

Article 3. Commercial and Industrial Zones

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Section 3.01 Overview of Regulations

Each of the commercial and industrial zones of this article regulates: (1) use/activity; (2) development intensity; and (3) physical character. In recognition of the city’s diversity and to allow maximum flexibility to address the differences that exist among areas, the commercial and industrial zone classifications consists of interchangeable parts regulating each of these 3 items. In the CN-1P zone, for example, the use/activity designation is represented by the letters “CN,” (neighborhood commercial), the intensity designation is represented by the numeral “1” (a low-intensity designation), and the character designation is represented by the letter “P” (pedestrian) that follows the numeral. The zone regulations are described in the following sections of this article.

Section 3.02 Purpose and Character of Zones

3.02.01 General

- A. The commercial zones are intended to accommodate retail, service, business, and commercial uses and to ensure that commercial-zoned areas are compatible with the surrounding neighborhood in terms of physical character and operating characteristics.
- B. Many commercial zones are also intended to accommodate mixed-use development consisting of commercial uses on the ground floor or on lower-floors, with residential uses located on upper floors. This type of vertical, mixed-use development is encouraged in many areas of the city because it reflects the city’s traditional urban, pedestrian-oriented character.
- C. The industrial zones are intended to accommodate manufacturing, warehousing, wholesale, and industrial uses. The regulations are intended to promote the economic viability of manufacturing and industrial uses, encourage employment growth, and limit the encroachment of unplanned residential and other non-industrial development within industrial areas.

3.02.02 CN, Commercial–Neighborhood

- A. CN zones are intended to accommodate mixed-use, neighborhood-serving commercial uses that have a relatively small-scale, pedestrian-oriented character.
- B. CN zones are intended to be applied in compact nodes at the intersection of 2 or more streets or in a cohesive linear fashion along streets characterized by slow traffic speeds and low to moderate traffic volumes (compared to arterial streets).
- C. The CN zone is primarily intended to promote storefront-style buildings with residential dwelling units above the ground floor and relatively small-scale neighborhood shopping centers.
- D. The CN zone may be combined with the dash 1, dash 2, or dash 3 intensity (lot and building standards) designations and with the “P” or “M” character designations (e.g., CN-1P or CN-2M).

3.02.03 CC, Commercial–Community

- A. CC zones are intended to accommodate a broad range of commercial and mixed-use development, often in the physical form of shopping centers or in the form of larger buildings than typically found in CN zones. In addition to accommodating development with a different physical form than found in CN zones, the CC zone is also intended to accommodate some types of uses that are not allowed in the CN zone.
- B. Development in CC zones will generally be destination-oriented, with a large percentage of customers arriving by automobile.
- C. The CC zone permits and is intended to accommodate mixed-use buildings with residential dwelling units above the ground floor.
- D. The CC zone is intended to be applied to sites that have primary access to major streets. It may also be used along arterial streets to accommodate retail and service use types that are not allowed in CN zones.
- E. The CC zone may be combined with the dash 1, dash 2, or dash 3 intensity (lot and building standards) designations and with the “P,” “M,” or “A” character designations (e.g., CC-2P or CC-1A).

3.02.04 CG, Commercial–General

- A. The CG zone is intended to accommodate a very wide variety of commercial uses and development styles.
- B. Buildings and uses in CG zones will typically be larger and more intensive than in CN or CC zones, and many of the uses allowed in the CG zone are incompatible with residential neighborhoods.
- C. The CG zone is generally intended to be applied to sites adjacent to arterial streets.
- D. The CG zone permits and is intended to accommodate mixed-use buildings with residential dwelling units above the ground floor.
- E. The CG zone may be combined with the dash 1, dash 2, or dash 3 intensity (lot and building standards) designations and with the “P,” “M,” or “A” character designations (e.g., CG-2M or CG-1A).

3.02.05 CBD, Central Business District

- A. The CBD zone is intended to accommodate a very wide variety of high-intensity commercial and vertical mixed-use projects.
- B. The CBD zone is intended to preserve and enhance pedestrian-oriented development patterns and to preserve and enhance the central business district’s function as a center of employment, shopping, cultural, and entertainment activities.
- C. The CBD zone may be combined with the dash 3, dash 5, dash 7, or dash 9 intensity (lot and building standards) designations and with the “P” or “M” character designations (e.g., CBD-3M or CBD-7P).

