

ORDINANCE 2016-13

AN ORDINANCE OF THE CITY OF WILLIAMSTOWN, GRANT COUNTY, KENTUCKY, AMENDING THE TEXT OF THE OFFICIAL ZONING ORDINANCE 80-199 ET. SEQ., ARTICLE X, (DISTRICT REGULATIONS), SECTION 10, R-3 (RESIDENTIAL-THREE) ZONE

WHEREAS, On the 28th day of March, 2016, the Grant County Joint Planning Commission did hold a public hearing on an application from the City of Williamstown, Kentucky, requesting a text amendment to the City of Williamstown Official Zoning Ordinance 80-199 et. seq., Article X (District Regulations), Section 10, R-3 (Residential-Three) Zone; and,

WHEREAS, Upon the foregoing application, the Grant County Joint Planning Commission did make written findings and conclusions in support of the requested text amendment together with written recommendations addressed to and received by the City Council of the City of Williamstown, Grant County, Kentucky, that the text amendment be granted, approved, and duly so ordained by the City of Williamstown, Kentucky, outlined in the findings and recommendations at the public hearing of the Grant County Joint Planning Commission; and

WHEREAS, The City Council of the City of Williamstown, Kentucky, did so concur in the findings, conclusions, and recommendations of the Commission concerning the change in the text amendment, by majority vote of the entire legislative body.

NOW, THEREFORE, BE IT ORDAINED by the City Council, City of Williamstown, Grant County, Kentucky:

SECTION I

As the Legislative Body of the City of Williamstown, Kentucky, the Williamstown City Council hereby adopts the findings of facts and conclusions of law review of the evidence and record of the Grant County Joint Planning Commission and adopts its hearing as its own:

- A. That on the 28th day of March, 2016, the Grant County Joint Planning Commission did hold a public hearing on the application of the City of Williamstown, requesting a text amendment change to the official Zoning Ordinance 80-199 et. seq., amending Article X (District Regulations), Section 10, R-3 (Residential-Three) Zone;
- B. Upon the following application, the Grant County Joint Planning Commission did make written findings and conclusions in support of the requested text amendment together with findings and conclusions in support of the requested text amendment together with recommendations to and received by the City Council of the City of

Williamstown, Grant County, Kentucky, that the City of Williamstown's requested text amendment be granted and approved; and,

- C. That the City Council of Williamstown, Kentucky, after hearing and reviewing evidence provided thereto so concur in the findings, conclusions, recommendations, and conditions of the Commission concerning the change in the text amendment.

SECTION II

Ordinance 80-199 et. seq. and those amendments thereto and Article X (District Regulations), Section 10, R-3 (Residential-Three) Zone is hereby amended with the words and numbers being added indicated by being double-underlined and deletions by being struck through as required by K.R.S. 83A.060(3) and the changes shall be incorporated into the Williamstown Code of Ordinances and the text of Ordinance 80-199 as follows:

SECTION 10.

R-3 (RESIDENTIAL THREE) ZONE:

A. PERMITTED USES:

- 1. Any use permitted in R-1 Single-family dwellings detached;
 - a. Two-family dwellings; and
 - b. Multi-family dwellings- maximum eight (8) dwelling units per lot
- 2. The following uses permitted as home occupations only:
 - a. Tourist homes and boarding houses;
 - b. Beauty shop, barber shop;
 - c. Custom dressmaking, millinery, tailoring; sewing of fabrics for custom apparel and custom home furnishings;
 - d. Laundering, pressing;
 - e. Foster family care, limited to not more than four (4) children simultaneously;
 - f. Office in which goods, wares, or merchandise are not commercially created, stored, or sold; and
 - g. Tutoring, limited to not more than four (4) children simultaneously

NOTE: Article 10, Section R-3, Paragraph A, Amended by Ordinance 2000-10

B. ACCESSORY USES:

- 1. Customary accessory buildings and uses;
- 2. Fences and walls, as regulated by Article XIII;
- 3. Signs, as regulated by Article XIV of this ordinance; and
- 4. Home occupations, subject to the restrictions and limitations established in Section 9.11 of this ordinance

C. CONDITIONAL USES: The following uses or any customary accessory buildings or

uses, subject to the approval of the Board of Adjustment as set forth in Sections 9.14 and 18.7 of this ordinance.

