

151.40-8.8 HIGHWAY BUSINESS DISTRICT, C-3

151.40-8.8.1 PURPOSE

The purpose of the highway business, C-3, district is to encourage the establishment of commercial areas that can accommodate motor vehicle oriented customers. This district is specifically designed to service the motoring public and will be located along the major highways of Marion.

151.40-8.8.2 PERMITTED PRINCIPAL USES AND BUILDINGS

The following uses and buildings are permitted in any C-3 District, subject to all the applicable development standards and requirements:

- A. Retail Sales: Stores which deal in retail sales exclusively; restaurants, all types; souvenir shops; curio shops; garden centers; and new and used cars and truck sales; and places of amusement.
- B. Consumer and Personal Services: Outlets which provide repair, grooming, business, financial or maintenance service for the consumer, either on the premises or at another location; establishments that provide financial, business services; self-service laundries; hotels and motels; monument sales; pet shops; and private gymnasiums.
- C. Offices: Business and professional; Doctors, dentist, and chiropractors.
- D. Other non-residential uses: Funeral homes; cemeteries; intermediate care facilities; skilled nursing facilities; nursing homes; personal care home; hospitals and medical, dental or mental health offices.
- E. Residential: Residential dwellings as permitted in the R-3 zoning district. (see Section 151.40-8.5.2 for details).
- F. Government and institutional: Government offices, agencies and services; senior citizen centers; library, museum, art galleries, art centers and similar uses (including associated educational and instructional activities); post office, police stations, fire stations, rescue squad, and ambulance service.
- G. Recreational: Amusement parks; bowling alleys; roller skating rinks; archery ranges; miniature golf; golf driving range; and other similar outdoor recreational uses, provided that a development plan containing the proposed land uses have been approved by the Planning Commission (see Section 141.40-8.8.7 and Article 151.40-13).
- H. These additional land uses are permitted when they have been approved as a part of a development plan which has been approved in accordance with Article 151.40-13: Shopping centers; Multi-family land use developments, in a multiple building development configuration; Retail sales, consumer and personal services, office and professional, hospital or medical, dental or mental health office land uses in a multiple building development configuration;

151.40-8.8.3 PERMITTED ACCESSORY USE AND BUILDING

Any accessory building or use customarily incidental to the permitted uses are permitted.

151.40-8.8.4 PERMITTED CONDITIONAL USE AND BUILDING

The following uses are conditional uses in a C-3 district and require written approval of the Board of Adjustments:

- A. Churches and other places of worship;
- B. Parish houses and parsonages;
- C. Child care facilities, day care center and nurseries;

- D. Public parks and commercial recreational facilities;
- E. Public and Private schools and colleges;
- F. Philanthropic institutions and clubs;
- G. Radio and other towers and antennas.

151.40-8.8.5 **REQUIRED CONDITIONS**

Refuse facilities are permitted to be located outside a building provided it is completely screened from view of public streets and adjoining non-industrial zoned properties. These refuse facilities shall be screened on all sides except one by masonry walls or solid wood fencing not less than the height of the bin or container. One side shall be equipped with an opaque gate. Gates must have tie backs to secure in open position.

151.40-8.8.6 **PROHIBITED USE AND BUILDING**

The following uses are prohibited in the C-3 zoning district:

All industrial uses not specifically allowed by this article.

Outside storage, unless required by law;

Automobile wrecking yards, junk yards and similar type salvage operations.

Industrial agricultural operations, industrial agricultural operations as defined in 401 Kentucky Administrative Regulations 5:072E.

No structure including agricultural buildings shall be placed in any area which has been designated as a flood plain.

Mobile homes; and manufactured home parks.

151.40-8.8.7 **DEVELOPMENT PLAN REQUIRED**

When a building containing multi-family dwelling units, a multiple building development, a condominium, or arecreational vehicle park/campground is proposed, a development plan must be approved by the Planning Commission in accordance with Article 151.40-13 prior to the issuance of a building permit.