3.02.06 CT, Commercial–Tourist

- A. The CT zone is intended to accommodate specialized retail, service, public, and semi-public uses oriented to visitors and tourists.
- B. The CT zone is primarily intended to promote storefront-style buildings with residential dwelling units above the ground floor.
- C. The CT zone’s development standards are intended to promote pedestrian-oriented development patterns and to provide a transition between higher intensity development and surrounding residential areas.

- D. The CT zone may be combined with the dash 1, dash 2, or dash 6 intensity (lot and building standards) designations and with the “P” character designation (e.g., CT-1P or CT-2P).

3.02.07 CO, Commercial–Office

- A. The CO zone is intended to accommodate large office park developments in a campus-like setting.
- B. The CO zone may be combined with the dash 1, dash 2, or dash 3 intensity (lot and building standards) designations and with the “P” or “M” character designations (e.g., OP-1P or OP-2M).

3.02.08 CRL, Commercial–Riverfront (Limited)

- A. The CRL zone is intended to accommodate low-intensity, riverfront-oriented uses that will not have an adverse impact on nearby residential areas.
- B. The CRL zone may be combined with the dash 1 or dash 2 intensity (lot and building standards) designations and with the “P” character designation (e.g., CRL-1P).

3.02.09 CRG, Commercial–Riverfront (General)

- A. The CRG zone is intended to accommodate moderate-intensity, riverfront-oriented retail, entertainment, public and civic use types.
- B. The CRG zone is intended to be applied in areas that will not have an adverse impact on existing or planned residential neighborhoods.
- C. The CRG zone may be combined with the dash 1, dash 2 or dash 3 intensity (lot and building standards) designations and with the “P” character designation (e.g., CRG-1P).

3.02.10 IP, Industrial Park

- A. The IP zone is intended to accommodate low-impact manufacturing, wholesaling, warehousing, and distribution activities that occur within enclosed buildings, typically within industrial or business park settings.

- B. The IP zone may be combined with the dash 1, dash 2 or dash 3 intensity (lot and building standards) designations.

3.02.11 IL, Industrial–Limited

- A. The IL zone is intended to accommodate low- to moderate-impact manufacturing, wholesaling, warehousing, and distribution uses, including storage and work-related activities that occur outside of enclosed buildings.
- B. The IL zone may be combined with the dash 1, dash 2 or dash 3 intensity (lot and building standards) designations.

3.02.12 IG, Industrial–General

- A. The IG zone is intended to accommodate high-impact manufacturing and industrial uses, including extractive and waste-related uses.
- B. The IG zone may be combined with the dash 1, dash 2 or dash 3 intensity (lot and building standards) designations.

Section 3.03 Allowed Uses

Uses are allowed in commercial and industrial zones in accordance with the Use Table of this section (below).

3.03.01 Permitted Uses

Uses identified with a “P” are permitted by right in the subject zone, subject to compliance with all other applicable standards of this zoning ordinance.

3.03.02 Conditional Uses

Uses identified with a “C” may be allowed if reviewed and approved in accordance with the Conditional Use procedures of Section 12.07. Conditional uses are subject to compliance with all other applicable standards of this zoning ordinance.

3.03.03 Prohibited Uses

Uses identified with a “–” are expressly prohibited. Uses that are not listed in the table are also prohibited.

3.03.04 Use-Specific Standards

The “Use-Specific Standards” column of the Use Table identifies use-specific standards that apply to some uses.