1. Cemeteries;
2. Churches and other buildings for the purpose of religious worship; **NOTE: Article 10, Section R-3, Paragraph C, Part 2, Amended by Ordinance 2011-09.**
3. Governmental offices;
4. Fire and police stations, providing they are located adjacent to an arterial street;
5. Institutions for higher education, providing they are located adjacent to an arterial street;
6. Institutions for human medical care – hospitals, convalescent homes, nursing homes, and homes for the aged, providing they are located adjacent to an arterial street;
7. Nursery schools and children day care within the residence limited to not more than 10 children and as regulated by State licensure requirements;
8. Public and parochial schools
9. Publicly owned and/or operated parks, playgrounds, golf course, community recreational centers, including public swimming pools and libraries;
10. Recreational uses other than those publicly owned and/or operated, as follows:
 - a. Golf courses
 - b. Country clubs
 - c. Swimming pools
11. Funeral homes, provided they are located adjacent to an arterial street;
12. Veterinarian offices, no outside runs or storage of animals;
13. Offices in which goods, wares or merchandise are not created or stored, providing they are located adjacent to an arterial street;
14. Dog Grooming within the residence limited to the following:
 - a. No boarding of dogs or overnight stays;
 - b. Dogs are not permitted to remain outside;
 - c. Paved off-street parking must be provided; and,
 - d. The use must conform to the home occupation requirements provided in Article IX, Section 11, Paragraph 1, of this Ordinance;
15. Beauty shop, barber shop, provided the use is located on an arterial street;
16. Therapeutic massage by practitioner licensed by the State of Kentucky, provided the use is located on an arterial street;
17. Automotive Detailing Shops;
18. Short-term vacation/housing rentals, not to exceed 10 consecutive days;
19. Children day care/adult day care centers as regulated by State licensure requirements

NOTE: Article 10, Section R-3, Paragraph C, Part 17, Amended by Ordinance 2009-11.

NOTE: Article 10, Section R-3, Paragraph C, Amended by Ordinances 1998-19, 2000-10, 2004-22, and 2004-29, AND 2006-12.

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES:

1. Every single-family dwelling shall be located on a lot of not less than 6,000 square feet, multi-family dwellings on a lot of not less than 9,000 square feet for two-family units, plus 3,000 square feet for each additional unit up to eight dwelling units;
2. Minimum lot width at building setback line – sixty-five (65) feet;
3. Minimum front yard depth – twenty (20) feet;
4. Minimum side yard width – there shall be a minimum side yard on each side of any building or structure of ten (10) feet measured from the side lot line to the nearest building or structure, except that garages or carports may extend an additional five (5) feet into one side yard;
5. Minimum rear yard depth – twenty-five (25) feet; and
6. Maximum building height – sixty-five (65) feet

NOTE: Article 10, Section R-3, Paragraph D, Part 6, Amended by Ordinance 2011-09

E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES (See Section R-3 (C)):

1. Minimum lot area – twenty-two thousand five hundred (22,500) feet;
2. Minimum lot width at building setback line – one hundred fifty (150) feet;
3. Minimum front, side (on each side of lot), and rear yards – fifty (50) feet; and
4. Maximum building height – sixty-five (65) feet

NOTE: Article 10, Section R-3, Paragraph E, Part 4, Amended by Ordinance 2011-09

F. OTHER DEVELOPMENT CONTROLS:

1. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII;
2. No outdoor storage of any material (useable or waste) shall be permitted in this zone, except within enclosed containers;
3. No lighting shall be permitted which would glare from this zone onto any street or into any adjacent property;
4. Where any yard of any conditional use permitted in this zone abuts property in a single-family residential zone, a ten (10) foot wide screening area, as regulation by Section 9.17 of this ordinance, shall be required; and
5. All new subdivisions must have centralized sewers, unless proven to the satisfaction of the City Council of the City of Williamstown that to do such would be fiscally impractical. Subdivisions in existence prior to the adoption of this zoning ordinance are not required to have centralized sewers except as provided in Section 9.15 (C);

SECTION III

This text amendment is subject to terms and conditions established by the Grant County Joint Planning Commission in its approval of the subject application in recommending the text amendment to the City Council of Williamstown, Kentucky.

SECTION IV

The provisions of this ordinance are severable; and the invalidity of any provision of this ordinance shall not affect the validity of any other provision thereof; and such other provisions shall remain in full force and effect as long as they remain valid in the absence of those provisions determined to be invalid.

SECTION V

All ordinance or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION VI

This ordinance shall be effective as soon as possible according to law.

SECTION VII

This ordinance shall be published in summary pursuant to K.R.S. 83A.060(9).

Rick Skinner, Mayor
City of Williamstown, Kentucky

ATTEST:

Vivian Link, City Clerk/Treasurer

2016-13

First Reading: 05/02/16

Second Reading: 05/17/16

Publication: 05/26/16

