Permitted

Single Family Dwellings
Two Family Dwellings
Multi-family Dwellings

B. Accessory Uses Permitted

Home Occupations: Must obtain HO permit in City of Bardstown.
Garage or other accessory building
Private recreational facilities

C. Conditional Uses Permitted

- (1) Schools, Churches, Cemeteries. Conditions may be imposed that limit/control traffic flow or circulation, lighting as well as any other condition that helps the particular use to blend with its unique surroundings.
- (2) Instructional/Research Facilities, Rehabilitation Centers. Conditions may be imposed that limit or specify the size and type of structure or structures, that impose a maximum number of employees and/or individuals to be accommodated on site at any one time, limit seasons or hours of operation, limit the specific area to be used for the particular use, impose specific screening and/or buffering requirements, as well as any other requirement or condition that allows the use to blend in with its particular surroundings.
- (3) Home Occupations (as defined in Article 5) with special allowance: with a conditional use permit granted under this section an otherwise allowed home occupation may employ up to one (1) non-resident employee. Conditions that be imposed include: special provision for parking may be required and otherwise allowed signage may be restricted. (N/A in the City of Bardstown)
- (4) 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 solid 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

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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 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.

- (5) Child Care/Daycare Facilities, Type II: Conditions that may be imposed or that are mandatory (*) include: that a fenced play yard be provided (*); and that special screening or buffering may be required.
- (6) 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.
- (7) Nursing Homes, Convalescent, Extended Care or Assisted Care Living Facilities: Conditions that may be imposed or are mandatory (*) include: size, type and style of the building may be restricted so as to help it blend with surrounding development; the number of beds or persons cared for and the total number of employees per shift may be limited; and vehicular parking areas shall be located and lit so as to minimize the impact on adjacent uses (*).

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

- (1) Multi-Family Residential Development: with multi-family residential lots, meeting the standards contained in section E. below, but served by a private roadway to be constructed to a standard as follows: a road surface 18 feet in width; served with curbs, gutters and sidewalks; a pavement structure of 6 inches dense graded aggregate as base, 3 inches of subsurface asphalt and 1 inch surface asphalt. This type development is to be served by sanitary sewers.
- (2) Mixed Type and Density Residential Development: A development approved under this section may consist of multi-family, two family and single family residential lots or clusters of lots allowing the developer the flexibility to mix densities. As part of the approval process for the Planned Unit Development designation, the developer must designate particular areas to be dedicated to each housing type or density. Once approved, that designation, related to housing type or density may only be changed by amending the planned unit development designation through the process used for initial approval.
- (3) 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.

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	Not allowed
Density (maximum)	18 units per acre
Lot Width (minimum)	75 feet
Open Space (minimum)	25 percent
Front Yard Setback (minimum)	25 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)	10 feet
Rear Yard Setback (minimum)	30 feet

F. Parking 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 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.*