3.03.05 Use Table

USE GROUP	Commercial Zones								Industrial Zones			Use-Specific Standards
Use Category	CN	CC	CG	CBD	CT	CO	CRL	CRG	IP	IL	IG	
1 Specific Use Type												
P = permitted by right C = conditional use - = not permitted												
RESIDENTIAL												
Group Living												
Addiction Treatment Facility	-	C	-	C	-	-	-	-	-	-	-	§Section 6.13
Household Living												
Attached house	C	C	C	C	P	-	-	-	-	-	-	
Detached house	C	C	C	C	P	-	-	-	-	-	-	
Dwellings in mixed-use buildings	P	P	P	P	P	-	-	-	-	-	-	§Section 6.18
Multi-unit	C	C	C	C	C	-	-	-	-	-	-	
Two-unit	C	C	C	C	C	-	-	-	-	-	-	
Qualified Manuf. Housing Units	C	C	C	C	C	-	-	-	-	-	-	§section 6.22
PUBLIC AND CIVIC												
Colleges and Universities	C	C	C	C	-	P	-	-	C	C	C	
Cultural Exhibits and Libraries	P	P	P	P	P	P	-	P	-	-	-	
Day Care	P	P	P	P	P	P	-	-	C	-	-	§Section 6.07
Hospital	C	C	C	C	C	P	-	-	-	-	-	§Section 6.14
Lodge or Private Club	C	C	C	C	C	C	-	C	C	-	-	§Section 6.17
Recreation and Open Space												
Low-Intensity	P	P	P	P	P	P	P	P	C	C	C	
High-Intensity	C	C	C	C	C	C	C	C	C	C	C	
Postal Service	P	P	P	P	P	P	-	-	P	P	P	
Religious Assembly	P	P	P	C	C	P	-	-	-	-	-	
Safety Services	P	P	P	P	P	P	-	-	P	P	P	§Section 6.25
Schools	C	C	C	C	C	C	-	-	-	-	-	
Utilities												
Essential services	P	P	P	P	P	P	P	P	P	P	P	
Major	C	C	C	C	C	C	C	C	C	C	C	
COMMERCIAL												
Animal Services												
Sales and grooming	P	P	P	P	-	P	-	-	-	-	-	§Section 6.03
Veterinary hospitals	C	P	P	-	-	-	-	-	P	P	P	
Kennels and shelters	-	-	C	-	-	-	-	-	P	P	P	
Other (not specifically listed, above)	-	-	C	-	-	-	-	-	P	P	P	
Artist Galleries and Studios (excluding Body Art Services)	P	--	P	P	P	--	--	--	--	--	--	
Body Art Services	-	-	-	-	C	-	-	-	-	-	-	§Section 6.06
Building Maintenance Services												
Indoor	-	-	P	C	-	P	-	-	P	P	P	
Outdoor	-	-	C	-	-	-	-	-	P	P	P	
Business Equipment Sales and Service	P	P	P	P	-	P	-	-	P	-	-	
Business Support Services												
Day laborer employment									C	C	P	

USE GROUP	Commercial Zones								Industrial Zones			Use-Specific Standards
Use Category	CN	CC	CG	CBD	CT	CO	CRL	CRG	IP	IL	IG	
1 Specific Use Type												
P = permitted by right C = conditional use - = not permitted												
agency or pick-up facility												
Other (not specifically listed, above)	-	C	P	P	-	P	-	-	P	P	P	
Communication Service Establishments	-	-	P	P	-	P	-	-	P	-	-	
Construction Sales and Service												
Indoor	-	-	P	-	-	-	-	-	P	P	P	
Outdoor	-	-	P	-	-	-	-	-	P	P	P	
Repair or Laundry Service, Consumer												
Laundromat	-	C	-	-	-	-	-	-	-	-	-	
Other (not specifically listed, above)	P	P	P	P	P	P	-	-	P	-	-	
Eating/Drinking Establishments												
Microdistillery	-	C	C	C	C	C	-	-	-	P	-	
Microbrewery	-	C	C	C	C	C	-	-	-	P	-	§Section 6.28
Brewpub	-	P	P	P	P	-	-	-	-	-	-	
Restaurant with or without beer, wine or alcohol	P	P	P	P	P	P	P	P	P	C	-	§Section 6.28
Tavern	P	P	P	P	P	P	P	P	P	-	-	§Section 6.28
Entertainment												
Small	P	P	P	P	P	-	P	P	-	-	-	
Medium	-	C	P	P	P	-	C	P	-	-	-	§Section 6.08
Large	-	-	C	C	C	-	C	C	-	C	-	§Section 6.09
Bingo Hall	-	C	-	-	-	-	-	-	-	-	-	
Financial Services												
Currency exchange (check cashing)	-	C	-	-	-	-	-	-	-	-	-	§Section 6.10
Payday loan	-	C	-	-	-	-	-	-	-	-	-	§Section 6.10
Pawn shop	-	C	-	-	-	-	-	-	-	-	-	§Section 6.10
Tax Preparation Service	C	C	-	-	-	C	-	-	-	-	-	§Section 6.10
Other (not specifically listed, above)	C	P	P	P	P	P	-	-	-	-	-	
Food and Beverage Sales, Retail												
Package Liquor (Distilled Spirits)	-	P	C	P	P	-	-	-	-	P	-	§Section 6.36
Other (not specifically listed, above)	P	P	P	P	P	P	-	-	-	-	-	
Fortune Telling Service	-	C	-	-	C	-	-	-	-	-	-	§Section 6.11
Funeral and Internment Services	C	C	P	-	-	C	-	-	-	-	-	
Gasoline Stations	-	C	P	-	-	C	-	-	P	P	-	§Section 6.12
Lodging												
Bed and breakfast	P	P	P	P	P	P	-	P	-	-	-	§Section 6.04
Hotel/motel	-	-	P	P	P	P	-	P	-	-	-	
Medical Service	C	P	P	P	-	P	-	-	-	-	-	

