

ORDINANCE 2016-16

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, HC (HIGHWAY COMMERCIAL) 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, HC (Highway Commercial) 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, HC (Highway Commercial) 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, HC (Highway Commercial) 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 **HC (HIGHWAY COMMERCIAL) ZONE:**

The B-1 Highway Commercial Zone is established to provide locations for businesses oriented primarily toward serving the motoring public and for those businesses which due to their nature are best suited to locations along major streets or highways.

A. PERMITTED USES

1. Advertising agencies
2. Antique shops
3. Apparel shop
4. Art supplies
5. Auto laundry
6. Automobile service and repairs, providing that all business activities shall be conducted within a completely enclosed building
7. Automobiles, motorcycles, and truck sales, new or used
8. Bait shops and sporting equipment sales
9. Bakery and bakery goods store, provided the products are sold exclusively on the Premises
10. Banks and other financial institutions including savings, loan, and finance companies, with drive-in windows
11. Barber shops
12. Beauty shops
13. Boat and other marine equipment sales and service, new and used
14. Book, stationery, or gift shop
15. Bowling alleys
16. Camera and photographic supplies
17. Candy store, soda fountain, ice cream store, excluding drive-ins

18. Carpet and rug stores
19. Carry-out Convenience stores, including LNG services (liquified natural gas)
20. Catering
21. Chiropractic Services
22. Cinema/movie theatre
23. Dental offices
24. Drycleaners and laundries
25. Eating and drinking places, including drive-ins and drive-thrus
26. Employment agencies
27. Florist shop
28. Food store and supermarkets
29. Fueling station, including LNG services (liquified natural gas), and/or electric recharging stations
30. Funeral home
31. Furniture store
32. Garden Centers/Greenhouses
33. General merchandise store
34. Governmental offices
35. Health clubs
36. Hobby shop
37. Hotels, motels, tourist centers
38. Household, electrical, and electronic appliance store, including incidental repair
39. Jewelry store, including repair
40. Laundromats, self-service washing and drying
41. Library
42. Locksmith shop
43. Lumber and hardware
44. Massage therapy
45. Medical Supply Sales
46. Mental health and counseling services (outpatient only)
47. Mobile home and trailer sales, rental and service (new and used)
48. Museums and art galleries
49. Music, musical instruments, and records, including incidental repair
50. Office appliances and supplies
51. Office buildings, ~~except medical professional offices~~
52. Off-street parking lots and garages
53. Opticians and optical goods and services
54. Paint and wallpaper store
55. Pet grooming
56. Pet shop, excluding boarding and outside runs
57. Pharmacies
58. Police and fire stations
59. Radio and television store, including repair

60. Recreation and entertainment facilities
61. Recreational uses
62. Self-storage Rental Units
63. Shipping and mail service
64. Shoe store and shoe repair
65. Shopping centers
66. Skating rinks, golf driving ranges, miniature and par-3 golf courses
67. Spas and salons
68. Sporting goods
69. Studios for professional work or teaching of any form of fine arts, photography, drama, or dance
70. Tailor shop
71. Tool rental
72. Toy stores
73. Travel agency
74. Variety store, including notions and "five and ten" stores
75. Veterinarian offices and outside runs
76. Video sales and rental
77. Vocational or trade schools, or other specialized educational facilities

78. Rental car agency

79. City/County-Routed bus terminal

80. Taxi terminal

81. Wedding chapel with or without reception center

82. Packaged liquor, wine, and malt beverage store to include drive-through and/or drive-

up window

83. Microbrewery

84. Mobile food trucks and/or food carts, as regulated by all State licensures and Health Department

NOTE: Article 10, Section HC, Paragraph A, Part 21 Amended by Ordinance 2003-14, Part 22 and 23 Amended by Ordinance 2004-10, Part 17 Amended by 2011 11, Parts 24-28 Amended by Ordinance 2011-20, Parts 1-66 amended b Ordinance 2012-12

B. ACCESSORY USES:

1. Customary accessory buildings and related uses both for permitted and conditional uses.
2. Fences and walls, as regulated by Article XIII of this ordinance.
3. Signs, as regulated by Article XIV of this ordinance.
4. Swimming pools, indoor and outdoor, in connection with motels or hotels.
5. Uses as listed below, included within and entered from within, any motel or hotel building, as a convenience to the occupants thereof, and their customers providing that the accessory uses shall not exceed ten (10) percent of the gross floor area of the permitted uses in the building.

- a. barber shops
- b. beauty shops
- c. news, confectionery stands, and gift shops
- d. restaurants

C. **CONDITIONAL USES:** The following uses subject to the approval by the Board of Adjustment, as set forth in Sections 9.14 and 18.7 of this ordinance:

- 1. Service stations (including auto repairing, providing all repair work except that of a minor nature—e.g., change of fan belt, minor carburetor adjustment, tire removal and/or replacement, windshield wiper replacement, etc.—is conducted wholly within a completely enclosed building.
- 2. Mobile homes or dwellings when used in conjunction with business.
- 3. Churches.
- 4. Child/Adult Day Care Centers as regulated by State Licensures.
- 5. Facilities for human medical care, including, ~~medical offices~~, hospitals, clinics, imaging centers, laboratories, and similar ancillary health care services.

NOTE: Article 10, Section HC, Paragraph C, Part 4 and 5 Amended by Ordinance 2011-11; Part 3 Amended by Ordinance 2012-12; Part 5 Amended by Ordinance 2013-04

D. **AREA AND HEIGHT REGULATIONS:** No building shall be erected or structurally altered hereafter except in accordance with the following regulations:

- 1. Minimum Lot Area – Twenty thousand (20,000) square feet
- 2. Minimum Lot Width at Building Setback Line – One hundred (100) feet
- 3. Minimum Front Yard Depth – Thirty-five (35) feet
- 4. Minimum Side Yard Width on Each Side of Lot – A minimum side yard of Fifteen (15) feet is required for all highway commercial uses as measured from the property line to the nearest building or structure.
- 5. Minimum Rear Yard Depth – A minimum rear yard of fifteen (15) feet shall be required for all structures in the B-1 Highway Commercial Zone as measured from the rear property line to the nearest building or structures.
- 6. Maximum Building Height – Sixty-five (65) feet
- 7. In the case of this zone, more than one principal building, as herein defined, may be constructed on one lot.

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

E. **OTHER DEVELOPMENT CONTROLS:**

- 1. Off-street parking and loading and/or unloading shall be provided in Accordance Articles XI and XII of this ordinance.
- 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 use permitted in this zone abuts a residential zone, a minimum yard requirement of ninety (90) feet for each side and/or rear yard which abuts said zone shall be provided, fifteen (15) feet of which shall be maintained by a screening area, as regulated by Section 9.17 of this ordinance. This area shall remain open and not permit off-street parking and loading and/or unloading.
5. A site plan, as regulated by Section 9.19 of this ordinance, shall be required for any use in this zone.
NOTE: Article 10, Section HC, Paragraph E, Part 5 Amended by Ordinance 2004-10 and Ordinance 2012-08
6. No use producing objectionable odors, noise, or dust shall be permitted within Five hundred (500) feet from the boundary of any residential zone.

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

2016-16

First Reading: 05/02/16

Second Reading: 05/17/16

Publication: 05/26/16