

ORDINANCE 2016-17

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, NC (NEIGHBORHOOD 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, NC (Neighborhood 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, NC (Neighborhood 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, NC (Neighborhood 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 10.13 NC (NEIGHBORHOOD COMMERCIAL) ZONE:

A. PERMITTED USES:

1. Apparel shop
2. Art supplies
3. Bakery and bakery goods store, provided the products are sold exclusively on the premises
4. Banks and other financial institutions, including savings, loan, and finance companies with drive-in windows
5. Barber and beauty shops
6. Book, stationary, or gift shops, including printing
7. Camera and photographic supplies
8. Candy store, soda fountain, ice cream store, excluding drive-ins
9. Delicatessen
10. Drug store
11. Eating and drinking places, excluding drive-ins
12. Florist shop
13. Food store and supermarkets
14. Furniture store
15. Garden supplies
16. Glass, china, or pottery store
17. Haberdashery
18. Hardware store
19. Hobby shop
20. Household and electrical appliance store, including incidental repair
21. Interior decorating studio
22. Jewelry store, including repair
23. Leather goods and luggage store
24. Library
25. Locksmith shop

26. Music, musical instruments, and records, including incidental repair
27. Offices, except medical professional offices
28. Opticians and optical goods and services
29. Dry cleaners and laundries
30. Paint and wallpaper store
31. Pet shop, excluding boarding and outside runs
32. Police and fire stations
33. Post office
34. Radio and television store (including repair)
35. Shoe store and shoe repair
36. Sporting goods
37. Studios for professional work or teaching of any form of fine arts, photography, music, drama, or dance
38. Tailor shop
39. Toy store
40. Variety store, including notions and “Five and Ten” stores
41. Child/Adult Day Care Centers as regulated by State licensure requirements
42. Chiropractic services
43. Mental health and counseling services (outpatient only)
44. Dental offices
45. Massage therapy
46. Carry-out convenience stores

NOTE: Article 10, Section NC, Paragraph A, Part 2 Amended by Ordinance 2000-08; Parts 27 and 42-45 Amended by Ordinance 2011-19

B. ACCESSORY USES:

1. Customary accessory uses
2. Fences and walls, as regulated by Article XIII of this ordinance
3. Signs, as regulated by Article XIV of this ordinance

C. CONDITIONAL USES: The following uses or any customary accessory buildings or 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 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 and providing further that such service station is located adjacent to an arterial street, as identified in the adopted comprehensive plan).
2. Churches
3. Packaged liquor, wine, and malt beverage store to include drive-through and/or drive-up window

NOTE: Article 10, Section NC, Paragraph C, Subparagraph 2 Amended by Ordinance 2011-19

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 – Ten thousand (10,000) square feet
2. Minimum Lot Width at Building Setback Line – Seventy (70) feet
3. Minimum Front Yard Depth – Fifty (50) feet
4. Minimum Side Yard Width – No restrictions, except when adjacent to a street, road, or highway, when the required width shall be the same as required for a minimum front yard depth in this zone. When buildings abut each other, firewall construction, as required by the building code, shall be required. In the event a side yard is provided, it shall never be less than fifteen (15) feet.
5. Minimum Rear Yard Depth – Fifteen (15) feet
6. Maximum Building Height – Sixty-five (65) feet

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

7. In the case of this zone, more than one principal building, as herein defined, may be constructed on one lot.

E. OTHER DEVELOPMENT CONTROLS:

1. Off-street parking and loading and/or unloading shall be provided in accordance with 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 residential zone.
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. No use producing objectionable odors, noise, or dust shall be permitted within five hundred (500) feet from the boundary of any residential zone.
6. All business activities permitted within this zone shall be conducted within a completely enclosed building with the exception of off-street parking and loading and/or unloading areas.
7. A site plan, as regulated by Section 9.19 of this ordinance, shall be required for any use permitted in this 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

2016-17

First Reading: 05/02/16

Second Reading: 05/17/16

Publication: 05/26/16