USE GROUP Use Category	Commercial Zones								Industrial Zones			Use-Specific Standards
	CN	CC	CG	CBD	CT	CO	CRL	CRG	IP	IL	IG	
1 Specific Use Type												
P = permitted by right C = conditional use - = not permitted												
Office	P	P	P	P	P	P	-	-	C	C	C	§Section 6.21
Personal Improvement Service	P	P	P	P	P	P	-	-	C	C	-	
Residential Storage Warehouse	-	-	-	-	-	-	-	-	C	C	C	§Section 6.23
Retail Sales and Service												
Antique shop	P	P	P	P	P	P	-	P	-	-	-	
Flea market	-	-	-	-	-	-	-	-	-	C	-	§Section 6.24
Furniture rental, consumer	-	C	-	-	-	-	-	-	-	-	-	§Section 6.24
Secondhand store	C	C	-	-	-	-	-	-	-	-	-	§Section 6.24
Vintage clothing store	-	-	-	C	C	-	-	-	-	-	-	
Other (not specifically listed above or specifically excluded herein)	P	P	P	P	P	P	-	P	-	C	-	
Sexually Oriented Business												
Sexually oriented media store, sex shop or service-oriented escort bureau	-	P	-	P	-	-	-	-	-	-	-	§Section 6.26
A sexually oriented business featuring on-premise entertainment	-	P	-	P	-	-	-	-	-	P	P	§Section 6.26
Vehicle Sales and Service												
Auto supply/ accessory sales	-	-	P	-	-	-	-	-	-	-	-	
Car wash	-	-	P	-	-	-	-	-	-	P	-	
New vehicle and equipment sales, light	-	P	P	-	-	-	-	-	-	P	P	
Used vehicle and equipment sales, light	-	-	-	-	-	-	-	-	-	C	C	§Section 6.29
Vehicle and equipment sales, heavy	-	-	-	-	-	-	-	-	-	P	P	
Vehicle servicing, minor	-	P	P	-	-	-	-	-	-	-	-	§Section 6.19
Vehicle repair, minor	-	C	C	-	-	-	-	-	-	P	-	§Section 6.19
Vehicle repair, major	-	-	-	-	-	-	-	-	-	P	P	
Vendor Retail												
Mobile Food Vending Service	-	P	P	P	P	P	-	P	P	P	-	§Section 6.34
Temporary Vendor	-	P	P	P	P	P	-	P	-	-	-	§Section 6.35
INDUSTRIAL												
Junk/Salvage Yard	-	-	-	-	-	-	-	-	-	C	P	§Section 6.15
Manufacturing, Production, and Industrial Service												
Limited	-	-	P	-	-	-	-	-	P	P	P	§Section 6.16
General	-	-	-	-	-	-	-	-	-	P	P	
Intensive	-	-	-	-	-	-	-	-	-	-	P	
Mining/Excavation	-	-	-	-	-	-	-	-	-	-	P	
Recycling Facilities												
Class I	-	-	-	-	-	-	-	-	P	P	P	
Class II	-	-	-	-	-	-	-	-	-	P	P	
Class III	-	-	-	-	-	-	-	-	-	C	P	