151.40-8.8.8 **LOT REQUIREMENTS**

A. All buildings must be connected to Marion sanitary sewer system.

B. Residential and commercial land uses may be located on the same lot or in the same development. When residential and non-residential land uses are located on the same lot, the lot calculations shall be based on the sum of each land use added together.

For information concerning: lot and yard requirements; the percentage of lot that may be covered by all buildings and parking; and height of buildings, see Table 2, at the end of these regulations.

For sign regulations for this district, see Article 5.

For off street parking and unloading regulations for this district, see Article 6.

151.40-8.9 **LIGHT INDUSTRIAL DISTRICT, I-1**

151.40-8.9.1 **PURPOSE**

The purpose of the light Industrial, I-1, zoning district is intended to provide areas in which the principal use of land is for light manufacturing and assembly plants, distribution, storage,

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TABLE 2
 TABLE OF NON-RESIDENTIAL DESIGN STANDARDS
 MARION ZONING REGULATIONS
 January 1, 2002

STANDARD	USE	C-1 CBD (page 8-8 to 8-10)	C-2 (page 8-10 to 8-12)	C-3 (page 8-12 to 8-13)	I-1 (page 8-13 to 8-15)	I-2 (page 8-15 to 8-18)	General Floodplain Overlay (page 8-18 to 8-20)	L-H Overlay	
Minimum lot size, square feet or acreage	Single family, on public sewer Two family, if on public sewer, first unit Multi-family if on public sewer, first unit for each additional unit Manufactured Home Park Manufactured Home Subdivision Other permitted or conditional uses	See Section 151.40-8-6.5 See Section 151.40-8-6.5 See Section 151.40-8-6.5	7,000 9,000 7,000 2,000 Not Permitted Not Permitted 10,000	10,000 9,000 7,000 2,000 Not Permitted Not Permitted 25,200	Not Permitted Not Permitted Not Permitted Not Permitted Not Permitted 1 Acre	Not Permitted Not Permitted Not Permitted Not Permitted Not Permitted 2 Acres	Not Permitted Not Permitted Not Permitted Not Permitted Not Permitted 40	Not Permitted Not Permitted Not Permitted Not Permitted Not Permitted Not Permitted	Same as base zoning Same as base zoning Same as base zoning Same as base zoning Same as base zoning Same as base zoning
Minimum lot width at front property line, feet	All uses	20	40	40	40	40	40	Same as base zoning	
Minimum lot width at building line, feet	Single family Two family Multi-family Other permitted or conditional uses	20 20 20 20	80 70 90 90	100 100 100 100	Not Permitted Not Permitted Not Permitted 100	Not Permitted Not Permitted Not Permitted 100	Not Permitted Not Permitted Not Permitted Not Permitted	Same as base zoning Same as base zoning Same as base zoning Same as base zoning	
Minimum front yard set back, feet		None	25**	30**	30**	30**	As regulated by underlying Zoning District	Same as base zoning	
Minimum side yard set back, feet (each side)		None	None***	None***	None***	None***	As regulated by underlying Zoning District	Same as base zoning	
Minimum rear yard set back, feet		None	None***	None***	None***	None***	As regulated by underlying Zoning District	Same as base zoning	
Accessory building setback, feet (side and rear yard) (side and rear yard)		None	None***	None***	None***	None***	As regulated by underlying Zoning District	Same as base zoning	
Minimum lot depth, feet		80	120	120	120	120	As regulated by underlying Zoning District	Same as base zoning	
Maximum height, Number of stories/feet		4/42	3/36	3/36	4/42	4/42	As regulated by underlying Zoning District	Same as base zoning	
Maximum coverage of lot by all structures and other impervious surfaces (Percent of total lot)		None	60	60	70	70	As regulated by underlying Zoning District	Same as base zoning	

** Or one-half of the street right-of-way, whichever is greater
 *** If adjacent to a residential zoning district 25 feet