USE GROUP	Commercial Zones								Industrial Zones			Use-Specific Standards
Use Category	CN	CC	CG	CBD	CT	CO	CRL	CRG	IP	IL	IG	
1 Specific Use Type												
P = permitted by right C = conditional use - = not permitted												
Warehouse and Freight Movement												
Indoor	-	-	C	-	-	-	-	-	P	P	P	
Outdoor	-	-	-	-	-	-	-	-	-	P	P	
Waste-Related Service	-	-	-	-	-	-	-	-	-	-	C	§Section 6.30
OTHER												
Marine-related Use												
Temporary passenger watercraft loading	-	-	-	-	-	-	P	P	-	-	-	
Boat docking facilities	-	-	-	-	-	-	P	P	-	-	-	§Section 6.05
Barge and industrial facilities	-	-	-	-	-	-	-	-	-	P	P	
Parking, Non-accessory	-	C	P	P	C	C	C	C	P	-	-	
Signs, Advertising	-	-	-	-	-	-	-	-	-	-	-	

Section 3.04 Lot and Building Standards

All development in the commercial and industrial zones must comply with the following lot and building standards. See Section 9.08 for other rules governing measurements and exceptions to these standards.

Standard	Intensity Designation						
	-1	-2	-3	-5	-6	-7	-9
Maximum floor area ratio	1.0	2.0	3.0	5.0	6.0	7.0	9.0
Min. lot area per dwelling unit (square feet)	1,250	1,000	700	500	350	400	175
Maximum height (stories)	2	3	5	10	7	None	None
Minimum Front Setback (feet)	None	None	None	None	None	None	None
Minimum Side Setback (feet)							
Abutting R Zone	10% of lot width						
Abutting non-R Zone	None required						
Minimum Rear Setback (feet)							
Abutting property line of R-zoned lot	25% of lot depth or 25 feet, whichever is less						
Abutting alley, street or non-R Zone	None required						
Floors containing dwelling units	30 feet						None

Section 3.05 Character Standards

3.05.01 Building Placement

A. “P” Designations

In zones with a “P” suffix (e.g., CN-1P), buildings must be placed within 5 feet of the front and street side property lines.

B. “M” Designations

In zones with an “M” suffix (e.g., CC-2M), at least 60 percent of the building facade must be placed within 5 feet of the front and side property lines.

C. “A” Designations

In zones with an “A” suffix (e.g., CC-2A), no additional building placement standards apply, other than those governing required setbacks.

D. Exceptions to Building Placement Requirements

The following exceptions to the building placement requirements of this subsection apply:

1. Articulated Building Street Face

When a portion of the building is set back from the required building placement line in order to provide an articulated or modulated facade, the total area of the space created may not exceed one square foot for every linear foot of building frontage.

2. Outdoor Eating Areas

When an outdoor eating area is located on the street frontage, the building placement line may be adjusted, provided that the building is set back no more than 12 feet from the front or street side lot line or at least 40 percent of the façade complies with the building placement line and the total area of the outdoor eating area does not exceed 12 times the building’s street frontage in linear feet.

E. Modifications

Modifications of building placement standards, other than the exceptions expressly allowed in Section 3.05.01, D., may be approved only through the Board of Adjustment procedure of Section 12.15.

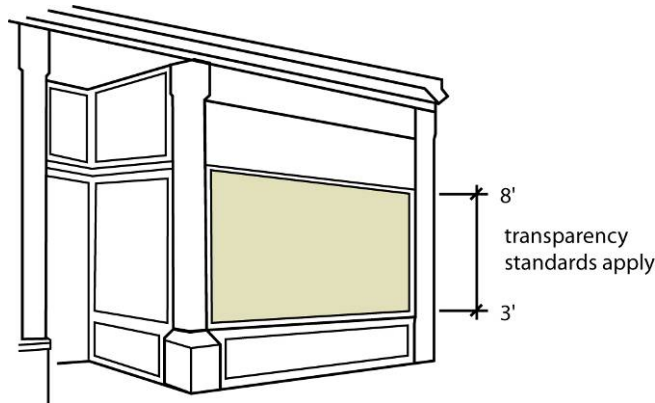
3.05.02 Ground-Floor Transparency

A. Purpose

The following transparency standards are intended to provide for a more pedestrian-oriented environment by requiring ground-floor windows and doors to engage pedestrians’ interest.

B. Minimum Standard

Transparent windows and doors must comprise a minimum percentage of the street-facing façade between 3 and 8 feet in height above grade, as specified in the tables below. Such windows and doors must allow views into and out of the building. Materials such as opaque or darkly-tinted glass or glass block are not considered to be transparent.



1. In zones with a “P” suffix (e.g., CN-1P), the following minimum standards apply:

Street Frontage (linear feet)	Transparency Percentage	
	Primary Street	Secondary Street
40 or less	65	30
41-80	60	40
81 or more	50	50

2. In zones with an “M” suffix (e.g., CC-2M), the following minimum standards apply:

Street Frontage (linear feet)	Transparency Percentage	
	Primary Street	Secondary Street
40 or less	60	30
41-80	55	40
81 or more	50	50

3. In zones with an “A” suffix, no minimum transparency standards apply.

C. Display Windows

Display windows that do not provide visual access into the interior of the building count toward the minimum

transparency percentage, provided that they are at least 2 feet in depth.

D. Waivers or Modifications

Waivers or modifications of these transparency standards may be approved only through the Design Review procedure of Section 12.15.

3.05.03 Driveways/Curb Cuts

In zones with a “P” or “M” suffix, vehicular access must be from an alley or side street if one is present. No driveway or curb cut standards apply in zones with an “A” suffix, although other regulations may have the effect of controlling or limiting driveway access to streets.

3.05.04 Parking Location

- A. In order to maintain a continuous street façade in zones with a “P” suffix, any provided parking must be located at the rear of the building.
- B. In zones with an “M” suffix and in “P” suffix zones where the depth of the lot is insufficient to permit parking in the rear, parking may be located at the side of the building.
- C. Parking lots located to the side of a building may not occupy more than 50 percent of the street frontage.

3.05.05 Drive-Through Facilities

- A. Drive-through facilities are not permitted in zones with a “P” or “M” suffix.
- B. No special drive-through facility location standards apply in zones with an “A” suffix.
- C. Waivers or modifications of these drive-through facility standards may be approved only through the Design Review procedure of Section 12.15.

3.05.06 Residential Uses; Mixed-Use Buildings

All residential and lodging units in mixed-use buildings must be located on floors other than the ground floor or that portion of ground-floor space that is at least 50 feet from the front property line.

Section 3.06 Supplemental Standards for Industrial Zones

3.06.01 Applicability

Any use established or changed, and any building, structure, or tract of land developed, constructed, or used for any permitted or permissible principal or accessory use in any industrial zone must comply with all of the supplemental standards of this section. If any existing use or building or other structure is extended, enlarged, or reconstructed, the standards of this section apply with respect to such extended, enlarged, or reconstructed portion or portions of such use or building or other structure.

3.06.02 Standards

A. Building enclosures

In the IP, IL and IG zones, permitted uses must be operated either within a completely enclosed building or within an area screened from view at the nearest zone boundary, in accordance with Article 8.

B. Exterior Lighting

Any lights used for exterior illumination, except for overhead street lighting and warning or traffic signals, must direct light away from all residential zones.

C. Outdoor Storage

1. IP Zone

- (a)** In the IP zone, products and materials of principally permitted uses may be stored outside and adjacent to principal buildings in side or rear setbacks, provided that all minimum setback depths are maintained.
- (b)** Such storage areas must be screened with a combination of fencing and tree plantings on all sides to totally obstruct the view of storage areas from other properties or streets.
- (c)** Plantings must include a 4-foot high berm planted with 2 rows of staggered evergreens, 6-foot high at time of planting, and a maximum space of 15 feet from center to center, in addition to the requirements of Section 8.01.
- (d)** In no case may the height of products or materials being stored exceed the height of screening.

- (e) The total square footage of such storage areas may not exceed 50 percent of the gross floor area of the principal building on the site.

2. IL and IG Zones

In the IL and IG zones, storage of materials, supplies, and products on the property outside the building constructed thereon is permitted to the side and rear of the property provided that the storage of materials, supplies and products are within an area screened from view at the nearest zone boundary, in accordance with Section 8.01.

D. Mining and Reclamation

All methods of operation, construction of roads, backfilling, grading, blasting, water impoundments, treatment facilities, and reclamation must be in conformance with the regulations adopted by the Department for Natural Resources and Environmental Protection, Division of Reclamation. Any excavation or processing operations must be subject to the regulations of the Kentucky Water Pollution Control Commission.